
Committee on the Social Protection Floor

Warning: This document is a draft and may contain omissions or errors. It is made available solely for the purpose of verification and correction. Persons referred to in this document are not to be regarded as bound by statements attributed to them. The ILO declines all responsibility for any errors or omissions which this document may contain, or for any use which may be made of it by third parties.

Draft report

1. The Committee on the Social Protection Floor met for its first sitting on 30 May 2012. It was originally composed of 189 members (79 Government members, 38 Employer members and 72 Worker members). To achieve equality of voting strength, each Government member entitled to vote was allotted 1,368 votes, each Employer member 2,844 votes and each Worker member 1,501 votes. The composition of the Committee was modified ... times during the session and the number of votes attributed to each member was adjusted accordingly.¹

2. The Committee elected its Officers as follows:

Chairperson: Mr J. Feyder (Government member, Luxembourg)
at its first sitting

¹ The modifications were as follows:

- (a) 31 May: 226 members (98 Government members with 943 votes each, 46 Employer members with 2,009 votes each and 82 Worker members with 1,127 votes each);
- (b) 1 June: 234 members (101 Government members with 4,150 votes each, 50 Employer members with 8,383 votes each and 83 Worker members with 5,050 votes each);
- (c) 2 June: 209 members (105 Government members with 2,479 votes each, 37 Employer members with 7,035 votes each and 67 Worker members with 3,885 votes each);
- (d) 4 June (morning): 173 members (106 Government members with 560 votes each, 35 Employer members with 1,696 votes each and 32 Worker members with 1,855 votes each);
- (e) 4 June (evening): 169 members (109 Government members with 224 votes each, 32 Employer members with 763 votes each and 28 Worker members with 872 votes each);
- (f) 5 June: 169 members (109 Government members with 224 votes each, 32 Employer members with 763 votes each and 28 Worker members with 872 votes each);
- (g) 6 June: 171 members (112 Government members with 54 votes each, 32 Employer members with 189 votes each and 27 Worker members with 224 votes each);
- (h) 7 June: 169 members (113 Government members with 759 votes each, 33 Employer members with 2,599 votes each and 23 Worker members with 3,729 votes each).

Vice-Chairpersons: Mr K. De Meester (Employer member, Belgium)
and Ms H. Kelly (Worker member, New Zealand)
at its first sitting

Reporter: Mr T. Kaunda (Government member, Zambia) at
its ninth sitting

3. At its 14th sitting, the Committee appointed a Drafting Committee composed of the following members: Mr W. Scholz (Government member, Germany) and Mr F.M. Kazi (Government member, Bangladesh); Mr K. De Meester (Employer member, Belgium) and Mr F. Schaer (Employer member, Argentina); Ms H. Kelly (Worker member, New Zealand) and Ms E. Ceulemans (Worker member, Belgium).
4. The Committee had before it Reports IV(1), IV(2A) and IV(2B), entitled *Social protection floors for social justice and a fair globalization*, prepared by the Office for a single discussion of the fourth item on the agenda of the Conference: “Elaboration of an autonomous Recommendation on the Social Protection Floor (*standard setting, single discussion*)”.
5. The Committee held ... sittings.

Introduction

6. The representative of the Secretary-General, Mr M. Cichon, Director of the ILO Social Security Department, welcomed the members of the Committee. He stated that the Committee had a historic responsibility as this was the first discussion on an autonomous Recommendation on social security at the ILO for 68 years and the first on a social security instrument for 24 years. Regardless of the outcome, the discussion would set the agenda for the work of the International Labour Organization on social security on a global scale and influence the nature of national debates in all member States for decades to

come. He reminded the Committee members that their work could help to make the difference between living with at least basic material security and living in misery for people who needed social protection, given that everyone might need such protection at some point in their life.

7. Upon his election, the Chairperson recalled that, during the 100th Session (2011) of the International Labour Conference (ILC), the Committee for the Recurrent Discussion on Social Protection had discussed the role and importance of social protection for social and economic development. The Committee had concluded that social security was a human right and a social and economic necessity and that social security systems served as economic and social stabilizers in times of crisis and beyond. He stressed the importance of ILO standards in the field of social security in providing guidance for national social security development. At the invitation of the ILC, the ILO's Governing Body, at its 311th Session in June 2011, had decided to place a standard-setting item entitled "Elaboration of an autonomous Recommendation on the social protection floor" on the agenda of the 101st Session of the ILC. He thanked the Office for having prepared the reports which would provide an excellent basis for the discussion of the proposed Recommendation. He called on all participants to play a proactive role in the Committee in order to ensure a fruitful and successful discussion and outcome.

8. The Executive Director of the Social Protection Sector, Mr A. Diop, recalled the urgency of improving social protection for the many people around the world who lived in poverty with little or no access to health services, food or other basic needs. Building national social protection floors would be important for social justice, for reducing poverty and inequality and for achieving sustainable social and economic development, especially in times of crisis. Since 2001, when the ILC had put the extension of social security on the international political agenda, and 2003 when the Global Campaign on Social Security and Coverage for All had been launched, the Office had undertaken research that showed that a social protection floor was affordable even for low-income countries. Since 2009, the

Office, jointly with the World Health Organization (WHO), had also led the United Nations Social Protection Floor Initiative and in 2011 the 100th Session of the ILC had reached a political consensus that had brought the important work of the proposed Recommendation before the Committee. That work was based on the common objective of ensuring social protection for everyone in the near future.

9. The representative of the Secretary-General presented the reports submitted to the ILC. He noted that the Office draft of the proposed Recommendation reflected replies and comments provided to the questionnaire in Report IV(1). The response showed overwhelming support for the formulations put forward in the questionnaire, which had been elaborated on the basis of the ILC 2011 Conclusions concerning the recurrent discussion on social protection (social security) (hereinafter referred to as the 2011 Conclusions). He outlined the structure and content of the proposed Recommendation and highlighted specific points that had been raised by the respondents to the questionnaire and how they had been addressed in different paragraphs of the proposed text. The points highlighted included a clarification of the term “guarantees” as opposed to “benefits”, keeping a balance between global guidance and national definition and implementation of social protection floors, their progressive realization according to national circumstances, the definition of personal coverage and the degree of specificity regarding timetables and targets of social security extension strategies.

General discussion

10. The Employer Vice-Chairperson reminded the Committee that the discussion on the proposed Recommendation was a standard-setting activity. The form of the instrument might not be a Convention, but its possible impact exceeded that of a Convention because it was the appropriate instrument for the pursued objectives. The Employers’ group was grateful for having been given the opportunity to contribute to the proposed text, which so far reflected an informal consensus. He noted that the inputs of member States providing

updated information on the current situation in their countries needed to be reflected in the proposed Recommendation. There were many Conventions that were poorly ratified for reasons exacerbated by the economic situation affecting governments, taxpayers and enterprises.

11. Social expenditure in many countries had begun to create problems for investment and other state commitments, while burdening individuals and businesses with costs. Although social protection could be considered to be an investment, States needed to strike a balance between sound management of expenditure and the principle of good governance. The objective of the proposed Recommendation was to empower people worldwide through the provision of basic health care and basic income security, and to provide guidance to those governments that still had a way to go, fostering an environment where enterprises could emerge and grow, for the benefit of all.
12. For the proposed Recommendation to have any impact on those who needed it most, it should not be aspirational but should instead reflect the reality of the current situation and focus on what could be delivered immediately and in the foreseeable future.
13. The Worker Vice-Chairperson stated that the ILC should send a clear message, through the formulation of a global social contract, that no one in need would be left without the necessary support for a decent life. The proposed Recommendation should enable member States to provide basic universal social security coverage as quickly as possible. The proposed Recommendation should be brief and clear, and should not be diluted by caveats. While international standards should not be over-prescriptive, the proposed Recommendation would add value only if it defined principles and provided real policy guidance to member States. The proposed Recommendation would provide policy guidance to support the transition from informal employment to decent work and its adoption would reaffirm that tripartism was not merely a process but also a means of promoting dynamic, inclusive and fair societies.

-
14. The ILO had been the driving force behind the concept of the social protection floor, which had gained widespread support at national and international levels, including by the United Nations (UN) and the G20 Labour and Employment Ministers.
15. She noted that the proposed Recommendation was part of broader policy debates in many countries to make progress on social security coverage. In that regard, several studies and ILO country reports had shown that, where the political will existed, such progress could be made rapidly. The examples of many countries, including Brazil, China, Ghana, India, Mexico, Mongolia, Namibia, South Africa and Thailand, showed that social security was a powerful tool to move people out of poverty. Decent employment and remuneration were important, but the fight against poverty could not be won without solidarity and redistribution. Social security also contributed to social peace, to achieving greater gender equality and to improving global governance. In light of the greater vulnerability of women, the inclusion of maternity protection and maternity-related health services was of utmost importance.
16. The proposed Recommendation reflected the replies of governments, employers and workers to the questionnaire and would serve as a very useful basis for discussion. The vast majority of replies had been positive but some concerns had been expressed about the possibility that a social protection floor might provide undesirable incentives and fail to focus sufficiently on activating people. That might be an issue in countries with mature social protection systems, but the social protection floor was about such things as: providing basic protection against outright poverty; children being able to go to school and not having to work; the elderly receiving a basic pension; access to health care; and basic income protection for persons in active age who were unable to earn a sufficient income. Activating could only mean providing options and opportunities, enabling workers to decline the most exploitative forms of employment. The concerns of activation should not be overplayed in the discussion nor should the undeniable need for a basic social protection floor as an element of wider social security systems be mixed with discussion

on the appropriate incentive structure in mature systems. If conditionalities, targeting or means-testing resulted in practice in excluding from social protection people in need, then the design of the system was fundamentally flawed. Social policies should be integrated into a wider set of labour market, education, economic and financial policies. A vicious cycle of wage cuts, price cuts, sinking tax revenues and rising private and public debt burdens had to be avoided.

