ESS - Extension of Social Security

Social Protection Floors and gender equality: A brief overview

Lou Tessier Maya Stern Plaza Christina Behrendt Florence Bonnet Emmanuelle St-Pierre Guilbault

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The present discussion paper aims at exploring some of the issues related to the relation between social protection and gender equality. It is a first step within a larger ongoing research process at the Social Protection Department of the ILO around the implementation of social protection floors as fundamental element of national social security systems.

The authors are solely responsible for the content, any opinions expressed and any omissions or mistakes made within this paper.

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1. Introduction

Social protection policies are an important tool in reducing poverty and inequality. Not only do they help to prevent individuals and their families from falling into or remaining in poverty, and promote access to health care and education, but they can also contribute to economic growth by raising labour productivity and enhancing social stability. The recent global financial and economic crisis demonstrated that social protection also plays a key role as an automatic economic stabilizer. Given the extent of pervasive poverty and income inequality worldwide, and the fact that about 75 per cent of the world's population is not covered by adequate social security (ILO, 2010a), a wide global consensus regarding the need to build national social protection floors (SPFs) has emerged.¹

It is recognized that the experience of poverty is differentiated by gender. Therefore, it is important for the assessment, design, implementation and evaluation of social protection programmes to be sensitive to differing needs of women and men. Moreover, it is widely acknowledged that social protection can have transformative potential for the poor, disempowered and otherwise marginalized segments of society. Well-designed and implemented national social protection floors, as fundamental element of national social security systems, can contribute to achieving greater gender equality and women's empowerment as well as reducing other inequalities.

The SPF concept is anchored in the principle of social justice and in the universal human rights to social security and to a standard of living adequate for health and wellbeing, which includes access to food, clothing, housing, medical care and necessary social services (detailed in the Universal Declaration of Human Rights, articles 22 and 25). With a view to contributing to the realization of these rights, it follows that the SPF concept represents a right-based approach. SPFs are integrated strategies for ensuring access to essential social services and income security for all, paying particular attention to vulnerable groups.²

In 2009, the UN Chief Executives Board for Coordination (CEB), supported by its High level Committee on Programmes (HLCP) adopted the Social Protection Floor Initiative (SPF-I), as one of its nine joint initiatives to cope with the effects of the economic crisis. Under the joint leadership of the ILO and the WHO, the SPF Initiative brings together an international coalition, comprised of a global advisory network of UN agencies, the World Bank, the IMF, regional development banks, bilateral donors and NGOs. The SPF concept has become widely recognized and endorsed at various international, regional and national fora over the period 2009-2012, including at the G20 and Millennium Development Goals (MDG) summits.

¹ See ILO: *Social Security: A New Consensus*, Report of the Committee on Social Security, International Labour Conference, 89th Session, Geneva, 2001, particularly chapter 4 on gender equality. See also the *ILO global campaign on social security and coverage for all* at <u>http://www.ilo.org/public/english/protection/socsec/pol/campagne/</u>.

 $^{^2}$ The SPF approach calls for policy coherence and coordination. In the implementation process, the SPF builds on a number the principles of the Social Protection Floors Recommendation, 2012 (No. 202). The SPF can be viewed as a first step towards higher levels of protection in line with the Social Security (Minimum Standards) Convention, 1952 (No. 102) and others. At the national level, the SPF should be a framework for coordinated public support aimed at households. It is based on a multidimensional definition of poverty, combination of a traditional life-cycle approach and new developments in poverty and vulnerability analysis.

In 2011, governments', employers' and workers' delegates of the ILO's then 183 member States, gathered at the International Labour Conference (ILC), called for the rapid implementation of national social protection floors as part of national social security coverage extension strategies seeking to provide higher levels of protection. ³ In 2012, the ILC adopted the Social Protection Floors Recommendation (No. 202), which provides guidance to the now 185 ILO member States in implementing their national social protection floors and building comprehensive social security systems. This wide international recognition illustrates the important role played by SPFs in reducing and preventing poverty and containing inequality. The Recommendation sets out that national social protection floors should comprise at least the following basic social security guarantees:

- (a) access to a nationally defined set of goods and services, constituting essential health care, including maternity care, that meets the criteria of availability, accessibility, acceptability and quality;
- (b) basic income security for children, at least at a nationally defined minimum level, providing access to nutrition, education, care and any other necessary goods and services;
- (c) basic income security, at least at a nationally defined minimum level, for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability; and
- (d) basic income security, at least at a nationally defined minimum level, for older persons.

Achieving universal coverage of the population in each of these basic social security guarantees is particularly relevant with regard to achieving gender equality. In fact, the Recommendation explicitly calls for the application of the principle of "non-discrimination, gender equality and responsiveness to special needs".

Accordingly, this working paper explores some of the linkages between gender inequality and social protection, and assesses the significant contribution that social protection floors can make to promoting gender equality. The following chapter briefly summarizes some of the linkages between gender inequality and access to social protection. The paper then discusses the contribution of national social protection floors as powerful tools in reducing gender inequalities and women's poverty. Finally, the last chapter summarizes recent developments in the international legal framework relevant to gender equality and social protection floors.

This working paper highlights some of the relevant aspects with regard to the complex relationship between gender equality and social protection. The on-going work of the ILO and its partners can help to better understand how social protection schemes can best contribute to redressing inequalities, ensuring equal treatment and non-discrimination, enhancing women's empowerment, facilitating women's participation in decent and productive employment, and in promoting gender equality.

³ ILO: Resolution and conclusions concerning the recurrent discussion on social protection (social security), International Labour Conference, 100th Session, Geneva, 2011. See also ILO: Social security for social justice and a fair globalization: Recurrent discussion on social protection (social security) under the ILO Declaration on Social Justice for a Fair Globalization, International Labour Conference, 100th Session, Geneva, 2011.

2. Gender inequalities and access to social protection

Ensuring effective and equitable access to social protection is key to helping achieve gender equality. Social protection schemes, as well as wider social security systems, can contribute to women's economic empowerment and greater gender equality, where they are designed, implemented and monitored in a gender-responsive way. On the other hand, gender-blind schemes and systems can perpetuate unequal gender relations and may even exacerbate them in some cases.

The following sections highlight some of the gender inequalities in societies and economies that can manifest themselves in unequal access to social protection.

2.1. Labour market situation of women and social protection coverage gaps

Women's generally lower rates of labour force participation as compared to men, gendered employment patterns, and women's greater representation in the informal economy result in lower rates of social security coverage of women. In particular, women tend to benefit less from coverage of contributory social security schemes, ⁴ as such schemes are usually linked to formal employment.

The obstacles to women's equitable access to contributory social security schemes are two-fold (See Razavi et al., 2012). First, women are over-represented in low productivity, low paid and poorly protected jobs (World Bank, 2011, p. 79 and pp. 198-239; ILO, 2013). They are more likely than men to work in the informal economy, in casual, temporary or part-time employment and tend to earn less. In many countries, and particularly in developing countries, formal employment tends to be found in sectors where men are overrepresented, such as manufacturing or financial services. Sectors where women are over or equally represented (such as personal services, retail and hospitality) tend to be prone to precarious forms of employment. Women are also highly represented in sectors that tend to be poorly protected by labour and social security legislation, such as domestic work⁵ or agriculture. Second, women bear the overwhelming responsibility for unpaid work, such as housework, or care-giving for children and other dependents (older relatives or relatives with disabilities). For example, in Pakistan, women spend more than twice as much time on housework per day than men do (5.5 hours as opposed to 2.5 hours) (World Bank, 2011). Time poverty (See, for example, Lawson, n.d.), related to unequal division of labour with men in the home, constitutes an important obstacle to increased engagement in paid work for many women. Some countries offer incentives for more equal sharing of unpaid care work (through paternity leave or incentives for a more equal sharing of parental leave between mothers and fathers, for instance), as well as measures to recognize care work to a certain extent in the calculation of pension entitlements, which can partly redress existing inequalities.

