

BUILDING SOCIAL PROTECTION FLOORS AS ONE UN TOGETHER, TO CHANGE MILLIONS OF LIVES BY ANCHORING SOCIAL PROTECTION RIGHTS IN LAW



International
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SOUND LEGAL FRAMEWORKS: A PREREQUISITE FOR THE EFFECTIVE EXTENSION OF SOCIAL PROTECTION

Today, only 23 per cent of the world's population has access to comprehensive social security, leaving more than 5 billion people without adequate protection against life risks. ILO social security standards define the content of the human right to social security and provide detailed guidance for the development of comprehensive social security systems in all countries around the world. The most recent social security standard, the Social Protection Floors Recommendation, 2012 (No. 202), has been endorsed as a unifying platform to guide coordinated interventions on social protection at the global, regional, and country levels. Anchoring social protection rights in national law is fundamental to ensure the human right to social security. Whether a country is looking to establish new programmes or expand existing ones, the development of a legal framework serves to translate the national social protection vision into entitlements and obligations. This ensures the stability and predictability of a social protection system.

AN OPPORTUNITY TO DELIVER AS ONE UN

The ILO and other UN agencies are mandated to create and extend national social protection floors as part of comprehensive social security systems. Sound legal frameworks are key to this endeavour. The collaboration of all concerned line ministries (social development, labour, health, education, finance, among others) with the support from relevant UN agencies (ILO, UNICEF, UNDP, WHO, UNFPA, UNAIDS, UNESCO, UN WOMEN, WFP, FAO, and others) is required to create a coordinated and effective social security system. The development of legal frameworks for social protection provides an opportunity to deliver as One UN. The efficiencies achieved by working as One UN will facilitate the achievement of the Sustainable Development Goals (SDGs).

A FIVE-STEP APPROACH

❶ **Policy development** - During the participatory policy-making process, relevant stakeholders discuss social protection policies and, as a result of compromises and agreements,



decide on policy objectives, outcomes, and outputs.

❷ **Feasibility and impact assessments** - It is possible for well-drafted legislation to fall short of its intended purposes due to legal, institutional, and financial constraints. Prior studies, including legal reviews, costing exercises, and institutional feasibility assessments, can correct these shortcomings and ensure short- and long-term implementation.

❸ **Legal drafting** - The overall objective is to convert social security policies and anchor existing programmes into coherent legal texts that define underlying entitlements, rights, and obligations in a logical, readable, and user-friendly manner. This follows an iterative process of formulation, drafting, and revision.

❹ **Adoption** - Legislation should be formally adopted through appropriate national processes and practices, making full use of consultations.

❺ **Implementation** - Once adopted, social security laws should be actively implemented through diverse methods and approaches. The legal framework establishes the governance structure and formulates rules for the accountable and sustainable management of social security systems. It also lays out the procedures and mechanisms for the delivery of benefits and services.

REFORMING THE SOCIAL INSURANCE LAW IN VIET NAM

On 21 November 2014, the National Assembly of Viet Nam passed reforms of the Social Insurance Law, which will shape Viet Nam's social security legal map. The comprehensive social insurance reform primarily aims at increasing the number of contributors from the formal and informal sectors; improving compliance among employers and employees; developing a modern model of social insurance management; and, finally, ensuring the financial sustainability of the system. The project was funded by the One UN Fund in Viet Nam and implemented by the International Labour Organization (ILO) with the participation of UNDP and UNFPA.

“ With an aim to concretize all citizens' right to social protection, Viet Nam has gradually improved the social protection legal framework. In the process of amending the Social Insurance Law in 2014, the Committee on Social Affairs consulted ILO experts on formulating social insurance policies based on modern international social protection principles and standards. ILO experiences were a crucial reference for Viet Nam to develop and improve its social insurance system and contribute to better access and enjoyment of improved social protection policies.

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

“ We highly appreciate the active contributions from the ILO in terms of technical expertise during the development of the Social Insurance Law in 2014. In particular, findings of actuarial valuation of the Viet Nam social security fund has laid the foundation for the social insurance system reform in Viet Nam, which aims at financial stabilization and sustainability of the fund. The analysis, recommendations and specific comments from the ILO on the draft version of the Social Insurance Law contributed to important changes [of the Law] to extend social insurance coverage, ensure fairness in contribution-benefit for workers in different economic sectors, and improve their benefits.

Ms. Tran Thi Thuy Nga, Director of the Social Insurance Department

FROM RIGHT TO REALITY WITH YOUR SUPPORT

The ILO and its UN partners have extensive experience in working as One to assist countries to extend social protection. With your support, we can help realize the social security rights of more people in more countries across the globe and achieve the SDGs. You can support us to:

Build capacities of tripartite constituents and other relevant stakeholders to strengthen consultations and align legal reform objectives with national political, economic, and social contexts and international standards. US\$100,000 per country

Undertake the necessary legal, feasibility, and impact studies to ensure the sustainable implementation of legal reform. \$ 120,000 per country

Build capacities of the drafting units to ensure sound social security legislation that will lead to successful implementation. \$ 100,000 per country

Strengthen the abilities of agencies and bodies responsible for the implementation of social security laws. \$ 80,000 per country

Develop a hands-on how-to guide for drafting social security legislation in close partnership with ongoing initiatives in countries.

\$ 150,000 for 3 years

Improve the application and support for the ratification of ILO social security standards.

\$ 200,000 for 3 years

LISTENING TO YOUR AMBITIONS

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

To further discuss your needs and the ways you can promote social security rights and entitlements of millions of people, you can contact:




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