17. The discussion would be based on international human rights treaties, international labour standards and the 2011 Conclusions, including the following key points: the recognition of social security as a human right; a commitment to the vertical and horizontal extension of social security to all; the need for a universal floor as a stepping stone towards more comprehensive social security; the ultimate responsibility of governments to ensure universal social security coverage; the need to reduce informality and precariousness; the importance of social security as an investment in people and development; the need for sound financing and burden sharing; the recognition of retirement as a legitimate part of the life cycle; the pivotal role of transparency, accountability and efficient administration; the importance of substantive social dialogue; the need to define a national time frame for the implementation of a social protection floor; and the key role of social protection in ensuring a just share of the fruits of progress for all.

18. She warned against overconfidence in the self-regulating capacities of markets since it was not markets but people and competent governments that built inclusive societies based on rules that safeguarded liberty, equality and dignity. International labour standards contributed on a global level by ensuring that no one gained advantage through exploitative labour practices or abused labour standards for protectionist purposes. The Worker Vice-Chairperson concluded by saying that the proposed Recommendation offered a great opportunity to build trust among nations that all nations would subscribe to the universal principle and objective that basic social security must be guaranteed for everyone.

19. The Government member of Denmark, on behalf of the Governments of the Member States of the European Union (EU) registered in the Committee ² (hereinafter referred to as the EU Member States), acknowledged the transparent consultation process and the strong comparative analysis that would provide a solid basis for the work of the Committee. Social protection was a fundamental right and played a key role in supporting the achievement of strong, sustainable and balanced economic growth and social cohesion. The EU Member States supported the proposed Recommendation, which was in line with fundamental EU values. The guidance provided on adaptable basic social protection floors on the basis of a set of nationally defined social guarantees made the proposed Recommendation the appropriate instrument for establishing nationally defined social protection systems with the aim of securing basic protection for all. The promotion of higher protection levels in line with national needs and capacities, as countries developed, was very relevant for EU policies. The EU Member States appreciated in particular: the two-dimensional strategy for extending social protection; the reference to the Social Security (Minimum Standards) Convention, 1952 (No. 102), as the flagship instrument in the field; the balance between clear guidance and sufficient room for tailor-made arrangements; the concern that the “floor” should not become a “ceiling”; and the need for guidance regarding the development of social protection systems along the vertical axis. The EU Member States would bring to the discussion the lessons learned on social protection from the European experience and propose improved wording relating to employment policies, sustainability and affordability, governance and monitoring.

20. The Government member of Oman, on behalf of the Gulf Cooperation Council (GCC) countries registered in the Committee ³ (hereinafter referred to as the GCC countries) and Yemen, affirmed their commitment to strengthening social protection. The GCC countries

² Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

³ Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates.

considered social protection to be a core theme and vital to implementing decent work objectives and ensuring socio-economic development. The GCC countries were making progress in the implementation of social protection floors, covering all categories of the population without discrimination between men and women, various categories of workers, including workers in the informal economy and liberal professions, and people with special needs. He stressed that salaries and pensions had to be revised to ensure dignified and decent lives. He hoped that the Committee would attain a transparent and effective Recommendation that would provide the essential elements for the progressive extension of social protection. He concluded by highlighting the importance of receiving technical advice and assistance to set up social protection floors.

21. The Government member of Belgium supported the EU statement and recalled that the ILO was at the origin of the idea of the social protection floor. The Recommendation should be based on the elements of the 2011 Conclusions. The two-dimensional strategy for extending social protection was fundamental and should be reaffirmed. The social protection floor was an intermediary step which enabled countries to respond gradually to the requirements of the Social Security (Minimum Standards) Convention, 1952 (No. 102), and other related ILO Conventions. He concluded by highlighting two objectives mentioned in the 2011 Conclusions: that everyone should be able to have a decent job and benefit from effective social protection; and that it was crucial to ensure sustainability of social protection systems. In parallel, there was also a need to facilitate the transition from informal to decent work. He hoped that the proposed Recommendation would become instrumental in the development of social protection floors and in their promotion through international technical cooperation.

22. The Government member of Brazil stressed the important role of social protection floors for social inclusion to eradicate poverty. Brazil's main message was that it was possible for countries to grow and increase gross domestic product (GDP) and at the same time redistribute income and increase social inclusion. Brazil had experienced many reforms in

social policies carried out under former President Luiz Inácio Lula da Silva and current President Dilma Vana Rousseff. Those social policy reforms had had a positive impact on the economy because they allowed people to consume even in times of crisis. By opting for social inclusion policies and social protection floors, Brazil could share its growing wealth with the entire population. Social protection floors should not lower high levels of social protection in advanced countries. The experience of Brazil and other countries showed that the development of social protection floors could be achieved. He concluded by stressing the importance of investing in people's rights. Investing in social inclusion policies and social protection floors should not therefore solely be driven by economic growth purposes. Brazil was committed to pushing for social inclusion policies worldwide.

23. The Government member of Canada concurred on the relevance and importance of developing a new international labour standard on social protection floors and affirmed that social protection measures were important tools to help reduce, alleviate and prevent poverty and help people weather financial and economic crises. As there was no “one-size-fits-all” approach to social protection, the proposed Recommendation should provide clear and effective orientations for the design and implementation of social protection floors tailored to needs and national circumstances, and be applicable in a variety of legal and societal contexts. He pointed out that the proposed instrument should highlight the importance of gender considerations and the value of social dialogue. His delegation supported the thrust of the proposed text as it provided practical guidance for establishing and maintaining social protection systems. The 2011 Conclusions would provide useful guidance for the discussion on the proposed Recommendation.

24. The Government member of the United States remarked that the preparations for the discussion on the proposed Recommendation had been going on for several years and had been discussed and outlined at the highest levels of the United Nations and other multilateral forums, including the G20. The United States agreed that all countries should provide adequate social protection to those in need, with policies and financing determined

at the national level in accordance with countries' needs, priorities and resources. Her country agreed with the general direction of the proposed Recommendation. Broad international agreement had emerged that strong social protection systems helped cushion households during economic shocks and, when tied to skills training, social protection could help launch people on a career pathway of productive employment which in turn supported inclusive economic growth. Despite the era of budgetary constraints, the United States believed that it was necessary to find ways to support social protection floors. Robust social protection systems could be affordable when well targeted and well coordinated to reduce inefficiencies and fragmentation. Evaluating the effectiveness of social protection programmes would be an important factor to ensure that they really met the needs of the population.

25. The Government member of India conveyed his country's appreciation of the proposed Recommendation. India had provided social protection to its workforce in both the formal economy and informal economy through legislative and other means. The range of benefits included employment guarantees through the Mahatma Gandhi National Rural Employment Guarantee Act and the legal right to cheaper food grains through the National Food Security Bill. The proposed Recommendation rightly recognized that social protection floors should be tailored according to national circumstances and levels of development. Each country should determine its own national strategy. Faced with the challenge of a vast population with limited resources and infrastructures, India's approach had been, and would continue to be, target oriented, as the progressive extension of benefits yielded better results in terms of sustainability than universal coverage in one single go.

26. The Government member of the Islamic Republic of Iran spoke of the importance of social protection for rich and poor countries alike and highlighted the relevance of sharing best practices and lessons learned. The Islamic Republic of Iran had put in place a basic set of social security guarantees including essential health-care services, family benefits,

minimum pensions for old age and disability and social assistance for income security. In line with the ILO Declaration on Social Justice for a Fair Globalization, the Islamic Republic of Iran had also made progress in improving conditions for children through access to nutrition, education and care and the implementation of the International Programme on the Elimination of Child Labour (IPEC) programmes by 2016. The Islamic Republic of Iran supported the ILO in the promotion of the social protection floor and was ready to cooperate with interested parties for the exchange of best practices and lessons learned.

27. The Government member of Morocco stated the importance that the proposed Recommendation would have in achieving decent work and complementing other instruments on social protection. Through the proposed Recommendation, all countries should improve their levels of protection. Morocco had already undertaken efforts over recent years to extend coverage. He presented the major elements of the national programmes initiated in Morocco and stressed that they would be further complemented over the coming years. Medical coverage would be extended to cover all in need, with the Government financing the costs of hospitals and medical centres. Morocco had worked with the social partners to develop an unemployment benefit scheme. He stressed that in Morocco no distinction was made between migrant workers and nationals and that agreements were reached with other countries to cover migrant workers. He appealed to Committee members to recognize the principle of non-discrimination, and to broaden social protection through both international agreements and instruments.