⁴ For definitions and data, see ILO, 2010a and the Statistics pages on the GESS platform at <u>http://www.social-protection.org/gimi/gess/RessShowRessource.do?ressourceId=15263.</u>

⁵ See the Domestic Workers Convention, 2011 (No. 189) and the Domestic Workers Recommendation, 2011 (No. 201). For related publications, see, for example, ILO, 2012b and ILO, 2012c.

In many countries, women experience lower labour force participation rates (a 26% gender differential globally in 2009). ⁶ Additionally, as mentioned above, when they are in work, women tend to work in more precarious employment, in the informal economy and in unpaid jobs. Figure 1 gives an overview of the representation of women in wage and salaried employment (which tends to be relatively well protected), in self-employment and as contributing family workers (which tend to be relatively poorly protected). Across all regions, women are strongly represented in non-waged employment. For instance, in 2011 the proportion of women in sub-Saharan Africa and 39.4% of working women in South Asia (against, respectively, 19.7% and 11.1% of working men) (Ibid.). As a result of their lower labour force participation and irregular employment patterns, women are less likely to be covered by contributory social insurance schemes than men.

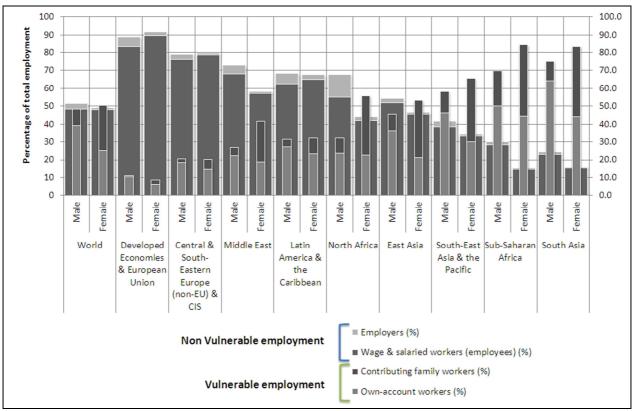


Figure 1: Employment by status as percentage of total employment, regional estimates, in 2011

Source: ILO: World Social Security Report 2013, forthcoming.

Many women are not in a position to contribute to social insurance at all due to the nature of their employment, or have irregular contribution records and/or low contributions that lead to low benefit levels or - in the worst cases - no derived benefit at all. The persistent inequalities in earnings between men and women further enhance the gap in the level of benefits received by women in some contributory schemes, which calculate benefit as a proportion of past wages.

Figure 2 shows the share of women and men contributing to the main social insurance scheme as a percentage of total employment by sex and area of residence. In most of the countries for which data are available, there is a clear gender gap with regard to contributions paid. In general, men are more likely to contribute (though Nicaragua and

⁶ See <u>http://kilm.ilo.org/kilmnet/</u>.

Honduras represent notable exceptions). In most countries considered, there is a discrepancy between urban and rural areas, reflecting the lower prevalence of formal employment in rural areas, especially for women

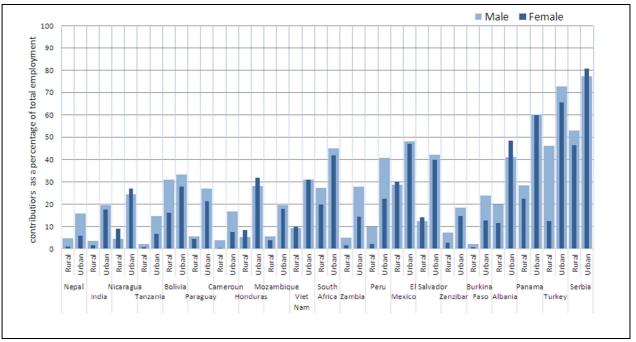
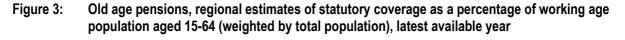
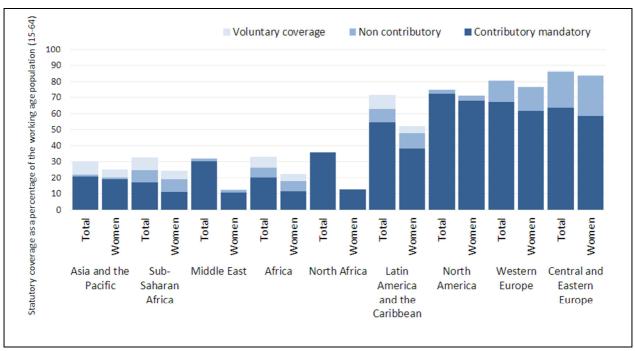


Figure 2: Contributions to main social security schemes as a percentage of total employment by sex and area of residence, latest available year

Source: World Social Security Report 2013, forthcoming, ILO.

Figure 3 shows global and regional estimate of statutory coverage of the working age population by statutory pension schemes. In all regions women's statutory coverage for contributory benefits, as for voluntary coverage, is below that of men. Statutory coverage is lowest in the world's poorest regions, and the share of women's coverage as a proportion of total coverage is lowest in North Africa and the Middle East. However, because they are less likely to receive a contributory pension in old age, non-contributory benefits are especially important for women. Non-contributory pensions play an important role in partly compensating for this gap by providing at least a minimum level of protection to those not covered by other pension schemes.





Source: ILO: World Social Security Report 2013, forthcoming.

The implementation of national social protection floors offers an opportunity to review obstacles for women's access to social protection and existing coverage gaps, and help ensure that women enjoy more equitable access to social protection throughout their life course. The interplay between contributory and non-contributory forms of social protection is of particular importance in this respect. Non-contributory benefits can play an important role in ensuring social protection coverage for women and closing coverage gaps. At the same time, these schemes tend to provide lower benefit levels than contributory schemes. Ensuring adequate social protection for women therefore requires adequate attention to all forms of social protection.

2.2. Women face specific risks throughout the life course

Throughout the life course, women and men encounter specific and different risks to life and well-being. Social norms and expectations about women and men's responsibilities and roles contribute to limiting women's opportunities in the labour market, which puts them in a more vulnerable position as regards unreliability and loss of income. Unequal access to and control over assets and resources including in the fields of land rights and inheritance further render women more likely to be poor than men. In fact, six of every ten of the world's poorest people are women (World Bank, 2011). While the reasons for this are multidimensional, greater vulnerability to loss of income plays a major role in accounting for women's risk of falling into or becoming trapped in poverty. It is also important to note that women tend to be disadvantaged in poor households' coping strategies in the event of major shocks. For example, girls are more likely than boys to be removed from school in times of increased hardship. In addition, in times of income shocks to households, girls and women are less likely than boys and men to see their health and nutritional needs met (Ibid., p. 86; Darooka, 2008).

During active age, certain events in the life-cycle – particularly pregnancy and childbirth – are associated with significant and particular risks as regards health and loss of earned income (caused by the incapacity ⁷ to work for a period of time due to delivery and recovery period). Lack of adequate medical care in the prenatal, delivery and postnatal periods can put women's lives at risk. Complicated pregnancies and deliveries also contribute to the high female mortality rate during reproductive years that persists across the world (World Bank, 2011, pp. 120-128), especially when they are not attended by medical staff. For instance, in Somalia and Chad, as many as one in every fourteen women will die from causes related to childbirth (Ibid., p. 129) and lack of access to appropriate maternity care. Furthermore, resource allocation within health-care services often does not adequately account for women's specific health needs: services they need are often underresourced or unavailable. For instance, only 46.5% of births were attended by skilled health personnel in lower income countries in 2011 and 58.3% in lower middle income countries. ⁸ As shown in Figure 5, maternal mortality rates tend to be lower in countries where a greater percentage of live births are attended by skilled health personnel.

