



► Social Protection Spotlight

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Building rights-based social protection systems in the PALOP countries and Timor-Leste: Mobilizing the potential of ILO social security standards to implement the human right to social security

The human right to social security was recognized 75 years ago in the 1948 Universal Declaration of Human Rights (UDHR) and later in the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1966. All Portuguese-Speaking African Countries (PALOP) countries and Timor-Leste are party to the ICESCR with the exception of Mozambique.

The core elements of the human right to social security were outlined in the most succinct yet visionary manner by the Declaration of Philadelphia of 1944, concerning the aims and purposes of the International Labour Organization (ILO). In response, the ILO adopted an entire body of standards substantiating the right to social security, the most notable being the Social Security (Minimum Standards) Convention, 1952 (No. 102).

Convention No. 102 continues to occupy a prominent place in the international development arena 70 years following its adoption. It was the first instrument to regroup all nine branches of social security (also designated as risks or contingencies) – medical care, sickness, unemployment, old age, employment injury, family benefits, maternity, invalidity and survivors – and it remains the sole international instrument that establishes worldwide-agreed minimum qualitative and quantitative standards in terms of persons covered, and level, qualifying period and duration of benefits to be provided for all the branches. It also sets out core good governance and financing principles to guide the design and implementation of social protection systems.

Convention No. 102 sets standards that have been built on good practices and innovative ways of providing enhanced and extended social protection in countries from all regions of the world. At the same time, it embraces the notion that there is no single model for social security recognizing that each society should develop the best means of guaranteeing the protection required. Accordingly, Convention No. 102 offers a range of options and flexible routes for ratification and their application, be it contributory or non-contributory mechanisms, all directed at ensuring an overall level of protection which best responds to each country's needs.

International Covenant on Economic, Social and Cultural Rights

Country	Date of Ratification/ Accession
Angola	Ratified (acceded) 10/01/1992
Cabo Verde	Ratified (acceded) 06/09/1993
Guinea-Bissau	Ratified (acceded) 02/07/1992
Mozambique	-
Sao Tome and Principe	Ratified 10/01/2017
Timor-Leste	Ratified (acceded) 16/04/2003

Given its systemic vision of social security, Convention No. 102 has become a reference international treaty that has greatly influenced the development of national social protection systems, even in the absence of formal ratification.

In 2012, the ILO adopted a new instrument that marked a new milestone in the history of the international social security legal landscape. Considering that more than half of the world population still did not have access to any form of social security, the Social Protection Floors Recommendation (No. 202) guides the ILO and its Members towards the objective of reaching universal protection by prioritizing the establishment of nationally defined social protection floors as part of comprehensive social security systems. This objective is an integral part of the 2030 Sustainable Development Goals.¹