28. The Government member of Mexico reported on the conclusions of the meeting of G20 Ministers of Labour and Employment held in Mexico in May 2012, which emphasized the important role of social protection systems as automatic stabilizers in times of crisis. It was therefore necessary to develop nationally defined social protection floors to achieve strong, balanced and sustainable economic growth with social cohesion. Governments should improve their social security systems to balance labour market

measures and social protection. The Government of Mexico had launched policies in line with the social protection floor concept through the provision of conditional cash transfers (“Oportunidades” programme) and the extension of health coverage through “Seguro Popular”. Those efforts had been recognized by the WHO Director-General during the May 2012 World Health Assembly when she declared that Mexico was well on the way to universal health care.

29. The Government member of Namibia recalled that the 2011 Conclusions called for member States to develop social protection systems and policies that met the needs of the most vulnerable; he regretted that that was not sufficiently reflected in the proposed text. Due regard should be given to the inclusion of informal economy workers in social security systems, especially in the African context. It was unrealistic to work only towards the formalization of the informal economy. Rather, those in the informal economy should benefit from social protection measures. The ILO and other international organizations played an important role in assisting countries to introduce or reform their social security schemes. In its endeavour to build a social protection floor, Namibia had conducted, with the support of the ILO, an assessment of the existing benefit administration mechanisms. Namibia was also currently reviewing and harmonizing the legislative framework and had started to implement a contributory National Pension Fund to supplement the Basic State Grant. Research on the economic indicators and actuarial valuations had been undertaken to define the structure, contribution and benefit levels of the funds.

30. The Government member of Senegal stated that his country had ratified the Social Security (Minimum Standards) Convention, 1952 (No. 102), and built a social security system that covered formal economy workers for eight of the nine contingencies listed in the Convention. Great efforts had also been undertaken to achieve the Millennium Development Goals (MDGs), and progress had been made especially in the areas of child mortality and the fight against HIV and AIDS. In line with the Decent Work Agenda for Africa and the Yaoundé Tripartite Declaration on the implementation of the social

protection floor, Senegal had made social protection one of the two national priorities in its Decent Work Country Programme. However, Senegal was facing considerable challenges in its efforts to address social risks, including the weak coverage rate of only 11.8 per cent of the active population, the coverage of informal economy workers who were excluded from the current system and the lack of non-contributory systems. Concerning the proposed Recommendation, he expressed three main expectations: first, the strengthening of ILO technical cooperation for the elaboration of social budgets for the implementation of a social protection floor in each country; second, clear and pertinent guidance to create the necessary fiscal space for the implementation of the social protection floor; and, third, the development of measures to guarantee a minimum income and access to basic social services for people living with HIV and AIDS, in line with the HIV and AIDS Recommendation, 2010 (No. 200).

- 31.** The Government member of Turkey recalled that social protection was a human right as defined in the Universal Declaration of Human Rights as well as UN Covenants, and that it was a social and economic necessity highlighted also in the ILO Declaration on Social Justice for a Fair Globalization. Turkey had made great progress in developing a social protection system that reduced poverty significantly. He described the different benefits available for children, families, the elderly and others in need. Turkey had also introduced mandatory universal health insurance for all residents, including foreigners and the most vulnerable, who were covered by the State. The 2008 reform had put the rights of all employees and civil servants under one roof, and benefits for the elderly and for persons with disabilities, and family and other social assistance benefits, were grouped under the administration of a single ministry. A new information system for social assistance with a unified database ensured efficient administration of benefits, and a telephone information service for beneficiaries had been introduced. The social budget had increased significantly to realize that progress. Turkey was also preparing a national employment strategy that

would be considered in parallel with the social protection strategy to ensure better coordination across policies and institutions.

32. The Secretary-General noted the rapid reaction to the social protection floor concept in the wake of the crisis by the UN, by the ILO through the Global Jobs Pact, by the G20, and also at national level where it had received strong support across countries. The concept had also taken to the streets, gaining the support of civil society. A Social Protection Interagency Board had been agreed upon to coordinate the social protection floor work of organizations across the UN system. That showed the impact of the ILO on activities beyond those relating to the exercise of its mandate to set labour standards. While that positive reaction was highly welcome, it should be remembered that the floor should lay the foundation to reach the higher levels of social protection outlined in the Social Security (Minimum Standards) Convention, 1952 (No. 102). The crisis had reinforced understanding of the need for a floor, especially in low- and middle-income countries. Countries with social protection had fared better in the aftermath of the crisis, had increased wages and had maintained the global demand in the economy. A reduction in taxes to stimulate consumption would not have had such an effect as it increased the resources of those with higher incomes who, in times of crisis, tended to save money rather than to spend and invest. Social protection floor benefits, in contrast, stimulated spending and thus supported adequate national policies in times of crisis.

33. A considerable challenge persisted for the ILO to bring international labour standards into the informal economy. The social protection floor was a concept aimed at reaching those not reached through formal mechanisms. Standards adopted at the ILC in 2011 concerning domestic workers constituted another example of how to cover those in the informal economy.

34. The social protection floor should not be over-prescriptive but should offer a set of policies from which countries could choose what best fitted their country context. Similarly, the

Global Jobs Pact had outlined a comprehensive set of policies that had worked in some countries. That did not mean that all the policies needed to be implemented everywhere but it defined a set of options. The comprehensive nature of the approach was however important. Countries should then define what was already in place and what could be done additionally.

35. The Recommendation would have an impact on billions of people around the world and would affect their livelihoods, dignity and possibilities for development. He encouraged the Committee to think of those people during its work.

36. During the 14th sitting, the President of the ILC addressed the Committee. He underlined the importance of the discussion on the social protection floor in the Committee and the synergies with the discussions in the two other Committees, on youth employment and on fundamental principles and rights at work. The high-level Social Protection Floor Advisory Group, convened by the ILO with the collaboration of the WHO and chaired by former President of Chile Michelle Bachelet, had recently published its report,⁴ which stressed the contribution of the social protection floor to addressing the enormous social challenges facing the world. He noted that four out of five people did not enjoy an adequate level of social protection. Global GDP was ten times greater than in 1950 but, despite six decades of strong economic growth, access to adequate social protection and services remained a privilege. The proposed Recommendation would offer important guidelines to Members to establish, complete and maintain social protection floors as a basic element of their social security systems. Part IV of the proposed Recommendation, which provided a valuable roadmap for the follow-up to the instrument, was of particular interest.

37. The Government member of the Bolivarian Republic of Venezuela supported the two-dimensional strategy of social security extension. All countries needed to have a

⁴ *Social protection floor for a fair and inclusive globalization*, Report of the Social Protection Floor Advisory Group, ILO, Geneva, 2011.

reliable and effective social protection floor that provided sustainable social protection for the welfare not only of workers but of the population as a whole. At the current time of economic crisis, the concern was not only to assist countries with weak social security systems but also to defend the existing rights of workers. In the pursuit of achieving a social protection floor, his country emphasized the importance of a rights-based approach that enshrined the principles of solidarity and guaranteed fair and equal access and inclusion in the constitution, labour laws and social protection policies.

- 38.** The Government member of Argentina recounted the experience of his country in building a social protection floor to provide protection to its citizens throughout the life cycle, and summarized various successful social protection schemes that Argentina had implemented. In those efforts, the Social Security (Minimum Standards) Convention, 1952 (No. 102), and the Income Security Recommendation, 1944 (No. 67), had been key references. Argentina had paved its own way to growth with inclusion that had broken with the traditional economic wisdom of budget cuts and had put decent work and social security at the centre of its policies. That had hastened the end of the deep crisis of 2001 and enabled the country to ride out the international financial crisis. Cross-cutting strategies were needed to create synergies between social protection, employment and economic policies. He supported the proposed Recommendation and highlighted the following key points that needed to stand out in the text: each country should be free to define its own strategy to implement a national social protection floor which should be sustainable and rights-based; the construction of social protection floors should be a priority for the development plans of countries; under no circumstances should the proposed Recommendation be a justification for lowering higher coverage levels already achieved along the lines of the Social Security (Minimum Standards) Convention, 1952 (No. 102); and measures should be taken to enable member States to ratify that and other ILO Conventions. Social security was a human right that should be guaranteed by all governments.

39. The Government member of the Netherlands welcomed the proposed text, in particular the emphasis on the productive role of social protection. He listed five points his country wished to be taken into account for the final text. First, employment and social protection policies were intrinsically linked and social protection had to play an activating role. Second, while social protection was ultimately the responsibility of governments, the social partners and private citizens also had responsibilities in that respect. Third, sustainable financing of social protection systems could only be ensured if the taxes and contributions were enforced effectively and fraud and misuse minimized. Fourth, the proposed Recommendation should mention the instruments the ILO and other organizations had at their disposal to provide technical assistance to member States. Fifth, the ILO and other relevant international organizations should cooperate to build national social protection floors.