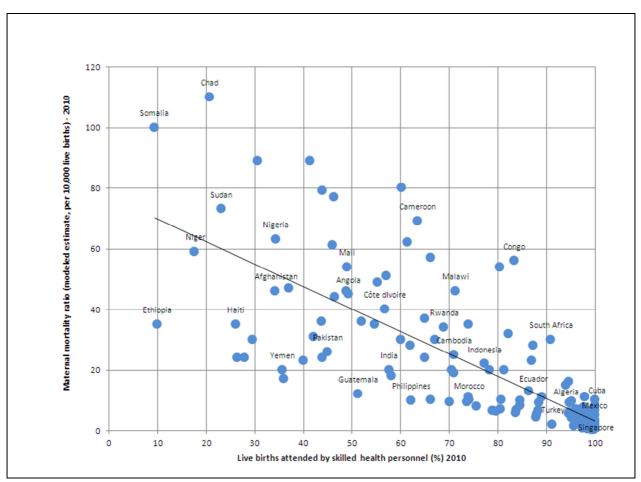


Figure 4: Maternal mortality ratio and the percentage of live births attended by skilled health personnel in 2010

Source: ILO: World Social Security Report 2013, forthcoming.

⁷ See articles 14 and 47 of the Social Security (Minimum Standards) Convention, 1952 (No. 102).

⁸ See <u>http://www.who.int/gho/en/.</u>

As regards persons in old age, in most countries women's life expectancy is higher than men's. On average, women's life expectancy at birth is four years higher than men's.⁹ This implies that the contingencies associated with old age also have a gendered dimension. Higher life expectancy for many is associated with increased health issues, loss of earned income due to the inability to work, loss of physical capacity and a need for long-term care. This gives rise to specific social protection needs with regard to effective access to health protection and other social services, as well as income security. Where appropriate social protection measures are in place, these can improve not only the situation of older women themselves, but also play a major role in enhancing the situation of the entire household. For example, the experience of Namibia and South Africa shows that social pensions can play a role in enabling older people to care for their grandchildren, especially in households where the children's parents have died of AIDS or other causes, or have migrated to urban areas to find work (SPF-AG, 2011).

Another factor that contributes to put women at risk is power relations within intrahousehold decision-making. Decisions within the household tend to be taken by men, which impacts on women's strategies to mitigate risk. Figure 4 demonstrates that in many countries less than half of women have the power to make decisions regarding their own health care.

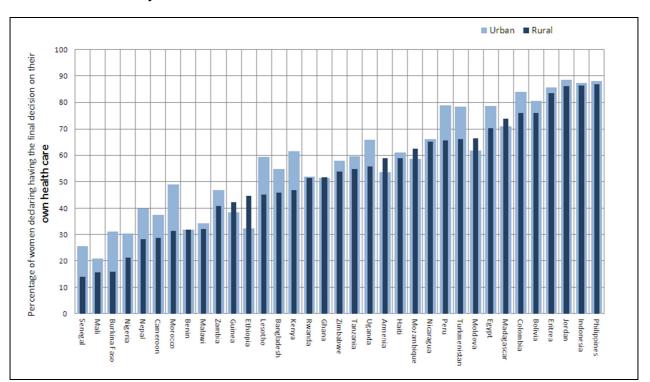


Figure 5: Women's participation in decision making by area of residence (latest available year) – Final say on own health care

Source: ILO: World Social Security Report 2013, forthcoming.

For example, in Cambodia, as many as 77.2% of rural women, and 59.3% of urban women, report difficulties in being able to access household funds and / or being able to pay for medical treatment (Scheil-Adlung and Kuhl, 2012). If the lack of social health protection mechanisms in many countries represents the critical obstacle in access to health services, especially for poor women, then unequal power relations within the household

⁹ See <u>http://esa.un.org/unpd/wpp/</u>.

tend to augment the difficulties experienced by women in accessing what services do exist (Holmes and Jones, 2010a).

The purpose of this chapter is not to provide a comprehensive list of life contingencies that are specific to women. Rather, it makes the case for a thorough, gender responsive analysis of life contingencies. This analysis should reveal specific risks factors that are key to the understanding of women's needs as regards social protection. Gender differences and, specifically, gender *inequalities* can give rise to inequities between women and men in access to health care and income security, making a gendered approach to social protection particularly pertinent.

Gender-based inequalities in the labour market and the unequal share of unpaid family responsibilities born by women as well as a subsequent bias in the way social protection systems are structured (mainly through social insurance for the formal economy in many countries) have resulted in unequal access, coverage and provision of social security for women. In return, gender inequalities and the lack of consideration given to women's specific social protection needs often put women at greater risk throughout the life course. This situation calls for a gender responsive policy approach.

3. Social protection floors and the reduction of gender inequalities

The various gender-specific vulnerabilities and inequalities identified above can be addressed through various public policies. The SPF approach represents a powerful tool in addressing them in a coherent and coordinated way, especially through an emphasis on the progressive closing of social protection coverage gaps and on enhancing the participation of women in decent employment. SPFs can also contribute to empowering women and can increase their bargaining power. In order to maximise these potential impacts, the 'gender dimension' should be integrated at every stage of policy design, implementation and monitoring for national social protection floors.

3.1. Extension of coverage and access to labour markets

SPFs aim at guaranteeing social protection benefits for all, with a particular focus on those currently excluded from adequate coverage. As a consequence, they are an important tool for closing coverage gaps and redressing gender inequalities in access to social protection. Well-designed SPFs also contribute to promoting women's access to education, health and social services, and enhance their participation in decent employment.

3.1.1. SPFs and extension of coverage

National policies to extend social protection coverage and to implement a social protection floor can be a powerful tool for closing coverage gaps affecting women. The four basic social security guarantees, as laid out in the ILO Social Protection Floors Recommendation, 2012 (No. 202), aim at ensuring universal access at least to essential health care and basic income security throughout the life course. The emphasis on universal access is particularly relevant with regard to closing existing coverage gaps for women both with regard to access to health care and income security throughout the life-course. In addition, an explicit focus on mitigating or alleviating maternity-related health risks and risks to income security can further contribute to closing coverage gaps.

National experiences in building social protection floors demonstrate how social protection floor policies are helping to close coverage gaps for women. Many countries have already implemented non-contributory social protection programmes, such as social pension programmes (e.g. Bolivia, Namibia, Nepal, South Africa), conditional or non-conditional cash transfers for children and families (e.g. Argentina, Brazil, Mexico, Nicaragua, South Africa), employment guarantee schemes (e.g. Ethiopia, India) and have enhanced effective access to social health protection (e.g. Rwanda, Thailand) (UNDP SU-SSC and ILO, 2011; ILO, 2010b). Overall, such efforts have helped to increase social protection coverage for women by combining contributory and non-contributory schemes with the aim of guaranteeing coverage for all.

These experiences have also shown that the design and implementation of such programmes need explicitly to take into account gender concerns in order both to avoid negative effects on women's well-being and promote positive ones. Well-designed cash transfer programmes can promote women's economic activity by easing resource constraints and enhancing women's decision-making power over financial resources. However there have also been concerns that the conditions incorporated into some conditional cash transfer programmes can contribute to reinforcing traditional gender roles, hamper women's participation in the labour market and exacerbate women's time poverty (Molyneux, 2006; Holmes et al., 2011). Careful design of policies and programmes is necessary to prevent such potentially negative effects and ensure that these programmes contribute to promoting gender equality and women empowerment.