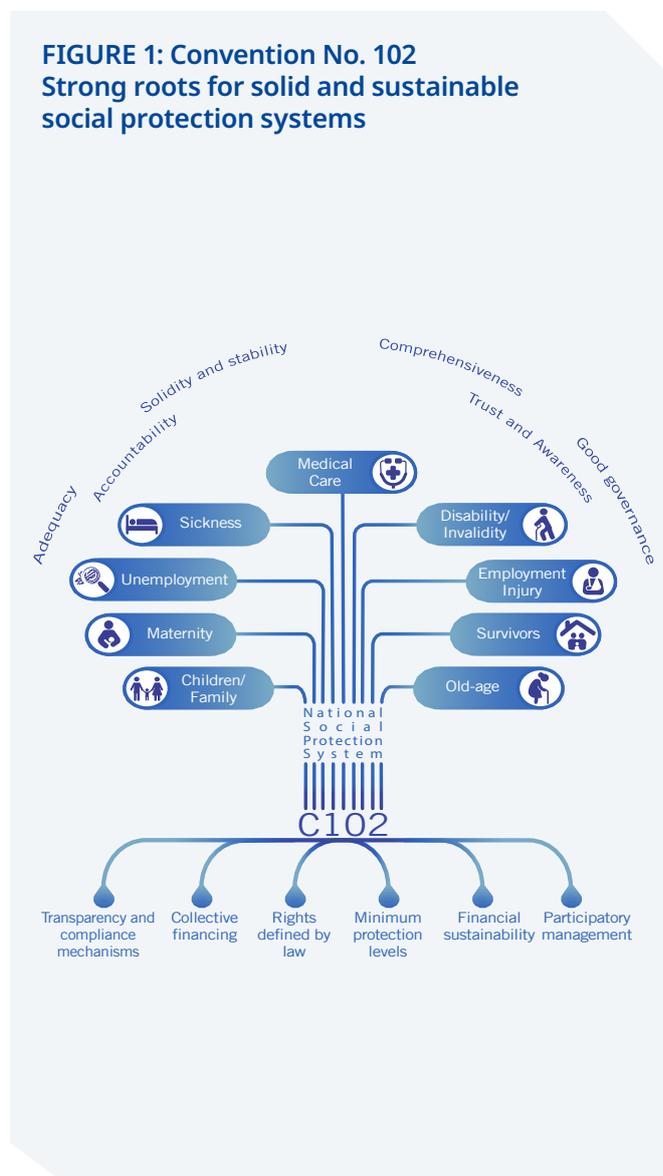
Recommendation No. 202 sets the vision and strategy for the extension of social protection to all as agreed by ILO’s tripartite constituents, and provides guidance in formulating and implementing their national social protection policies and strategies. In this context, it also reaffirms the central role of Convention No. 102 as an essential ILO instrument for progressively building universal and comprehensive social protection systems and adequate levels of protection.

Looking towards delivering on the promise of the 2030 Agenda, the promotion of the ratification and effective implementation of international social security standards, and Convention No. 102 in particular, is a priority for the tripartite constituents of the ILO.

In this context, and following the decision to this effect of the 2021 session of the International Labour Conference, the ILO is implementing a Global Campaign to promote the ratification of Social Security (Minimum Standards) Convention, 1952 (No. 102) for the period 2021-2026.

The Campaign aims to support countries in the progressive realization of universal social protection systems, including floors, based on the core principles and minimum benchmarks provided by international social security standards. To date, Cabo Verde is the only PALOP country to have ratified Convention No. 102 although others have undertaken decisive steps in this direction, as described below.

FIGURE 1: Convention No. 102
Strong roots for solid and sustainable social protection systems



¹ SSDG targets 1.3 and 3.8. Four other targets have expressly acknowledged the role of social protection to respond to global challenges and achieve a better and more sustainable future for all, leaving no one behind, including as regards reducing poverty, ensuring healthy lives, achieving gender equality, promoting decent work, reducing inequality and creating peace, justice and strong institutions, i.e. SDG 5.4, 8.5, 10.4, 16.6.

Collaboration between ILO and Portugal: joining forces to build rights-based social protection systems through the ACTION/Portugal project

The Government of Portugal has been an active supporter and advocator for human rights, including the right to social security and has a longstanding relationship with the ILO having been one of its founding members.

Portugal has been a strategic partner in promoting the Decent Work Agenda and, in the last 30 years, has focused its partnership on the implementation of operational programmes aimed at extending and improving social protection mechanisms in Timor-Leste and in the PALOP, namely Angola, Cabo Verde, Guinea-Bissau, Mozambique, and São Tomé e Príncipe.

Portugal, the ILO and the International Training Centre of the ILO (ITC-ILO) have been collaborating since 2015 on the ACTION/Portugal project which has been instrumental in the implementation of comprehensive national social protection systems, including floors, as part of the Sustainable Development Goals of the United Nations 2030 Agenda, also by applying the International Labour Standards in the six partner countries of the project, in line with national priorities and strategies.