40. The Government member of Australia welcomed the broad consensus between governments, workers and employers on the general approach of the proposed text and viewed the proposed Recommendation as a vital addition to the existing body of international standards on social security. The most important aspects to be included in the proposed Recommendation would be to: promote a rights-based approach in the context of the human rights framework that fostered social cohesion and reduced poverty and inequality; provide practical guidance to member States at all levels of development; make the provisions sufficiently flexible to fit different country circumstances; and conceive social protection floors as part of broader social security extension strategies.

41. The Government member of the Philippines commended the proposed Recommendation as a guide towards reducing poverty and inequality between those workers who were covered under statutory schemes and those marginalized in informal and precarious employment. She described the social protection strategy of the Philippines, which included four key components: labour market interventions, social insurance, social welfare and safety nets. She detailed the different programmes and initiatives the Government had undertaken to

extend social security. As the country of origin of many migrant workers, the coverage of such workers – who often faced restrictions to qualify for the social security programmes of host countries and risked losing entitlements in their home countries – constituted a major concern for the Government of the Philippines. The proposed Recommendation should address that issue.

42. The Government member of Germany welcomed the proposed Recommendation as a good basis for discussion and applauded the transparent consultative process through which it had been developed. From the very beginning, Germany had strongly supported the social protection floor concept that respected the principles of country-tailored, progressive implementation of national social protection floors which ensured access to social security for all. She was pleased with the two-dimensional approach that promoted a minimum level of protection for all but at the same time included a strategy for progressively raising the level in line with existing ILO social security instruments.

43. The Government member of Trinidad and Tobago emphasized the critical importance of the proposed Recommendation and its underlying principles of social security as a human right and social and economic necessity. He supported the elaboration of an autonomous instrument concerning social protection, which acted as a stabilizer in times of crisis, supported countries in their recovery and helped them move closer to the realization of decent work. He detailed various efforts Trinidad and Tobago had made to improve its social protection system and promote equity, inclusion and empowerment, especially for the most vulnerable. In those endeavours, due attention had been paid to the gender dimension of social protection, for example by bringing provisions in line with the relevant ILO standards such as the Maternity Protection Convention, 2000 (No. 183).

44. The Government member of Bangladesh concurred with the previous speakers that the proposed Recommendation laid a good basis for the discussion. However, some points from the 2011 Conclusions needed greater emphasis, such as the recognition of the diverse

socio-economic realities of member States that required tailor-made solutions. The Recommendation should adopt an approach that allowed for flexible implementation in line with financial capacities and development priorities. It should contain provisions securing protection of vulnerable groups such as migrants, and emphasize the role of social security schemes in formalizing the informal economy. Furthermore, references to health coverage should include recognition of the social, economic and environmental determinants of health. Finally, the role of the international community in assisting countries in implementing social protection floors should be outlined in greater detail.

45. The Government member of Papua New Guinea welcomed the timely discussion on the social protection floor. She considered the social protection floor to be a key tool for inclusion, redistribution, poverty alleviation and achieving respect for human rights. She described the measures her country had introduced to develop a national social protection system that was compatible with traditional forms of family safety nets in Papua New Guinea. Based on the principles of protection, assistance, empowerment and transformation, its social protection policies were carefully tailored to fit local socio-economic practices, cultural perceptions and identities. With the principle of progressive realization in mind, Papua New Guinea had identified the elderly, children and persons with disabilities as priority groups for its social protection extension strategy.
46. The Government member of Indonesia supported the discussion on the social protection floor as it was in line with Indonesia's policy to provide social security for all its citizens. He described the progress made in guaranteeing a basic level of protection for all through the national social security system and social protection programmes, how they were administered through the different social security and government institutions in Indonesia and the related legislative and governance reform processes under way.
47. The representative of International Movement ATD Fourth World, speaking on behalf of 54 NGOs, welcomed the proposed Recommendation as a crucial instrument in the fight

against poverty and social exclusion and referred to a common statement of the NGO coalition. The proposed Recommendation should give greater emphasis to the importance of a participatory process that included the social partners, civil society organizations and beneficiaries in the design, implementation, monitoring and evaluation of social protection programmes. Reference should also be made in the preamble to a variety of human rights instruments to emphasize the rights-based approach more clearly. Furthermore, the gender dimension should be strengthened in the proposed text, the principle of access to accountability mechanisms at the national level should be mentioned, as should income security for persons with care-giving responsibilities, and social protection for all individuals irrespective of their legal situation.

48. The representative of StreetNet, an international federation of 48 organizations of street vendors, informal market vendors and hawkers, voiced the federation's support for the approach adopted in the proposed Recommendation as it promoted social security for all rather than basing protection on formal employment relationships. A package of basic protection should include workplace security, income security, food security, health protection and retirement security. She emphasized the importance of providing access for all residents, including informal, atypical and precarious workers and migrants, as well as the promotion of a formalization process that would protect people's livelihoods. Social protection floors should include active labour market policies and promote safe and decent working conditions and the provision of services such as water and sanitation.

49. The representative of International Young Christian Workers, speaking also on behalf of World Solidarity, welcomed the proposed Recommendation as there was a need for a standard that would create access to social protection, especially for informal economy workers and rural populations, young people, migrant workers and women. Three important elements stood out clearly in the proposed Recommendation: the two-dimensional strategy to promote universal protection for all as well as gradually achieving higher levels of social protection; emphasis on the participation of the social

partners, beneficiaries and other stakeholders; and the plurality of mechanisms to achieve social protection. The text should, however, put greater emphasis on institutionalizing the principle of solidarity between young and old, formal and informal, rural and urban, as well as on the principle of non-discrimination, including with regard to women, informal economy workers and migrants.

Consideration of the proposed Recommendation concerning national floors of social protection

Title

50. The title was adopted.

Preamble

First preambular paragraph

51. The first preambular paragraph was adopted.

Second preambular paragraph

52. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to delete “and an economic and social necessity for development and progress” and, at the end of the paragraph, add a new paragraph to read as follows: “Acknowledging that the right to social security is, along with policies that promote employment, an economic and social necessity for development and progress, and”. She explained that dividing the paragraph into two would give individual focus to social security as a human right. The second paragraph should then include the promotion of employment as an essential element since employment and social security were linked and employment was central to social security.

53. The Worker Vice-Chairperson welcomed the separate acknowledgement of social security as a human right and the highlighting of the importance of employment as part of the

agenda that the social protection floor sought to address, and thus supported the amendment.

54. The Employer Vice-Chairperson made a general observation that his interventions on behalf of the Employers' group regarding proposed amendments would be guided by the following considerations: whether the amendment stayed in line with the objectives of the proposed Recommendation; whether it improved the text; and whether it focused on the matter of social protection floors. Before forming an opinion on the proposed amendment, he asked to hear the reasons for the next amendment, which was related to the amendment being discussed.
55. The Government member of the United States supported the first part of the amendment and, on behalf also of the Republic of Korea, suggested a subamendment to insert after "human right" the following text: "as set forth in Article 22 of the Universal Declaration of Human Rights and Article 9 of the International Covenant on Economic, Social and Cultural Rights; and considering Article 25 of the Universal Declaration of Human Rights and Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights". She emphasized that it would consolidate the two separate preambular paragraphs that referred to human rights, in order to clarify which was the relevant Article of the human rights instruments that set forth the right to social security. The subamendment had been drafted in an effort to retain the original language but to add clarity and avoid duplication of language.
56. The Worker Vice-Chairperson did not support the subamendment since it narrowed the original meaning. The original text made clear that the ILO recognized social security as a human right. The sixth preambular paragraph referred to the Universal Declaration of Human Rights and "in particular" to Articles 22 and 25. Losing the "in particular" would reduce the strength of the message.

-
57. The Employer Vice-Chairperson welcomed the intention of merging the two paragraphs but agreed with the Worker Vice-Chairperson that the proposed subamendment would narrow the meaning and therefore he too did not support it.
58. The Government member of Denmark, on behalf of the EU Member States, supported the subamendment and introduced a further subamendment to insert “and the Convention on the Rights of the Child” at the end of the paragraph.
59. The Worker Vice-Chairperson did not support the subamendment as there were many Conventions that recognized social protection and the text could mention many others. That reinforced her earlier point that qualifying the reference to human rights limited which Conventions were recognized and which were not. That should be avoided. She re-emphasized that dropping the “in particular” was a significant change.
60. The Employer Vice-Chairperson appreciated the point put forward by the Worker Vice-Chairperson and, as a compromise solution, suggested inserting “in particular” before “as set forth”. He further agreed that the text should not open a list of instruments to refer to. While the Employers’ group was supportive of the Convention on the Rights of the Child in general, its mention here would not improve the text.
61. The Worker Vice-Chairperson still did not support the text proposed in the subamendment as the “considering Article 25” in the listing of the Articles downgraded Article 25 compared to Article 22, and the separate reference to individual Articles presented a limitation by differentiating between Articles that referred to social protection and those that did not. She therefore preferred to list the Conventions in a separate paragraph as per the original text. She reaffirmed her support for the amendment as originally proposed.
62. The Government members of Brazil and Argentina expressed their support for the original amendment separating the two parts on human rights and employment policies.