Part III of the Social Protection Floors Recommendation, 2012 (No. 202), elaborates a two-dimensional strategy ¹⁰ in extending social protection to all and towards higher levels of protection. The Recommendation allows for flexibility in the design, ¹¹ depending on national conditions. A combination of contributory and non-contributory schemes can allow for the extension of coverage to people who are in precarious employment, as explained in the first part of this document. For instance, in some countries, care work is recognized as an equivalent to paid employment in the calculation of coverage under some circumstances. Where this is not the case, non-contributory benefits play a very important role by securing at least a minimum level of protection to those women who are not otherwise covered. Other policies, such as the promotion of public high-quality child or elderly care and education services, can play an important role in enabling women to participate in formal employment on the one hand, and in creating further employment opportunities for women on the other.

Non-contributory pensions are in fact particularly important for women (Holmes and Jones, 2010a). Indeed, global estimates suggest that the majority (61%) of future beneficiaries of non-contributory pensions are women (ILO, 2010b). Women also represent the majority of current beneficiaries of non-contributory pensions in South Africa where 63.9% of Old Age Grant beneficiaries are women ¹² or in Spain where 81.8% of non-contributory pension beneficiaries are women (Ministry for Labour and Migration of Spain, 2010).

3.1.2. SPFs and access to the labour market and decent employment

Defined as coordinated policies aimed at guaranteeing access to a set of essential goods and services, SPFs can help women to overcome obstacles in accessing the labour market and decent employment, thereby unlocking their productive potential. Using a multiple entry point approach combining access to a nationally defined set of goods and services, access to basic income security for children, persons in old age and for persons of economically active age who are unable to earn sufficient income, SPF components can positively impact on women's labour market participation both in the long and in the short term.

¹⁰ Recommendation No. 202, paragraph 13: "National strategies should:

- (a) prioritize the implementation of social protection floors as a starting point for countries that do not have a minimum level of social security guarantees, and as a fundamental element of their national social security systems; and
- (b) seek to provide higher levels of protection to as many people as possible, reflecting economic and fiscal capacities of Members, and as soon as possible."

¹¹ Recommendation No. 202, paragraph 11: "Members should consider using a variety of different methods to mobilize the necessary resources to ensure financial, fiscal and economic sustainability of national social protection floors, taking into account the contributory capacities of different population groups. Such methods may include, individually or in combination, effective enforcement of tax and contribution obligations, reprioritizing expenditure, or a broader and sufficiently progressive revenue base."

¹² Calculated by the ILO on the basis of a Statistics South Africa (SSA) General Household Survey, 2010.

In the long run, benefits focusing on children can have an important impact on the future lives of girls and thus break a cycle of intergenerational poverty transmission.¹³ For instance, girls are disadvantaged in terms of access to education in some countries, and this is particularly true in the case of those living in poor households.¹⁴ Both Mexico's *Progresa/Oportunidades* ¹⁵ programme and Bangladesh's Female Secondary School Assistance (See Mahmud, 2003) provide specific incentives for parents to invest in their daughters' secondary education, thus reducing the gender gap in education, which is closely linked to difficulties in women's accessing labour markets for decent employment, as well as to wage differentials within those labour markets. School meals or free health coverage for children also contribute to promoting equal access to education and healthcare, giving girls the opportunity to develop to their full potential.

Benefits designed to foster children's education can also have an indirect impact on employment by reducing child labour. This is confirmed, for instance, in impact studies of the *Juntos* and *Familias en Acción* programmes in Colombia (Veras Soares and Silva, 2010). Likewise, access to education and childcare are important factors that can facilitate women's entry into the labour market, as these address time constraints linked to care responsibilities. For example, in Costa Rica, two day-care programmes proved effective in giving women the opportunity to integrate into the formal labour market (Torada Manez and Lexarta Artza, 2012). Likewise, Mexico's *Programa Estancias Infantilles*¹⁶ offers day care for pre-school age children with working or studying parents.

In the short run, enhancing access to health care can also reduce the financial burden for women who are already in a difficult financial position, and enhance their productivity by improving their health status. In this respect, access to maternity care and income security during pregnancy and after childbirth are of central importance, especially for women who work in the informal economy.

There is some evidence that social transfers positively impact on labour force participation. For example, a 2007 evaluation of the Brazilian *Bolsa Familia* programme found that the labour force participation rate of women beneficiaries was 4.3% higher than that of non-beneficiary women and the differential was found to be as much as 8% higher for beneficiaries in the poorest income decile (Veras Soares and Silva, 2010; ILO, 2010b). The impact was also greater on women than men¹⁷ within beneficiary households.

¹³ 'Intergenerational transmission of poverty' is a phenomenon whereby children from poor families are more likely themselves be poor during their adult life than other children (See Bird, 2007).

¹⁴ For example, in the Democratic Republic of Congo, girls belonging to the poorest fifth of the population on average spend three years less in education than boys (World Bank, 2011, p. 75).

¹⁵ For an Evaluation of the programme, see <u>http://evaluacion.oportunidades.gob.mx:8010/en/docs/eval_docs_2000.php</u>.

¹⁶ See

http://www.sedesol.gob.mx/es/SEDESOL/Estancias Infantiles para Apoyar a Madres Trabajadoras/.

¹⁷ Medeiros et al., 2008: "Following the same line of thought, the results of the impact assessment Bolsa Familia carried out by CEDEPLAR (2006) show a positive impact of the programme on the supply of labour. According to the survey data, the participation rate in the labour market for adults in Bolsa Familia beneficiary households is 3 per cent higher than adults on similar non-beneficiary families. Moreover, this impact is higher for women (4 per cent) than men (3 per cent). The programme also lowers by 6 per cent the chances that an employed woman will quit her job. What the data show is that the disincentives to work resulting from the transfer is not confirmed by the available research. Actually, the ones who seem to have a lower participation rate in the labour Access to vocational training or public work programmes can also enhance women's employability. Both the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)¹⁸ in India and the PSNP (Sharp et al., 2006) in Ethiopia require that at least a third of their participants are women and that female participants receive equal wages. MGNREGA also includes access to childcare with an inclusive approach that takes into account the multidimensional aspects of women's lack of access to formal jobs (UNDP SU-SSC and ILO, 2011). More generally, access to cash income can facilitate women's access to assets, credit and women's entrepreneurship (Suarez and Libordoni, 2007). Hence, the multiple entry point approach of SPFs contributes to addressing the multidimensional poverty experienced by women and the barriers they face in entering the formal job market.

3.2. SPFs and women's empowerment

Empowerment can be defined as the "an increase in people's ability to bring about change which is valued" (UNDP, 2010). Many authors have noticed that, even when unintended, social protection programmes often have a notable effect on women's empowerment, especially when benefits are delivered to women directly. Evidence show that transfers given directly to women are better spent with respect to developmental objectives than if given to men (Haddad, 1999; Kabeer, 1994). As a consequence, many programmes ensure that women are the recipients of cash transfers. The effect cash transfers have on women's perception of themselves and on gender dynamics are the object of several impact studies that reveal mixed conclusions.

3.2.1. Self-perception

Command over resources contributes to women's empowerment and increased selfesteem. The feeling of empowerment begins in the realm of self-perception and can be followed through to the evolution of women's bargaining power within the household and the wider community.