Phase I of Action/Portugal (2015 – 2018) focused on strengthening the social protection systems, and expanding access to social protection by increasing the coverage of benefits, particularly for vulnerable groups. Additionally, active inclusion measures were implemented to promote the integration of individuals into the labour market and society. During the second phase of the project (2019 – 2021) the emphasis shifted towards consolidating and deepening the achievements made and seeking to ensure the sustainability of social protection policies and their integration across various areas. Efforts were made to streamline and harmonize social protection benefits and enhance their coherence and effectiveness. Given the importance of statistics for the monitoring of social protection programmes and iterative policy development processes, efforts also focused on improving the quality of the national statistics.

Phase III of ACTION/Portugal (2022 - 2025) aims to help partner countries continue to move towards greater

legal and effective social protection coverage, with a focus on greater coverage of workers in the informal economy, and better adequacy of benefits to the needs of each country.



ACTION/Portugal has played a crucial role in building rights-based social protection systems. It has been instrumental in supporting national level measures and initiatives in collaboration with the ILO, including the advocacy for the ratification and application of international social security conventions, the promotion the implementation of the principles set out in international standards in social protection policies, programmes and institutional frameworks, and enhanced the competences of national stakeholders through capacity building activities and knowledge sharing.

Notably, recognizing the importance of social protection and its role in safeguarding the rights and well-being of individuals, the Project has been instrumental in advocating for the application of relevant international social security conventions and supporting Member States in implementing robust social protection systems. In this regard, it has made important contributions to the promotion of the ratification and effective implementation of Convention No. 102.

This collaboration was central in the ratification and application of Convention No. 102 by Cabo Verde.

Concretely, the Project has provided public finance, actuarial and statistical technical support, policy development and standards related technical support and capacity building activities that has empowered Governments to prioritize social protection through a rights-based approach, seek ways to close gaps in protection in order to ensure that everyone enjoys the human right to social security and align national legislation and policies with principles and benchmarks set out in international social security standards, including the Convention No. 102. This has been achieved by conducting comparative analyses between international social security standards and national social protection laws and practices, undertaking studies, organizing workshops and dialogues among

relevant stakeholders, and facilitating the exchange of knowledge and best practices.

By encouraging Member States to ratify Convention No. 102, the Project has effectively helped foster a global commitment to establishing rights-based social protection systems. Through ratification a State demonstrates its commitment to providing adequate social protection through a system enshrined in law, accompanied by accountability mechanisms and effective remedies and based on the principles of non-discrimination, collective financing, participatory management.

PALOP countries and Timor-Leste have also benefited from the sharing of best comparative practice in order to create more comprehensive social protection systems that are able to progressively respond to more risks. Following the necessary studies to determine the feasibility of implementing new measures and consultative processes to define design features, several countries have translated these intentions into laws. Indeed, the enshrinement in law along with a long-term national action plan for social protection greatly increases the guarantees of social protection for all, and especially for the most disadvantaged and vulnerable groups. It also helps ensure that social protection measures are guarded from political manipulation and that they receive lasting commitment from state authorities, regardless of political change.

Notably, ACTION/Portugal has contributed to raising awareness and knowledge about ILO social security standards through the translation of an online toolkit into Portuguese. This initiative has been instrumental in increasing the understanding and promoting the ratification and application of these standards, ultimately enhancing their impact and implementation in national contexts.

Among its priority actions, ACTION/Portugal promotes activities with social security institutions to bolster their efficiency and sustainability. This is achieved through the analysis and improvement of existing governance practices and processes including as regards financial management and fund investment. A clear institutional framework is essential to promoting a rights-based approach to social protection. Support has therefore consisted in ensuring that the institutional framework facilitate the adequate delivery of social security

systems and be administered in a sound, transparent and accountable manner in particular in such a way to allow for financial sustainability in the long-run, as set out clearly in Convention No. 102 and Recommendation No. 202.

More recently, ACTION/Portugal has also focused efforts on collecting, preparing, analysing and making available reliable and quality data on social protection systems to monitor progress at national, regional and international levels. The regular monitoring of implementation, and periodic evaluation is one of the core principles on which comprehensive social protection systems should be built and maintained (Recommendation No. 202, paragraph 3 - p). This is also essential for the progressive realization of the right to social security.