-
- 63.** The Employer Vice-Chairperson withdrew his proposal to combine the two paragraphs and suggested returning to the text of the amendment as originally proposed.
- 64.** The Government member of the United States asked the Worker Vice-Chairperson to clarify how citing specific Articles would weaken the original text.
- 65.** The Worker Vice-Chairperson elaborated that the proposed wording gave lesser importance to Article 25 than to Article 22, which was an interpretation that should be avoided. She also repeated that other instruments recognized social protection as a human right and the text could also list those but that would not add anything to the text but rather create confusion.
- 66.** The subamendment was not accepted.
- 67.** The Employer Vice-Chairperson proposed a subamendment to replace “along with policies that promote employment” by “along with promoting employment”, arguing that the text could not be limited just to policies that promoted employment. The proposed amendment would thus reinforce the idea that employment was an economic and social necessity for progress.
- 68.** The Worker Vice-Chairperson and the Government member of Denmark, on behalf of the EU Member States, supported the subamendment.
- 69.** The amendment was accepted as subamended.
- 70.** As a consequence, an amendment proposed by the Government members of the Republic of Korea and the United States fell. It had sought to insert after “human right” “as set forth in Article 22 of the Universal Declaration of Human Rights and Article 9 of the International Covenant on Economic, Social and Cultural Rights,” and, after “development and progress” to insert “; and considering Article 25 of the Universal Declaration of

Human Rights and Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights”.

71. The second preambular paragraph was adopted as amended.

Third preambular paragraph

72. An amendment submitted by the Government member of the Democratic Republic of the Congo, to insert “relieve” after “prevent”, fell as it was not seconded.

73. The Employer Vice-Chairperson introduced an amendment to insert “and to” before “promote” in the second line of the paragraph to improve the structure of the sentence.

74. The amendment was adopted.

75. The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Colombia, Costa Rica, Ecuador, Jamaica, Mexico, Panama, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to add “and racial” after “gender”, aiming to include a reference to racial equality.

76. The Employers’ and Workers’ groups supported the amendment, referring to the relevance of the argument.

77. The amendment was adopted.

78. The Worker Vice-Chairperson introduced an amendment to insert “support the transition from informal to formal employment, and” after “gender equality, and”, highlighting that social protection could promote the transition from informal to formal employment.

79. The Employers’ group supported the amendment.

80. The Government member of Denmark, on behalf of the EU Member States, concurred with the sentiment of the amendment but indicated that a similar amendment relating to the

fourth preambular paragraph would be introduced by the EU Member States. She suggested discussing the amendments together under the fourth preambular paragraph and for the suggested text not to be included in the paragraph under discussion.

- 81.** The Worker Vice-Chairperson pointed out that there was a difference between the two amendments in the sense that her group's amendment clarified what social protection could add in the transition from informal to formal employment, whereas the EU amendment recognized the benefit of social protection systems in relation to employment. On the basis of that distinction, she requested that both amendments be maintained.
- 82.** The Government member of Denmark, on behalf of the EU Member States, endorsed the previous speaker's view.
- 83.** The Government member of Argentina supported the Workers' group's amendment.
- 84.** The amendment was adopted.
- 85.** The third preambular paragraph was adopted as amended.

Fourth preambular paragraph

- 86.** The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Colombia, Costa Rica, Ecuador, Jamaica, Mexico, Panama, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to replace the paragraph with the following: "Considering that in many countries strong social investment policies and significant social expenditures have been economically beneficial and that the extension of social protection has contributed to stabilizing the economy, expanding aggregate demand, reducing the vulnerability of individuals and nations in times of crisis, and". He felt that a reference to the effects of public policies at large should be included.

-
- 87.** The Employer Vice-Chairperson opposed the amendment, stating that the text should focus on social protection floors and avoid an economic discussion on austerity and investments.
- 88.** The Government member of Denmark, on behalf of the EU Member States, shared that view.
- 89.** The Worker Vice-Chairperson supported the amendment, in view of the evidence of the positive impact of social policies on the economy during the crisis.
- 90.** The Government member of Uruguay reiterated that it was indispensable to include social investment policies as there was a strong connection between those policies and economic growth.
- 91.** The Government member of Argentina endorsed that statement, commenting that many countries that introduced social investment policies experienced positive impacts during the crisis.
- 92.** The Employer Vice-Chairperson noted that considerations or changes to the preamble should be based on facts. He requested the sponsors of the amendment to provide evidence that social protection expanded aggregate demand and reduced the vulnerability of individuals and nations.
- 93.** The Worker Vice-Chairperson stated that social protection was an investment in men and women. The new formulation was more active than the existing one. Countries with social security systems in place suffered less during the crisis.
- 94.** The Government member of Brazil asserted that, if Committee members had doubts, he could give plentiful evidence of countries that had experienced positive impacts of social policies on the economy, including Brazil.
- 95.** The Government member of Namibia opposed the amendment on the ground that it singled out some countries – not all countries experienced the positive impacts described. He

therefore suggested retaining the original text as it was inclusive and reflected the experience of all countries.

96. The Employer Vice-Chairperson stated that although his group admired the experience of Brazil there was nonetheless a lack of factual evidence on the impact of social protection on the expansion of aggregate demand as well as the growth of enterprises and employment. If the Committee were to support such a paragraph, it would need to list all the elements that stabilized the economy and reduced vulnerability. Although evidence might be found regarding the reduction of the vulnerability of individuals, that was not the case with nations.

97. Since the Employers' and Workers' groups held opposing views, the Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members were not in favour of the amendment. That was acknowledged by the Workers' group and the amendment was not accepted.

98. The Government member of Trinidad and Tobago introduced an amendment, seconded by the Government member of Barbados, to insert "may" after "systems" in the third line. By adding that word, the text would underscore flexibility, which was necessary since countries were at different levels of development.

99. The Worker Vice-Chairperson opposed the amendment on the ground that flexibility was not under discussion. The stabilizing effect of social protection was included in the 2011 Conclusions and was based on good research. Adding the word "may" would dilute that convincing argument.

100. The Employer Vice-Chairperson concurred.

-
- 101.** The Government member of Zimbabwe, on behalf of the Government members of the Africa group registered in the Committee ⁵ (hereinafter referred to as the Africa group), stated that the group did not support the amendment.
- 102.** The amendment was not accepted.
- 103.** The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to insert in the third line, after “automatic”, the words “social and economic”, explaining that the insertion would make the text more precise.
- 104.** The Employer and Worker Vice-Chairpersons supported the amendment.
- 105.** The amendment was adopted.
- 106.** The Worker Vice-Chairperson introduced an amendment to replace “in times of crisis and beyond” by “and maintain aggregate demand in times of crisis and beyond and support a transition to a more sustainable economy”. The suggested amendment would be a good compromise in view of the fact that an earlier amendment referring to the positive relation of social security systems and aggregate demand had fallen.
- 107.** The Employer Vice-Chairperson opposed the amendment for the same reasons he had given regarding the earlier amendment that had fallen, indicating that the proposed text was a consideration and not a fact. Referring to economic elements such as “aggregate demand” and “sustainable economy” would open a discussion on the economy as a whole that would go beyond the discussion on the proposed Recommendation. Furthermore, even in times of prosperity, there would be people in need of social security, which was

⁵ Algeria, Angola, Benin, Botswana, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo, Côte d’Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Guinea, Kenya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, South Africa, South Sudan, Sudan, United Republic of Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.

reflected in a forthcoming amendment replacing in the third line “crisis” by “economic volatility”.

- 108.** The Government member of Brazil supported the amendment, commenting that the suggested text was factual. His delegation could not accept the forthcoming amendment of the Employers’ group to change the word “crisis” as the crisis should be recognized and could not be negated.
- 109.** The Government members of Argentina and the Bolivarian Republic of Venezuela supported the amendment.
- 110.** The Worker Vice-Chairperson reiterated that social protection would give people more money in the event of job loss or in times of crisis, which would maintain aggregate demand. That was not a political issue but a fact; it was not an issue of austerity versus stimulus measures. She also pointed out that during periods of crisis, many people would describe what they faced as more than mere volatility.
- 111.** The Employer Vice-Chairperson responded that the amendment was not correct factually as there were countries with social security systems in place which did not maintain aggregate demand in times of crisis. As for the word “volatility”, the Employer members conceded that it might not have been the right wording; they had wished to highlight that social security was a necessity not just in times of crisis but also in times of prosperity.
- 112.** The Government member of Brazil quoted evidence from the publication *Social protection floor for a fair and inclusive globalization* (ILO, 2011) to endorse the idea of the amendment.
- 113.** The Worker Vice-Chairperson proposed a subamendment to replace “maintain” by “help stimulate”.

114. The Employer Vice-Chairperson and the Government member of Brazil supported the subamendment.

115. The subamendment was accepted.

116. The Employer Vice-Chairperson proposed a further subamendment to insert “help” before “support a transition to a more sustainable economy”, which the Worker Vice-Chairperson accepted.