In many impact studies, positive outcomes have been recorded on women's selfesteem, self-confidence and self-perception. For example, an evaluation of *Chile Solidario* conducted in 2009 suggested that recipients "perceived the self as an individual and not only a wife and/or a mother" (Larranaga et al., 2009). Likewise, an impact study conducted on CSG recipients in South Africa revealed that almost 9 on 10 women recipients had a strong sense of personal empowerment (Patel et al., 2012).

However, some women may also experience stigma as recipients of public assistance. Hence, as shown in the same study, both women recipients and non-recipients held somewhat negative perceptions of programme beneficiaries that could affect the dignity of recipients (Ibid.). Another limit to women beneficiaries' enhanced self-image is that it does not necessarily translate into more gender-balanced practices within the household. For instance, while 60% of the surveyed beneficiaries of the cited *Chile Solidario* study felt more empowered, only 15% reported that their male partner helped with domestic tasks.

market, when compared to individuals in similar situations, are those situated at the richer decile of the distribution and who receive income categorized as ¿other income sources by the PNDA. At this level of the distribution, this category embodies basically interest and dividends from financial investments. Apparently, the disincentive effect is stronger at the upper end of the distribution than in the bottom-end."

¹⁸ See <u>http://nrega.nic.in/netnrega/home.aspx.</u>

3.2.2. Bargaining power and women's roles in the household and in the community

The overall impact of social protection schemes on women's bargaining power within the household is unclear. Some programmes have been found not to have had any significant impact, where others have been found to increase women's weight in household decisions. In some cases there were reports about increased intra-household conflict and violence, though this seems to be rare (Bobonis et al., 2011; Molyneux, 2007). Much may depend on the context and the specifics of programme design and implementation. In Brazil, the evaluation of the Bolsa Familia programme showed that beneficiary women had greater bargaining power within the household than non-beneficiary women. Women seem to carry a larger share of decision-making power regarding the use of household capital when they are the recipients of cash transfers. For instance, in Mexico "being in Progresa decreases the probability that the husband is the sole decision maker in five out of the eight decision-making outcomes. In *Progresa* families, over time husbands have shown they are less likely to make decisions by themselves, particularly as they affect the children" (Skoufias, 2005). Yet an evaluation of Familias en Acción in Colombia suggested that no change had been observed in the way decisions were made within the beneficiary households (Veras Soares and Silva 2010).

Social protection schemes can have unintended negative side effects on gender equality when the gender dimension is not adequately considered. For instance, a study of South Africa's CSG (Patel et al., 2012) points to a withdrawal of a significant number of fathers with regards to care for their children when they live in female-headed, CSG-beneficiary households. According to this study, only 24.5% of the fathers who were not the current partners of the women recipients paid private maintenance for their children. A third of women affirmed that the fathers no longer provided any kind of support for their children since they had started receiving the grant.

Another aspect of women recipients' empowerment is their potential increased role and power within the community. Many studies show that women who receive benefits are more inclined to participate in community activities. Others have found that conditions of conditional cash transfers (CCT) programmes gave incentive for women to make greater use of public spaces and participate more in community life (a reported impact of *Chile Solidario* for instance).

The SPF's rights-based approach can contribute to the empowerment of women, increase women's sense of self-esteem and their involvement in public life. In impact assessments of some programmes, recipients have reported feeling stigmatized by the community and looked upon as lazy or dependent on charity measures. Empowerment experienced through the SPF's rights-based approach can help to reduce stigma ¹⁹ and thus contribute to improving fragile social status.

3.2.3. Women as vector for greater impact

Many SPF-related schemes have identified women as vectors to enhance the impact of benefits (See for example ADB, 2001). Studies suggest that women are more likely to allocate given resources in a way that will most benefit the well-being of the entire household, and especially that of children, in comparison to their male counterparts.

¹⁹ See the Social Protection Floors Recommendation, 2012 (No. 202), paragraph 3: (f) "Respect for the rights and dignity of people covered by social security guarantees".

As a result, many development programs involving cash transfers target women, in the hope of producing better developmental outcomes. In the framework of their social protection extension policies, some countries have applied this method to social protection schemes directed specifically at poor households. For example, cash transfers under *Chile Solidario (Bono de protección social* and *Bono de Egreso)* are paid to female heads of households or the spouse of the head of the household.²⁰ In many cases, strong positive impacts were observed on children's health and nutritional condition as well as on school attendance. These outcomes are particularly desirable for development since they help break the intergenerational transmission of poverty.

In order to ensure that these outcomes were obtained, some programmes decided to make the delivery of benefits subject to conditions (Veras Soares and Silva, 2010). Conditions usually include regular health checks, school registry and attendance and participation in information sessions on various child related issues. Even though the results obtained in terms of children's well-being are good, there is growing recognition that the burden of conditionality is not shared evenly, falling on women most of the time (either due to programme designs where women are the recipients, or because they are de facto primary care givers). This exacerbates women's time poverty, which hinders their ability to work (Holmes and Jones, 2010b), and it can potentially embed traditional social roles (i.e. the role of women as care givers) (Torada Manez and Lexartza Artza, 2012). A thorough-going and complete gender analysis is necessary when designing and implementing social protection floor schemes in order to ensure that the conditions are gender-balanced (Holmes and Jones, 2010b).

Magdalena Sepulveda, UN Special Rapporteur on Extreme Poverty and Human Rights, underlines in her report (Sepulveda and Nyst, 2012) the danger of such practices and recommends that "Protection must be put in place to ensure that conditionalities do not create an unnecessary burden on women, expose them to abuse, or perpetuate traditional gender stereotypes within recipient households".

Side-lining gender equality goals can result in a narrow conceptualisation of gendered vulnerabilities and a focus on supporting women's care and domestic roles and responsibilities in the household. In order to ensure that social protection floors contribute to women's empowerment in an optimal way, the gender dimension should be taken into account at all stages of social protection policy development, implementation and monitoring.

3.3. Policy implications

Strengthening the gender dimension of social protection floors requires careful consideration of their impact on gender dynamics. Acknowledging and anticipating these impacts could help schemes achieve desired outcomes on gender equality.

Many impact studies show that social protection measures can be a vector for significant change, even where social protection schemes were not designed with an explicit gender objective in mind. For example, the Child Support Grant in South Africa did not explicitly include a gender dimension in its design, however, the large majority of the recipients are women (Vorster and de Waal, 2008) and a recent study showed that more than half of the beneficiaries were living in female-headed households in poor urban areas. The grant significantly changed women's lives in terms of self-confidence, participation in community life and decision-making power (Patel et al., 2012). This example demonstrates

²⁰ See <u>http://www.chilesolidario.gob.cl/.</u>

that the gender dimension is important when designing national social protection floors, since it will affect and be affected by gender dynamics either way.

Recognizing the relevance of gender issues to social protection floors has numerous policy implications. This paper summarizes some insights for action around the major phases of the development of national social protection floors: assessment of coverage gaps, policy and programme design, implementation and monitoring and evaluation.²¹

3.3.1. Assessment of coverage gaps

The gender dimension should be taken into account at the earliest stages of policy and programme development. The assessment of existing schemes and programmes should include an analysis of specific vulnerabilities and needs from a gender perspective, in order that adequate responses to specific problems arising from gender inequalities be anticipated. This phase will be used as a reference point for further evaluation of the policies. At this stage, it is also important to anticipate the need for appropriate monitoring and evaluation. In particular, data collection should allow for a gender-differentiated analysis of the programme (developing collecting tools and information systems accordingly).

3.3.2. Policy and programme design

Based on an assessment of existing provision, needs and coverage gaps, the design of concrete measures to establish or complete the national social protection floor are discussed in a national dialogue process. At this stage, political will is key to support the adoption of a gender mainstreaming strategy throughout the programme (Thakur et al., 2009).