All these efforts have played a vital role in promoting social justice, inclusivity, and the protection of fundamental rights for individuals and communities worldwide. In countries like Cabo Verde, Sao Tome and Principe, and Timor-Leste, the contributions of ACTION/Portugal have been particularly impactful.

Angola

With ACTION/Portugal, Angola has made powerful strides to enhance social protection systems. Capacity building initiatives have played a crucial role, with training sessions and seminars conducted for relevant government institution employees including interactive seminars on expanding social protection coverage, both in terms of persons and branches covered, with a particular focus on workers in the informal economy as well as on social protection statistics. Another important achievement in Angola was the creation of the Interinstitutional Working Group on Social Protection Statistics (GITEPS). This multisectoral collaboration has strengthened the coordination and cooperation among entities involved in data collection and analysis, leading to a more complete and integrated approach in monitoring and evaluating social protection programmes. Such mechanisms are key to monitor progress which in themselves represents a concrete expression of the manner in which States exercise their overall responsibility for building and maintaining comprehensive and rights-based social protection systems.

Cabo Verde

In a real effort towards enhancing social protection, the Government of Cabo Verde made an important decision to ratify Convention No. 102. This decisively marked Cabo Verde's commitment to upholding international standards and ensuring the well-being of its population.

This ratification was published in the National Gazette (Boletim Oficial) on July 15, 2019. The instrument of ratification was deposited with the Director-General of the ILO in January 2020 and the Convention came into force in January 2021.

The Step Portugal project and ACTION/Portugal played a pivotal role in the ratification and application of Convention No. 102. The ratification of Convention No. 120 was an important step in the development and consolidation of Cabo Verde's social protection system. Indeed, it strengthened the legal framework necessary for the sustainability of the programmes and, above all, served as an advocacy tool to accelerate the horizontal and vertical extension of coverage to the entire population. As such, it marked a significant milestone in the development and consolidation of the country's social protection system.

With ILO support, a comprehensive comparative analysis between the provisions of Convention No. 102 and national law and practice was prepared and presented at a tripartite seminar for discussion and finalisation in July 2018 in line with obligations under Tripartite Consultation (International Labour Standards) Convention, 1976 (n.º 144). Advocacy and awareness raising activities and materials were also developed to promote the ratification and support the effective application of international obligations. For example, with the Social Dialogue Council (Conselho de Concertação Social), made up of workers', employers' and government representatives, through the development of advocacy materials at the request of the Government and by way of an infographic explaining Convention No. 102 and the benefits of its ratification for a wider audience.²

Using the guidance provided by the comparative analysis and the framework of international social security standards, Cabo Verde advanced on the introduction of a new unemployment benefit scheme, coupled with the harmonization of the social protection register through the Single Social Register (CSU). In so doing, the country progressed towards more comprehensive and inclusive social protection system. Through these initiatives Cabo Verde exemplifies its

steady determination to promote social justice and create a more equitable society for all persons.

Guinea-Bissau

Despite the challenges posed by political instability, Guinea-Bissau remains dedicated in its commitment to strengthening social protection. As such, the main contributions of ACTION/Portugal in the country are centered around two key areas: promoting good governance of the social security system, including information systems and data collection, and supporting the development of the National Policy for Social Protection in line with international social security standards.

The ILO, notably through ACTION/Portugal, and in collaboration with the Economic Community of West African States (ECOWAS), supported the development of advocacy material to provide concise and relevant information to facilitate discussions on a possible ratification and full application of Convention No. 102. These materials will support informed decision-making and encourage the application of these important conventions with the ultimately goal of strengthening the social security system in Guinea-Bissau.

Mozambique

Mozambique achieved a remarkable accomplishment through the creation of the first-ever African Statistical Bulletin with the technical and financial support of ACTION/Portugal. This notable result showcases Mozambique's dedication to advancing statistical knowledge and data-driven decision-making, setting a precedent for the region. Indeed, no effective action in the area of social protection can be taken without having a precise picture of the situation prevailing in both law and practice, and as such comprehensive data collection and analysis are a crucial element for informed and evidence-based policy- and law-making, as well as effective implementation.