117. The Workers’ group’s amendment was adopted as subamended.

118. As a consequence, an amendment introduced by the Employers’ group, to replace “crisis” by “economic volatility”, was withdrawn. The Employer Vice-Chairperson wished to stress again that social protection played a stabilizing role, not only in periods of crisis but also in times of prosperity.

119. The fourth preambular paragraph was adopted as amended.

New preambular paragraphs after the fourth preambular paragraph

120. The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Ecuador and the Bolivarian Republic of Venezuela, introduced an amendment to add the following new preambular paragraph: “Considering that overcoming extreme poverty requires prioritization of a sustainable long-term cycle of growth and that economic development associated with strong social inclusion enable social inequalities and differences within and among regions to be overcome, and”. The paragraph would add a reference to “overcoming extreme poverty” which would be in accordance with other ILO documents.

121. The Worker Vice-Chairperson supported the amendment, commenting that the new paragraph would add the issue of prioritization to the preamble, which was missing in the original text.

-
- 122.** The Employer Vice-Chairperson expressed concern about the clarity and consistency of the language used, as growth could not be prioritized as such. He also noted that there was no factual evidence that growth would lead to poverty reduction, as in some countries poverty even increased despite a long-term cycle of growth. Although he supported the idea of including poverty in the preamble, he did not support the amendment as it was not clear.
- 123.** The Government member of Brazil reiterated that social inclusion policies were linked with economic growth, which needed to be reflected in the text.
- 124.** The Government member of Bangladesh agreed with the concerns raised by the Employer Vice-Chairperson regarding the language and supported the idea of addressing poverty through social security measures.
- 125.** The Employer Vice-Chairperson proposed a subamendment so that the paragraph would read “Considering that prioritizing of policies aimed at sustainable long-term growth associated with social inclusion helps overcome extreme poverty and reduces social inequalities and differences within and among regions, and”.
- 126.** The Government member of Brazil supported the subamendment as it maintained the main idea of the amendment. The Worker Vice-Chairperson supported the subamendment.
- 127.** The new preambular paragraph was adopted.
- 128.** The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to add a new preambular paragraph, in order to reflect the importance of focusing on active labour market policies and vocational training: "Considering that social security should be associated with active policies of the labour market combined with high quality vocational training and other appropriate measures, and”.

-
- 129.** The Worker Vice-Chairperson supported the intent of the amendment but thought it belonged in another part of the proposed Recommendation. The Employer Vice-Chairperson and the Government member of Brazil concurred.
- 130.** It was not clear to the Government member of India how active labour market policies and vocational training were associated with social security; he thought that the amendment was moving too far away from the preambular text.
- 131.** The Government member of Denmark, on behalf of the EU Member States, withdrew the amendment, and indicated that she would come back to the matter when discussing another part of the proposed Recommendation.
- 132.** The Government member of Denmark, on behalf of the EU Member States, introduced an amendment adding a new preambular paragraph: “Recognizing the need for Members to prevent tax evasion and fraud, and”, explaining that it was essential for the financial sustainability of social security systems that tax was paid and fraud prevented.
- 133.** The Worker Vice-Chairperson supported the amendment.
- 134.** The Employer Vice-Chairperson recognized the need to prevent tax evasion and fraud but preferred to discuss the amendment under Paragraph 11 of the proposed Recommendation, which dealt with transparency and the financial governance of systems.
- 135.** The Government member of India stated that the amendment was not relevant to the preambular text of the proposed Recommendation.
- 136.** The Government member of Bangladesh echoed the statement made by the previous speaker.
- 137.** The Government member of Zimbabwe, on behalf of the Africa group, did not support the amendment and thought it should be discussed under another part of the proposed Recommendation.

-
- 138.** The Worker Vice-Chairperson had no objection to deferring the discussion to Paragraph 11 of the proposed Recommendation.
- 139.** The Government member of Denmark, on behalf of the EU Member States, withdrew the amendment and said she would come back to the matter at a later stage in the discussion.
- 140.** The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to add a new preambular paragraph to recognize the importance of the transition to formal employment: “Recognizing that the transition to formal employment is conducive to establishing sustainable social security systems, and”.
- 141.** The Worker Vice-Chairperson fully supported the amendment.
- 142.** The Employer Vice-Chairperson noted that the proposed Recommendation intended to support the transition from the informal to the formal economy. However, he was not sure about the language used in the amendment; it might be discouraging for countries which would continue to have large informal economies in the short and long terms.
- 143.** The Worker Vice-Chairperson understood that the purpose of the amendment was to express that social security systems would help the shift from the informal to the formal economy, which would subsequently help establish sustainable social security systems.
- 144.** The Government member of India opposed the amendment, explaining that the informal economy formed a major part of the economies in both India and Bangladesh, while social security was provided to many informal workers. Thus, stating that social security systems were only sustainable in formal economies was not acceptable.
- 145.** The Government member of Bangladesh agreed with the previous speaker and added that the statement was not entirely correct factually in the light of national situations. Nevertheless, it was true that social security systems could promote the transition to the formal economy.

-
- 146.** The Government member of Argentina fully supported the amendment.
- 147.** The Government member of Switzerland supported the amendment because formalized employment increased the ability to contribute to the viability of the financial system.
- 148.** The Government member of Brazil supported the amendment for the same reason: the more formal employment, the more contributors towards a viable system.
- 149.** The Government member of Namibia did not support the amendment, arguing that in many countries the main challenge was to provide social security to the majority in the informal economy.
- 150.** The Government member of Kenya did not support the amendment. She thought that the preambular text should focus on social security instead of the transition to formal employment.
- 151.** The Government member of the Bolivarian Republic of Venezuela supported the amendment, noting that it was important to set up mechanisms to support social security systems for workers in the informal economy.
- 152.** The Employer Vice-Chairperson would not object to the amendment if the two-way nature of the relationship between the transition to formal employment and sustainable social security systems was understood, and if it was made clear that a formal economy was no guarantee for sustainable social security systems. He suggested a subamendment to replace “is conducive” by “can be conducive”.
- 153.** The Government member of Bangladesh also recognized the two-dimensional effects. He therefore proposed a subamendment to change the wording of the added paragraph to “Recognizing that the transition to formal employment and establishing sustainable social security systems are mutually supportive, and”.

154. The Employer and Worker Vice-Chairpersons and the Government member of Denmark, on behalf of the EU Member States, accepted the proposed subamendment.

155. The subamendment was adopted.

156. The new preambular paragraph was adopted as amended.

157. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to add a new preambular paragraph: “Reaffirming the importance of involving social partners and other relevant stakeholders, and”.

158. The Employer Vice-Chairperson appreciated the intent of the amendment but did not support it because the issue was well covered in the text and would be discussed at a later stage.

159. The Worker Vice-Chairperson shared that view.

160. The Government member of Denmark withdrew the amendment.

Fifth preambular paragraph

161. The fifth preambular paragraph was adopted without amendment.

Sixth preambular paragraph

162. In view of the earlier discussion, an amendment submitted by the Government members of the Republic of Korea and United States to delete the preambular paragraph was withdrawn.

163. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to delete “and” after “Article 25” and add at the end of the preambular paragraph “the Convention on the Rights of the Child, and”.

164. The Worker Vice-Chairperson supported the amendment.

-
- 165.** The Employer Vice-Chairperson did not support the amendment as it would not improve the text and could lead to a move to include other relevant Conventions.
- 166.** The Government member of Sweden did not support adding references to a large number of human rights instruments. In practice, however, much of the debate on the social protection floor would concern children, meaning that it would be appropriate to include a reference to the Convention on the Rights of the Child, which had almost universal acceptance.
- 167.** The Government member of Brazil supported the amendment.
- 168.** The Government member of Turkey supported the amendment and suggested a subamendment, seconded by the Government member of the Democratic Republic of Congo, to add at the end of the paragraph “the Convention on the Rights of Persons with Disabilities, and”.
- 169.** The Employer Vice-Chairperson opposed the subamendment for the same reasons he had stated previously.
- 170.** The Worker Vice-Chairperson did not object to the subamendment, recalling that some international agencies had recommended the inclusion of other relevant Conventions.
- 171.** The Government member of Bangladesh preferred to retain the original text of the paragraph.
- 172.** The Government member of Brazil had no objection to the subamendment, in particular because Brazil had introduced an allowance for persons with disabilities.
- 173.** The Government member of Namibia proposed a subamendment, seconded by the Government member of Sudan, to add “and all other relevant Conventions, and” at the end of the paragraph instead of listing all relevant Conventions.

-
174. The Employer and Worker Vice-Chairpersons both supported the subamendment.
175. The Government member of Senegal pointed out that the wording of the subamendment gave the misleading impression that the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights were in fact Conventions.
176. The Government member of Brazil opposed the subamendment because it was too vague and open to subjective interpretation, and merely diluted the emphasis on the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. She called for a reversion to the original text.
177. The Worker and Employer Vice-Chairpersons agreed to retain the original text if agreement could not be reached on the subamendments.
178. The subamendments introduced respectively by the Government members of Namibia and Turkey found no further support and were not adopted.
179. The Government member of Zimbabwe, on behalf of the Africa group, supported retaining the original text.
180. The EU amendment found no further support and was not adopted.
181. The sixth preambular paragraph was adopted.