The gender dimension of policy objectives should be discussed through a participatory national dialogue. Such a dialogue can help to ensure that the policy and programme design effectively responds to the needs of the population and that social protection interventions are tailored to respond to the needs of the most vulnerable. A national social dialogue and social participation are central tools in assessing the gender dimension in a comprehensive and collaborative manner. Promoting strong leadership and improved coordination mechanisms, including among those involved in design, implementation and monitoring of gender equality legislation, is also very important, as is giving women's representatives a voice in the design of the programme.

Attention given to gender concerns should also ensure that eligibility requirements for social protection schemes and programmes are gender-balanced and that the potential differentiated implications for women and men, boys and girls, are carefully assessed. Entitlement conditions should be designed, for instance, in a way that does not impose an undue burden on women's time and facilitates their participation in labour markets. Other elements may further enhance the effectiveness of social protection programmes, such as integrating maternity benefits and childcare facilities in the design of public employment guarantee schemes, and organizing mandatory activities in conditional cash transfer programmes at a time when the whole family can attend (Holmes and Jones, 2010a).

²¹ For more details on building SPFs, see <u>http://www.socialprotectionfloor-gateway.org/132.htm</u> and SPF-I, 2009.

3.3.3. Implementation

In order to ensure that national social protection floors achieve their full potential in terms of gender equality promotion, coordination mechanisms are essential. This concerns the coordination of various social protection schemes and programmes within the overall social protection system, but also the coordination between social protection benefits and public services, employment policies and administrative services.

Coordination with public services such as health care services and basic infrastructure services, among others, is essential for the social protection floor to be effective. For health care benefits, it is essential to ensure high quality of health care service provision for all beneficiaries, and to ensure non-discriminatory treatment. Taking into account gender-specific vulnerabilities and special needs related to local culture and social norms – such as availability of female medical staff - is also paramount. It is important that public services for basic goods and services such as water and electricity are coherent with social protection policies, and that access to such basic services and the provision of cash transfers are complementary. 2^{22}

National social protection floors can effectively contribute to the enhanced market participation of women, if they are well coordinated with employment policies. For example, public employment programmes could better integrate women's specific needs and skill sets (Holmes and Jones, 2010c) with a view to enhancing women's income security and employability. Guaranteeing equal wages is one essential factor, as well as integrating maternity benefits and childcare provision. The latter can help to avoid that older children, particularly girls, are charged with taking care of younger siblings during their parents' working hours (ILO, 2013).

Coordination with related administrative services is necessary where targeted programmes require specific documents from potential beneficiaries. In South Africa a study showed that many non-beneficiaries of the CSG did not claim their right simply because they were missing the necessary administrative documents, as they had not been delivered to them when needed (Patel et al., 2012).

Finally, communication with potential beneficiaries should not be overlooked. Beneficiaries should also be consulted about the programmes. They should be properly informed of their rights and of programmes' access requirements. In order for communication to be effective, women's education levels, as well as social norms and perceptions affecting them should be taken into account.

3.3.4. Monitoring and evaluation

Monitoring and evaluation are essential in order to determine progress made in closing coverage gaps, identifying successes and failures and for taking corrective actions. Incorporating a gender dimension in the monitoring and evaluation processes is key to fully capturing the effectiveness of national social protection floors.

Monitoring mechanisms should be designed in a way that facilitates the regular review of the efficiency and effectiveness of national social protection floors - and the

²² For example, a study conducted in South Africa showed that the potential impact of the CSG was hindered by dysfunctions in other related services. Indeed, the policy was designed so that the grant recipients were also beneficiaries of reduced prices for water and electricity. The study showed that this mechanism worked poorly and that often the grant money was spent on water and electricity bills (See Patel et al., 2012).

performance of the national social protection system as a whole. From a gender perspective, this requires the collection, analysis and publication of gender-disaggregated data. Appropriate mechanisms should be established, including an operational information system allowing regular monitoring of beneficiaries according to main characteristics as well as the inclusion of questions on main social security programmes in regular household surveys. The absence of available gender-disaggregated data is a major obstacle in analysing social protection coverage in many countries.²³ As mentioned earlier, the quality and equality of treatment in SPF related public services should also be monitored regularly in order to take rapid corrective action if necessary.

Evaluation should include a gender dimension and should address various aspects relevant to gender dynamics, including women's economic and social empowerment. Tools such as household surveys should include a gender dimension in their questionnaires, especially regarding empowerment. Available methods include social and gender audits, among others (Holmes and Jones, 2010c).

The SPF approach offers a powerful tool to address gender inequalities. When designed properly, SPFs have the potential to close the coverage gaps affecting women, help them overcome the barriers to participation in the labour market and in decent employment, and contribute to their empowerment. A gender perspective should be mainstreamed throughout the development of national social protection floors, including in stocktaking, design, implementation, and monitoring and evaluation. The evolving international legal framework regarding women's rights to social protection provides important guidance in this respect, particularly regarding the new ILO Social Protection Floors Recommendation, 2012 (No. 202).

²³ As discussed at the first Global Forum on Gender Statistics, 10-12 December 2007, Rome, Italy. See also the advancement on gender statistics chapter of UN Data's website: <u>http://unstats.un.org/unsd/demographic/Gender/default.htm</u>.

4. Recent international legal developments with implications for gender and SPFs

The Conclusions on social security adopted by the ILC in 2011 express the recognition by the international community of the positive impact that national social protection floors, if properly designed and effectively implemented, can have on social development, and of their contribution to gender equality. In order to assist countries in ensuring that this is the case, ILO members concluded that there was a need for a new guiding instrument, a specific ILO standard on social protection floors, and thus proceeded in the elaboration and adoption of the Social Protection Floors Recommendation, 2012 (No. 202). Through detailed guidelines and principles, Recommendation No. 202 seeks to assist member States in extending social security protection to all by establishing comprehensive social security systems that respect, promote and apply human rights and principles. This new standard is firmly embedded in the wider international legal framework for the protection of human rights, which recognizes the right to social security as a universal right, as well as the right to non-discrimination and equality of treatment within social security

4.1. Women's right to social security in international law: Evolution

4.1.1. Social security: A human right

The right to social security is present in the international human rights legal corpus and, is laid down as a right belonging to everyone, all men and women and all children, equally. It is thus a right of universal application.

The Universal Declaration of Human Rights, 1948¹ states in its article 22 that "Everyone, as a member of society, has the right to social security (...)". Article 25 further details the scope of the protection that should be afforded, taking into account gender and age-specific vulnerabilities:

(1) Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

The International Covenant on Economic, Cultural and Social Rights, ² which creates binding obligations for ratifying states, lays down "the right of everyone to social

¹ Universal Declaration of Human Rights, adopted by the UN General Assembly on 10 December 1948, available at <u>http://www.un.org/en/documents/udhr/</u>.

² International Covenant on Economic, Cultural and Social Rights, adopted by the UN General Assembly on 3 January 1976, available at <u>http://www.acerwc.org/wp-content/uploads/2012/05/French-ACERWC-International-Covenant-on-Economic-Social-and-Cultural-Rights.pdf</u>.

security, including social insurance" (article 9). Article 10 makes specific provision for the protection of women in relation to motherhood: "special protection should be accorded to mothers during a reasonable period before and after childbirth. During such periods, working mothers should be accorded paid leave or leave with adequate social security benefits". Articles 11, 12 and 13 establish the rights to an adequate living standard, health and education, underlining again the universal character of these rights.