Additionally, coverage within the contributory scheme has been steadily growing, thanks to efforts to increase affiliations of self-employed workers operating in the informal economy. This expansion in coverage is a testament to Mozambique's commitment to ensuring universal social protection, and the key role played by social protection systems in promoting formalization. By prioritizing the inclusion of self-employed individuals,

² *Proteção Social um Direito Humano: Experiência de Cabo Verde*, 2018.

Mozambique paves the way for a more inclusive and equitable social protection system, fostering resilience and support for its diverse workforce.

More recently, during the week of the International Workers' Day, the two largest national trade union confederations of Mozambique, namely the National Confederation of Independent and Free Trade Unions of Mozambique (CONSILMO) and the Mozambican Workers Organization (OTM-CS), launched a national campaign calling for the ratification of Convention No. 102. Through a press conference.³ In this context, and with the support of ACTION/Portugal, a technical note was developed by the unions and underlines the importance of Mozambique ratifying Convention No. 102.⁴



Ratification is seen as a tool to address existing coverage gaps that currently keep 87 per cent of the population excluded from enjoying their human right to social security and which particularly concerns workers in the informal economy and persons in situations of poverty and vulnerability.

A discussion on the possibility of ratification of Convention No. 102 by Mozambique is scheduled to take place in early June 2023 in the framework of the Labour Advisory Commission (CCT in the Portuguese acronym), which is the tripartite national body reuniting the Ministry of the Labour and Social Security, workers' organizations and employers' organizations.

Sao Tome and Principe

Despite the significant challenges, Sao Tome and Principe has made concrete efforts to build a rights-based social protection system in collaboration with the ILO and through the ACTION/Portugal project.

In particular a comprehensive comparative analysis of national social protection laws and practices against the benchmarks and principles set out in Convention No. 102 was prepared by the national stakeholders with the support of the ILO. A follow up tripartite validation workshop, in line with Convention No. 144, was organized to discuss and validate the results, whereby a roadmap was adopted. The acceptance of the ratification of Convention No. 102 by the National Ministry Council in February 2023 marks a compelling milestone towards a ratification process that would further signal the State's commitment to upholding international standards.⁵

This exercise also enhanced the capacities of the Government and social partners to support the development of related policies and the improved implementation of programmes that extend social protection coverage. Additionally, it served to shape the country's legal framework.⁶

Efforts have been made to prioritize the capacity building of members of social security institutions, empowering them with the necessary knowledge and skills to effectively address the needs of the population. Moreover, Sao Tome and Principe has made significant progress in developing a robust governance strategy to improve the efficiency and transparency of the management of social security institutions, especially in connection with the National Institute of Social Security (INSS) Studies Office, who directly requested assistance to the ILO. In effect, transparency, accountability and reliability are universally recognized key operational principles for the good governance of public administration, and essential components of a rights-based social protection system.

³ Workers' organizations join forces and launch national campaign for ratification of Convention n.º 102 in Mozambique.

⁴ *Por que ratificar a Convenção n.º 102 da OIT? Documento de posicionamento do movimento sindical de Moçambique*, 2023.

⁵ Statement by the Presidency of the Council of Ministers of São Tome and Príncipe, 18 February 2023.

⁶ Decree-Law 16/2018 that regulates non-contributory Social Protection and Decree-Law 20/2022 that regulates Contributory Social Protection.

Timor-Leste

Social protection is recognized as a right guaranteed by the Constitution of the Republic of Timor-Leste and is understood as a fundamental element of social cohesion and peace, as well as a prerequisite for achieving sustainable and inclusive growth and development.