Seventh preambular paragraph

182. The Government member of Canada, on behalf also of the Government member of Australia, introduced an amendment which sought, in the first line, to replace “also” by “up-to-date”; in the fourth line to move “and noting their continuing relevance” to after “(No. 67),”; and, in the third line, to insert “that of” before “the Medical”. He explained that the body of ILO instruments had been reviewed and that several instruments had been found to be up to date. That should be mentioned in the preamble. The amendment maintained the spirit of the paragraph as well as that of the 2011 Conclusions.

-
- 183.** The Worker Vice-Chairperson did not support the amendment. Regarding several social security Conventions, there had been no conclusion on whether or not they were up to date. Furthermore, the amendment would misleadingly read as if the Medical Care Recommendation, 1944 (No. 69), was not a social security standard.
- 184.** The Employer Vice-Chairperson agreed with the Worker Vice-Chairperson and did not support the amendment, adding that it was not the responsibility of the Committee to decide what was up to date and what was not.
- 185.** The Government member of Canada withdrew the amendment.
- 186.** The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Chile, Ecuador and the Bolivarian Republic of Venezuela, introduced an amendment that proposed, in the fourth line, to replace “their continuing relevance” by “that these standards continue to be important references for the structuring of social security systems”. She explained that the amendment sought to further reinforce the idea of the continuing relevance of ILO standards for all social security systems, as it was not given enough emphasis in the original wording.
- 187.** The Worker Vice-Chairperson suggested a subamendment to retain “their continuing relevance” and insert “and” after those words, since both points were important.
- 188.** The Employer Vice-Chairperson did not support the subamendment and proposed a further subamendment to delete “for the structuring of social security systems” and “their continuing relevance” because the standards in question were important references not just for the structuring of social security systems but for social security systems in general.
- 189.** The Worker Vice-Chairperson observed that Conventions were more than mere references; they were international obligations, which was well captured in the original wording “continuing relevance”. She objected to the last subamendment but supported the

amendment introduced by the Government member of Brazil. If there was no agreement on that amendment as originally proposed, she would prefer to keep the original wording.

190. The Government member of Brazil said she would have supported the amendment introduced by the Worker Vice-Chairperson since both points reinforced the idea, but could also understand the point made by the Employer Vice-Chairperson, that the standards were relevant not merely to the structuring of social security systems but to social security systems as a whole. She accordingly introduced a further subamendment, seconded by the Government member of Argentina, to delete “the structuring of”.

191. The Employer Vice-Chairperson said he would accept the subamendment but that the wording might need to be improved.

192. The Worker Vice-Chairperson supported the subamendment.

193. The Government member of Chile did not agree with the subamendment and preferred the original amendment introduced by the Government member of Brazil as it was a better reflection of the situation in Chile. He agreed with the principle of the subamendment but pointed out that in some countries, such as his own, gaps in legislation or incompatibilities with the funding of social security might exist. That needed to be taken into account and came out more clearly in the original amendment than in the subamendment, which made the text more complex and the wording of which was incompatible with the individual capitalization system in Chile.

194. The Government member of India also preferred the original amendment.

195. In view of the support expressed by the majority, the seventh preambular paragraph was adopted as amended and referred to the Committee Drafting Committee for consistency of wording.

Eighth and ninth preambular paragraphs

196. The eighth and ninth preambular paragraphs were adopted.

New paragraph after the ninth preambular paragraph

197. The Government member of Brazil introduced, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Chile, Ecuador and the Bolivarian Republic of Venezuela, an amendment to add the following new paragraph after the ninth preambular paragraph: “Considering that social protection floors are a first step in a process of advancing towards an integrated set of social policies aimed at universalizing and improving social protection in every country, and ensuring income security and access to goods and services that guarantee social rights, in an integral, universal, equitable and irreversible manner, with special attention to vulnerable groups and to the empowerment of individuals as citizens, and”. She explained that the amendment sought to introduce both a vision and elements that were lacking in the preamble. It should be made clear that social protection floors were a first step in a process and that countries should advance further. Furthermore, the preamble should refer to the role of social protection in the realization of social rights and social inclusion. It should also highlight that acquired rights were irreversible.

198. The Employer Vice-Chairperson did not support the amendment. He stated that the new text was a duplication. Most, if not all, elements were already reflected in other preambular paragraphs. The proposed paragraph introduced and mixed too many concepts. For example, it was unclear to him how goods could guarantee rights. Also, social protection floors were not always the first step. Many countries that were now considering building social protection floors already had other elements of the social security system in place.

199. The Worker Vice-Chairperson proposed a subamendment to replace “social rights” by “human rights” and to delete “as citizens”. The question of who was to be covered would

be discussed elsewhere in the Recommendation but it should not be limited to citizens only.

200. The Employer Vice-Chairperson thought the subamendment improved the text but still did not support the inclusion of the new paragraph. Adding to his previous point, he considered it incorrect to include “irreversible” in the text as there was a constant need to monitor and adjust social security systems, which should not mean reversing achievements; it was important to remain flexible. Otherwise, the proposed text would be in contradiction to other parts of the Recommendation.

201. The Government member of India did not support the proposed amendment as social protection floors had to be determined nationally depending on the fiscal space available. If social protection floors were described as a first step towards a larger system, that would engage countries in an unknown commitment of building systems without any further specification as to what those systems would consist of.

202. The Government member of Bangladesh did not support the amendment because the idea of social protection floors as parts of comprehensive social security systems was already expressed in the ninth preambular paragraph. The proposed new paragraph gave a feeling of broadening the scope of the Recommendation in a way that would overstep the mandate of the 2011 Conclusions. He also pointed out that the concepts and ideas set out in the amendment should be included under Part I – Objectives, scope and principles – and that it would be premature to include them in the preamble. He cautioned not to introduce too many ambitious ideas in the Recommendation as countries such as his own needed time to decide how to develop a social protection floor.

203. The Government member of Uruguay stated that the proposed paragraph was a synthesis of the earlier paragraphs. The Recommendation was about social rights that operated in an overall human rights framework and it would therefore be better to refer to “human rights” not “social rights”, as proposed by the Worker Vice-Chairperson. He agreed with previous

speakers that the text repeated ideas that were already expressed in the preamble as the intention of the paragraph was to provide a corollary to the preamble.

204. The Government member of Brazil welcomed the explanations provided by the previous speaker and agreed that social rights were part of human rights but considered the reference to collective rights to be important. She therefore proposed a further subamendment to refer to “social and human rights”. Although the concept of citizenship was important to express the idea of empowerment of individuals as citizens, she agreed to drop the reference to citizens if it could help to create consensus on the adoption of the proposed text. She emphasized that some, but not all, of the elements of the proposed text were already included in the proposed Recommendation.

205. The Worker Vice-Chairperson agreed with the wording “social and human rights” but thought that, overall, the new paragraph would not add anything to the proposed Recommendation. She could not support any wording that included “citizens” but she would support the first part of the amendment, if there was consensus on it.

206. The Employer Vice-Chairperson recalled that the replies to the questionnaire had shown consensus on what should be included in the Recommendation. The proposed new paragraph would not improve the proposed Recommendation; it was repetitive and some of its concepts were incomprehensible. Moreover, it only referred to two of the four guarantees that were defined elsewhere in the Recommendation as constituting the social protection floor. The Employer Vice-Chairperson wondered whether that would imply that the other two guarantees should be taken out.

207. The Government member of Namibia agreed with the Government member of Bangladesh that it would be more useful to introduce the concepts elsewhere in the proposed Recommendation. He also expressed concern about some of the concepts introduced, such as the idea of universalizing, and considered the wording too prescriptive in the guidance it provided to countries.

208. The Government member of Brazil responded to the Employer Vice-Chairperson's request for clarification as to how goods and services could realize rights, by explaining that the reference was to goods and services that constituted basic individual needs, such as water and sanitation, food, housing or education.

209. The Government member of Denmark, on behalf of the EU Member States, agreed with the Employer Vice-Chairperson and the Government members of Bangladesh and Namibia that the Committee would go on forever if it tried to redraft text that expressed ideas already included elsewhere.

210. The Government member of Trinidad and Tobago also agreed with the previous speakers and further expressed concern about some of the concepts, including "first step", "universalizing" and "citizens".

211. The Government member of the United Arab Emirates did not support the amendment as it was complicated, there were too many differences between countries regarding their rights, goods and services, and the Committee risked running out of time.

212. The Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members were against the amendment.

213. The amendment was not adopted.

Tenth and eleventh preambular paragraphs

214. The tenth and eleventh preambular paragraphs were adopted.

Twelfth preambular paragraph

215. The Government member of the United States, seconded by the Government members of Canada and Chile, introduced an amendment to insert "s" at the end of "Floor" in the second line to make the short name of the Recommendation consistent with its title.