More specifically addressing discrimination between men and women and promoting gender equality, the Convention on the Elimination of All forms of Discrimination against Women, 1978, affirms in article 11 that "States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular: (...) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave".³

4.1.2. Equality and social protection at the heart of the ILO's mandate and standard-setting action

The ILO's mandate

The quest for social justice through the promotion of social security is central to the ILO's mandate, as laid down in its constitutive instruments. The ILO was founded in 1919 on the recognition that "lasting peace can be established only if it is based on social justice", with the mandate to eliminate injustice and improve conditions of labour though, inter alia, "the prevention of unemployment...the protection of the worker against sickness, disease, and injury arising out of his employment, the protection of children, young persons and women, provision for old-age and injury, [and] equal remuneration for work of equal value". ⁴ Subsequently, the Declaration of Philadelphia (1944) reaffirmed that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions for freedom and dignity, of economic security and equal opportunity". ⁵ It further recognizes the solemn obligation of the ILO to contribute to "achiev[ing] the extension of social security measures to provide a basic income to *all* in need of such protection and comprehensive medical care". ⁶ Seeking gender equality and non-discrimination in coverage and access to social security and in levels of protection is thus a logical extension of the principles on which the Organization stands.

These objectives have been embodied in the numerous standards adopted to further the ILO's mandate and reflected in a number of resolutions and declarative statements adopted by the ILO's constituents, as well as in the programmes, strategies and activities developed and carried out by the ILO to assist its members.

³ Convention on the Elimination of All forms of Discrimination against Women, adopted by the UN General Assembly 18 December 1979, article 11, paragraph 1 (e), available at <u>http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article11.</u>

⁴ Constitution of the International Labour Organization, 1919.

⁵ Declaration of Philadelphia, 1944, Art II (a).

⁶ Constitution of the International Labour Organization, 1919, Annex 1, article III (f).

ILO social security standards

In accordance with the aims and purposes set out in the Preamble to its Constitution and in the Declaration of Philadelphia, and as reiterated by ILO tripartite constituents at International Labour Conferences, social security and gender equality occupy a predominant place in the activities of the ILO. To assist in the realization of its mandate, notably with regard to the extension of social security and gender equality, the ILO sets international labour standards in the form of either Conventions or Recommendations. Recommendations provide general or technical guidelines, while Conventions create legally binding obligations for ratifying states. ILO social security standards seek to provide adequate protection in the form of income replacement and medical care benefits, in cash or in kind, in case of occurrence of various contingencies: ill-health, sickness, unemployment, old-age, employment, injury, maternity, invalidity and death of the breadwinner, as well as poverty, vulnerability and social exclusion. The scope and level of the protection to be afforded, as well as the implementing principles are laid down in the up-to-date Conventions (14) and Recommendations (12) adopted by the Organization's tripartite constituents in the field of social security, including the new Recommendation concerning national floors of social protection, No. 202, adopted at the 101st International Labour Conference in June 2012.

The ILO's mandate to promote gender equality in the world of work is also embodied in numerous international labour standards including four key ILO gender equality Conventions, namely: the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958, (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Maternity Protection Convention, 2000, (No. 183). Convention No. 156 makes specific reference to social security in its Article 4: "with a view to creating effective equality of opportunity and treatment for men and women workers, all measures compatible with national conditions and possibilities shall be taken ... to take account of their needs in terms and conditions of employment and in social security". The rights set out in these four key Conventions are also confirmed in relevant Recommendations which are meant to guide national policy and practice. Recommendation No. 111 concerning Discrimination in Respect of Employment and Occupation, 1958, for example, calls for members to follow the principle of "equal opportunity and treatment in respect of ... social security measures and welfare facilities and benefits provided in connection with employment".⁷

Resolutions, conclusions and other declarative statements of the ILO

Programmes, policies and strategies. In assisting its members to extend social security and achieve gender equality, the ILO has observed, as mentioned previously, that women were particularly vulnerable to social exclusion. Social security coverage has traditionally been linked to formal employment with the consequence that, where gender discrimination in the formal labour market persists and where women are predominantly working in informal employment, gaps and inequalities persist. This realization and the absence of significant progress over the years have led ILO constituents to consider the issue and to find ways of addressing it through the organization's policies, strategies and activities.

⁷ Other relevant Recommendations include: Night Work of Women (Agriculture) Recommendation, 1921 (No. 13); Equal Remuneration Recommendation, 1951 (No. 90); Workers with Family Responsibilities Recommendation, 1981 (No. 165) and Maternity Protection Recommendation, 2000 (No. 191).

Indeed, great importance has been placed on achieving gender equality in the world of work and in social protection by the ILO's tripartite members. As such, the Organization's mandate has been informed by various Resolutions adopted by the International Labour Conference (ILC), and – notably in 1975, 1985, 1991, and more recently, and of particular interest, in 2004 and 2009. The 2004 Resolution on Gender Equality, Pay Equity and Maternity Protection, calls for more active contribution to eliminating gender discrimination and promoting gender equality, while the 2009 Resolution concerning Gender Equality at the Heart of Decent Work proposes measures to develop and implement policies that encourage creation, growth and sustainability and support empowerment of women, in particular in the context of the current crisis. The latter calls on ILO to help constituents upgrade social security systems so that they are inclusive and take into account the needs of workers with family responsibilities, cover women in vulnerable situations, and offer policy options to help formalize workers in the informal economy.

In 2001 the International Labour Conference adopted the new consensus on social security which emphasizes the importance of designing social security schemes based on the principle of gender equality. In 2008, the ILO Declaration on Social Justice for a Fair Globalization placed gender equality and non-discrimination as a cross cutting issue at the heart of ILO's strategic objectives to improve working conditions and social protection. In response to the crisis, in 2009, the ILC established the Global Jobs Pact, which underlined the need to promote gender equality and more specifically called on States to view the crisis as an opportunity to shape gender equal responses and provide women with a voice equal to that of men.

More recently, in June 2011, the then 183 Member States of the ILO gathered at the International Labour Conference, where a discussion on social security took place, with a view to identify priorities and adopt policy recommendations that would guide the work of the organization for the fulfilment of its mandate. The discussions raised concerns regarding gender inequality in social security protection and raised the particular issues of the gender dimension of pension coverage, gender discrimination in employment, while highlighting the importance of mechanisms that could deliver gender-sensitive benefits. The outcome of that discussion was the adoption of a Resolution and Conclusions on social security which set out the ILO's strategy for the extension of social security to all. The ILC concluded that closing social security coverage gaps was of highest priority and underlined the need to address groups which are at a higher risk of being excluded, such as women, who, due to discrimination throughout the life cycle and the burden they usually shoulder in family and care responsibilities, tend to face higher exclusion than men.⁸ Hence, the strategy highlights the need to address the exclusion of women from social security and to elaborate social security schemes which include a gender dimension.

⁸ See ILO: *Resolutions and conclusions concerning the recurrent discussion on social protection (social security)*, International Labour Conference, 100th Session, Geneva, 2011, paragraph 6-11.