Developed with the support of the ILO through the ACTION/Portugal project, the first National Strategy for Social Protection (NSSP) 2021-2030 was approved by the Council of Minister on 11 of November 2021, published by Resolution of Government n.º 132/2021 of 9 of December and it was launched by the Prime Minister on February 4, 2022. The NSSP 2021-2030 materializes the Government's commitment to social protection in Timor-Leste.⁷ Inspired by the ILO Social Protection Floor Recommendation 2012 (No. 202), the NSSP 2021-2030 builds on national commitments over the years to move forward a vision of social protection for all. At its core is the establishment of a pioneering universal cash transfer to children and pregnant women, including children with disabilities, which demonstrates Timor-Leste's steady commitment to advancing the welfare and well-being of its population towards universalization and the State's dedication to providing comprehensive

and adequate social protection, strengthening future generations, and fostering a brighter and more inclusive future for all.

In 2023, with the support of the ILO and ACTION/Portugal, the National Institute of Social Security (INSS) started a national dialogue aimed at the promotion and ratification of Convention No. 102. To achieve this objective a number of activities have been agreed notably, (i) awareness raising and capacity building activities for all stakeholders to explain the relevance of the ratification of this Convention as well as the implications for them; (ii) a detailed comparative analysis between the provisions of Convention No. 102 and the national law practice, currently underway, and (iii) presentation and discussion of the preliminary conclusions of this analysis before relevant tripartite stakeholders to decide on the way forward.

This process enables the country to assess its social protection landscape and make informed decisions regarding the ratification and subsequent implementation of the Convention. Such efforts are crucial in ensuring that social protection systems in Timor-Leste align with international standards and promote the rights and well-being of its citizens.

⁷ [Estratégia Nacional para a Proteção Social 2021-2030 de Timor-Leste, 2022.](#)

► The way forward

ACTION/Portugal has made vital contributions to advancing rights-based social protection systems in the PALOP countries and Timor-Leste. By partnering with the ILO, the Government of Portugal has successfully advocated for the ratification and effective implementation of International Social Security Standards and Convention No. 102 in particular, emphasizing the recognition of social security as a fundamental human right. In so doing, this has facilitated the establishment of inclusive and comprehensive social protection systems.

PALOP countries and Timor-Leste have thus been able to strengthen their social protection systems based on international principles and best practices. New social protection policies and strategies to reach universal coverage, changes to legal frameworks, improving the reliability and quality of data on social protection systems to monitor progress, strengthening the administration and financial management, and showing globally a commitment to uphold international standards, are a clear demonstration of these efforts.

The importance of mobilizing the potential of ILO social security standards to implement the human right to social security was made clear on 18 May 2023, where the Labour and Social Affairs Ministers of the Community of Portuguese Speaking Countries (CPLP) decided during the meeting in Benguela, Angola, to support the ratification and implementation of ILO

Convention No. 102 highlighting with satisfaction the progress already made in other Member States.⁸

The Government of Portugal has already announced its continued pledge to applying its development cooperation activities towards promoting rights-based social protection systems in collaboration with the ILO and the High Commissioner Office for Human Rights (OHCHR).

The continued support of the Strategy and Planning Office of the Ministry of Labour, Solidarity and Social Security allowed a third phase of the ACTION/Portugal project (2022-2025).

This phase will integrate a component focusing on supporting the ILO's Global Ratification Campaign on Convention No. 102. Additionally, it will continue to provide technical assistance to achieve comprehensive social protection including by extending protection in case of unemployment and sickness, and improve good governance. Also, Phase III will look to continue strengthening information and management systems, raise awareness as regards social protection rights, and support the trans-border portability of social security benefits due to migrant workers, including by way of bilateral agreements between CPLP countries. Lastly, support will be given to promoting the representation, social dialogue and participation of social partners.

⁸ Benguela Declaration of the Meeting of CPLP Ministers of Labour and Social Affairs.

Web Resources



Toolkit on ILO social security standards: Learn, Ratify and Apply:
<http://standards.social-protection.org>



Action Portugal Webpage:
<https://actionportugal.org>



Social Protection and Human Rights platform:
<https://socialprotection-humanrights.org>

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