4.2. The Social Protection Floors Recommendation, 2012 (No. 202), and gender-related considerations

4.2.1. Towards Recommendation No. 202: The adoption of the ILO's strategy for the extension of social security to all

At the 2011 ILC, ILO members showed renewed support for the establishment of basic social security guarantees, forming social protection floors, at national level. In response to the need for an adequate international instrument that could guide States in implementing social protection floors, the ILC called for a new Recommendation that would complement the existing normative framework. Taking into account the above mentioned considerations relating to gender, it was concluded, notably, that the Recommendation should be gender-responsive ⁹ and provide flexible but meaningful guidance to member States in building Social Protection Floors within comprehensive social security systems tailored to national circumstances and levels of development.¹⁰ The Recommendation should thus serve as a tool that would enable countries to address some of the persisting global challenges in social security, including in gender equality. In the follow-up, a questionnaire was sent out to all ILO member States and, based on replies received, a draft Recommendation was prepared as the basis for the discussion on its adoption. Recommendation No. 202 was adopted at the 101st session of the ILC in 2012 by near unanimity by the Government and employers' and workers' representatives of 185 countries.¹¹

4.2.2. Recommendation No. 202: Recommendation Concerning National Floors of Social Protection

Recommendation No. 202 recognizes the role and need for social security. ¹² It reiterates that social security is a human right, as laid down in the Universal Declaration of Human Rights and in the Declaration of Philadelphia, as well as a social and economic necessity for development and progress. ¹³

With respect to gender issues more specifically, the Recommendation recognizes in its preamble the importance of social security as a tool to prevent and reduce poverty, inequality, social exclusion and social insecurity, and promote equal opportunity and gender equality. ¹⁴ Moreover, since women are often among the poorest fractions of society, are overrepresented in the informal economy and experience social inequalities, the acknowledgment, in the Preamble, of the role of social inclusion in helping to overcome extreme poverty and reduce social inequalities and the recognition of the need

⁹ Ibid., paragraph 31.

¹⁰ Ibid., paragraph 31.

¹¹ Out of 454 votes casted at the time of adoption of the new Recommendation, 453 were in favour and one Member abstained.

¹² Recommendation No. 202

¹³ ibid.

¹⁴ ibid.

to support the transition from informal to formal employment is of particular significance. $^{\rm 15}$

The Recommendation defines social protection floors as comprising basic social security guarantees that should ensure at a minimum that, over the life cycle, at least all residents and children, as defined in national laws and regulations, have access to essential health care and basic income security which together secure effective access to goods and services defined as necessary at the national level.¹⁶

Recommendation No. 202 provides guidance for the implementation of a two dimensional national strategy for the extension of social security, where members should "establish and maintain, as applicable, social protection floors as a fundamental element of their national social security systems; and implement social protection floors within strategies for the extension of social security that progressively ensure higher levels of social security to as many people as possible, guided by ILO social security standards".¹⁷

In line with the Conclusions of the 2011 ILC, ¹⁸ the Recommendation calls upon countries to integrate a number of principles in their nationally tailored social protection floors including the principle of universality of protection ¹⁹ and the principle of non-discrimination, gender equality, and responsiveness to special needs. ²⁰ Countries should also follow the principle of social inclusion, including of persons in the informal economy ²¹ so that social security extension strategies should apply to both persons in the formal and informal economy and should equally seek the reduction of informality. ²²

The Recommendation highlights that national social protection floors should comprise at least four basic social security guarantees, namely: basic income security for children, for persons in active age who are unable to earn sufficient income, including in the case of, e.g., maternity, and for older persons, as well as access to essential health

¹⁵ ibid.

¹⁶ Recommendation No. 202, section 4.

¹⁷ Recommendation No. 202, section 1(a)(b).

¹⁸ Since gender inequality as relate to social and labour protection are strongly linked to the informal economy, national policies promoting productive employment are an essential part of financially sound social security schemes which can benefit from a gender dimension. According to the tripartite constituents at the 100th session of the ILC in June 2011, this may consist of "facilitating reconciliation of work and family responsibilities for women and men and ensuring effective access to comprehensive social services (including) maternity protection such as adequate pre and post natal care and income guarantees and other supports for women during the last weeks of pregnancy and the first weeks after delivery", "promoting labour force participation of women by more equitable treatment creating better employment opportunities, reducing segmentation of labour market between men and women, eliminating gender gaps in wages and providing equal professional development opportunities" or "ensuring adequate labour force participation of older women".

¹⁹ Recommendation No. 202, Art 3 (a).

²⁰ ibid., Art 3 (d).

²¹ ibid., Art 3 (e).

²² ibid., Art 15.

care, which should include maternity care and due consideration to free prenatal and postnatal medical care for the most vulnerable.²³ Furthermore, the Recommendation underlines the importance of monitoring progress of implementation strategies by way of the collection of disaggregated data, in particular, by gender²⁴ as a way to assess whether programmes address gender issues in social security.

This new standard aims at assisting countries in closing coverage gaps and building comprehensive social security systems through the establishment of sound institutional and legal frameworks. Since women have traditionally been excluded from social security coverage, or have experienced restricted access to social security, usually due to their lack of or atypical participation in the labour market, Social Protection Floors can serve as the most adequate tool to address women inequality and discrimination as illustrated through examples here above. The emphasis on rights-based social protection plays a further key role in guaranteeing equal access to benefits and protection for women and on unlocking the productive capacity and enabling women to participate in the labour market. ²⁵

Social Protection Floors therefore also provide an opportunity to review basic social protection systems in any country, allowing for a review of how to address challenges experienced by women many of which reflect traditional power imbalances that have characterized gender relations throughout history.²⁶

 23 ibid., Art 5 (a – d) & 8 (a).

²⁵ SPF-AG: *Social Protection Floor: for a Fair and Inclusive Globalization*, Report of the Social Protection Floor Advisory Group, (Geneva, International Labour Office, 2011), p. 58.

²⁶ ibid., p. xxiv; ILO: Social security for social justice and a fair globalization: Recurrent discussion on social protection (social security) under the ILO Declaration on Social Justice for a Fair Globalization, International Labour Conference, 100th Session, Geneva, 2011, p.59.

²⁴ ibid., Art 21.

5. Conclusion

Social protection has an important contribution to make to achieving gender equality and social protection benefits invariably have an impact on the dynamics of gender equality and gendered societal norms, whether or not this is intentional. Given that throughout the world, women tend more often to be affected by a lack of adequate coverage than men, social protection floors are particularly relevant from a gender equality perspective.

Social protection floors have the potential to be central tools in enhancing gender equality, women's labour market participation and women's empowerment. For this potential to be achieved, a gender mainstreaming strategy should be followed throughout the assessment of coverage gaps, policy and programme design, implementation, monitoring and evaluation of SPFs. To this end, the new international standard in the form of the ILO Social Protection Floors Recommendation, 2012 (No. 202), provides guidance and key principles for building effective, gender-sensitive SPFs.

In effect, to properly address gender inequality, social protection schemes should be designed to guarantee equality of treatment between men and women, take into account different gender roles and should serve as a mechanism for the promotion of gender equality. SPFs can and should be a gender-sensitive tool for helping individuals facing life contingencies and reducing poverty and inequality. They are effective instruments for achieving such objectives as they can promote equal treatment for men and women, and equitable outcomes which can partly compensate the effects of discrimination and inequalities outside the social security system.

Social protection floors, however, should be part of a broader framework at the macroeconomic level. In the current context of the aftermath of the global economic crisis, SPFs are even more critical to alleviate the economic burden on poor and vulnerable groups of society. Building national social protection floors can contribute to achieving sustainable growth and more inclusive and equitable societies. National social protection floors, as part of broader social protection systems, therefore need to be designed and implemented in a broader framework of economic and social policies.

According to UNDP estimates, the gender-adjusted Human Development Index shows losses in achievement due to gender inequalities ranging from 17 per cent to 85 per cent depending on countries (UNDP, 2010). Reducing gender inequality is therefore both a social and an economic necessity that SPFs should and can contribute to.

In sum, in seeking the reduction and prevention of poverty and inequality, the implementation of social protection floors can lead to greater empowerment and autonomy for women by addressing discrimination in labour markets and in education, can help strengthen female labour force participation, encourage the formalisation of employment and enhance the balance between work and family responsibilities (SPF-AG, 2011 and ILO, 2011).

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