216. The Worker and Employer Vice-Chairpersons supported the amendment.

217. The amendment was adopted.

218. The preamble was adopted.

Part I. Objectives, scope and principles

Title

219. The title was adopted.

Paragraph 1

Chapeau

220. The chapeau was adopted.

Paragraph 1(a)

221. The Government member of the United States, on behalf also of the Government member of Canada, introduced an amendment to replace “put in place, complete” by “establish”. She observed that it would be inaccurate to call for a “completion” of national social protection floors since the elements of the floors might change as populations’ needs regarding protection changed.

222. The Worker Vice-Chairperson preferred the original wording of the Paragraph but had no strong objection to the amendment.

223. The Employer Vice-Chairperson thought that the term “establish” was more appropriate and supported the amendment.

224. The Government members of Bangladesh, India, Poland, Trinidad and Tobago, and Zimbabwe, on behalf of the Africa group, supported the amendment.

225. The amendment was adopted.

Paragraph 1(b)

- 226.** The Worker Vice-Chairperson introduced an amendment to replace “as many people as possible” by “all” to set out clearly the goal that no one would be left without coverage. In the short run, social security should be extended to “as many people as possible” but the Paragraph referred to “progressively ensuring”, which clearly expressed a long-term aspiration. In the long run, the goal should clearly be the extension of coverage to all people. She emphasized that clause (b) should be read together with clause (a) which made clear that there was an implication of gradually covering more people over time.
- 227.** The Employer Vice-Chairperson did not support the amendment. He indicated that clause (a) expressed the idea of a social protection floor for all while clause (b) focused on future progress. He thought that some countries that already had comprehensive social security systems might neither be able, nor wish, to endlessly increase their levels of protection. Clause (b) should therefore express an idea of prioritization and focus on people in need, which was why the Employers’ group would introduce an amendment for the clause to state “to as many people as are in need”.
- 228.** The Government member of Brazil supported the amendment; its intent was the same as that of a subsequent amendment to delete “as many people as possible”, submitted by the Government members of Argentina, the Plurinational State of Bolivia, Brazil, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela. The two amendments both sought to underline the very important principle of universality.
- 229.** The Government member of India preferred the original text because of the potential budgetary implications for his Government of a commitment to ensure higher levels of social security for all.
- 230.** The Employer Vice-Chairperson indicated that he would consider withdrawing the amendment his group had planned to introduce and support the amendment proposed by the Government members of Brazil and other Latin American countries.

-
- 231.** The Government member of the Netherlands agreed with the Employer Vice-Chairperson and did not support the amendment.
- 232.** The Worker Vice-Chairperson stated that the proposed amendment sought to reflect in the proposed Recommendation the idea emphasized in the 2011 Conclusions that everyone, as a member of society, had a right to social security. As Part I of the proposed Recommendation laid down the objectives, scope and principles, it should express the ambition of extending social security to all. She did not agree with deleting “as many people as possible” as that also expressed an ambition, although it was a qualifier and therefore less preferable to the wording proposed in her group’s amendment.
- 233.** The Government members of Mauritania and Sudan favoured the original wording of the proposed Recommendation.
- 234.** The Government member of Zimbabwe, on behalf of the Africa group (with the exception of Mauritania and Sudan), supported the amendment submitted by the Workers’ group.
- 235.** The Government member of the United Kingdom suggested that rephrasing the chapeau might facilitate agreement on the clauses.
- 236.** The Government member of Canada supported the original text but, in order to facilitate a compromise, suggested a subamendment to replace “ensure higher levels of social security to as many people as possible” by “extend social security”.
- 237.** The Employer Vice-Chairperson understood that the concern of the Workers’ group was with the extension to all and suggested the addition of “to all” to the subamendment.
- 238.** The Government member of Poland supported the original text, but considered that the subamendment proposed by the Government member of Canada could be a constructive compromise.

-
- 239.** The Worker Vice-Chairperson did not support the subamendment. The proposed Recommendation recognized both the horizontal dimension of progressive extension and the vertical dimension of higher levels of protection. The vertical dimension would get lost in the proposed subamendment. She therefore preferred to withdraw the amendment and keep the original text.
- 240.** The Employer Vice-Chairperson offered to withdraw his group's next amendment also, preferring to keep the original text.
- 241.** The Government member of Canada also withdrew the subamendment he had proposed and supported the original text.
- 242.** In light of the previous discussion, two amendments were withdrawn: one submitted by the Government members of Argentina, the Plurinational State of Bolivia, Brazil, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela, which had sought to delete "to as many people as possible"; and one submitted by the Employer members, which had sought to replace "possible" by "are in need".
- 243.** The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to add, at the end of the clause, " , in particular the Social Security (Minimum Standards) Convention, 1952 (No. 102)" to highlight the importance of that Convention.
- 244.** The Employer Vice-Chairperson said that the Employers' group was not against Convention No. 102, but one of the reasons for the work on the proposed Recommendation was the challenges some countries experienced regarding that Convention, which were reflected by its low ratification rate.

245. The Worker Vice-Chairperson stated that her group was not opposed to the amendment and the reference to Convention No. 102 but they did not see a need to include it here either.

246. The Government members of Chile, Denmark on behalf of the EU Member States, India, Nepal, the United Arab Emirates, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group, did not support the amendment.

247. The Government member of Brazil withdrew the proposed amendment.

248. Paragraph 1 was adopted as amended.

Paragraph 2

249. An amendment submitted by the Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela, which had sought to delete the words “sets of” was withdrawn.

250. The Government member of the United States introduced an amendment and subamended it to replace, in the second and third lines, “guarantees” with “guarantees or protections”, in both instances to align the language with her country’s national context.

251. The Government member of Canada seconded both the amendment and the subamendment.

252. The Worker Vice-Chairperson strongly opposed the subamendment as the concept of “guarantees” had been included in the 2011 Conclusions.

253. The Employer Vice-Chairperson found the amendment acceptable but suggested reviewing its wording.

-
254. The Government member of Denmark, on behalf of the EU Member States, preferred to retain the original text of the Paragraph to ensure consistency with the rest of the text.
255. The Government member of Zimbabwe shared that view and indicated that the word “protection” was already included in the original text.
256. The Government members of Brazil and Uruguay expressed their preference for the original text.
257. The Government member of the United States withdrew the amendment.
258. The Government member of Argentina, on behalf also of the Government members of the Plurinational State of Bolivia, Brazil, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to replace “social security guarantees” by “guarantees which are intended to achieve a permanent increase in social security levels and” so as to include the idea of the horizontal and vertical dimensions of social protection extension strategies, given that the objective was to extend population coverage and raise benefit levels.
259. The Workers’ group supported the amendment.
260. The Employer Vice-Chairperson opposed the amendment. Although the two-dimensional approach to extending social protection needed to be included in the Recommendation, he preferred to discuss it under Parts II and III of the proposed text. It would not be appropriate to include in Paragraph 2 the vertical dimension of extending population coverage and raising benefit levels; the Paragraph should focus on the general introduction of the social protection floor concept.
261. The Government member of Denmark, on behalf of the EU Member States, and the Government members of Australia, India, and Zimbabwe, on behalf of the Africa group, expressed their preference for the original text and thus opposed the amendment.

-
- 262.** The Government member of Brazil proposed a subamendment, seconded by the Government members of the Plurinational State of Bolivia and Uruguay, to replace, in a spirit of compromise, “permanent” by “progressive” but stressed that it was necessary to include the idea of raising social security levels.
- 263.** The Employer Vice-Chairperson opposed the subamendment.
- 264.** The Government member of Bangladesh concurred with the previous speaker and reiterated that the two-dimensional strategy of extending social protection was already included under Part III of the proposed Recommendation. He also stressed the importance of keeping the words “social security guarantees”.
- 265.** The Government member of Canada wished to retain the original text, recalling that the progressive realization of higher levels of social security was already mentioned under Paragraph 1(b) and should not be repeated in Paragraph 2.
- 266.** The Government member of India concurred.
- 267.** The Government member of Brazil maintained her view that the text should include a reference to the extension strategy as basic social protection levels were not sufficient for ensuring a life in dignity. Ensuring higher levels of basic social protection was feasible as the experience of her country and others in the region had shown.
- 268.** The Government members of Switzerland and Zimbabwe, on behalf of the Africa group, preferred to retain the original text as the Paragraph should define the “floor” concept.
- 269.** In view of the lack of consensus, the Chairperson invited the Government members to indicate their preference by a show of hands. As a clear majority was against the amendment, it was not adopted.
- 270.** The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Ecuador, Panama, Uruguay and the

Bolivarian Republic of Venezuela, introduced an amendment to insert “ensure access to an income and to public social services, and” after “guarantees which” to make the text more concrete. She recalled that ensuring social protection floors was not about charity, but about giving people a more dignified life through income transfers and access to public social services, such as health, justice, water and sanitation.

- 271.** The Employer Vice-Chairperson opposed the amendment as it would not improve the text and the content was already included in Paragraph 5 of the proposed Recommendation.
- 272.** The Worker Vice-Chairperson supported the amendment as it would clarify the notion of the social protection floor, which would remain an abstract concept without the added text.
- 273.** The Government member of Denmark, on behalf of the EU Member States, and the Government members of Lesotho, Mauritania and Zimbabwe, on behalf of the Africa group, did not support the amendment.
- 274.** The Government member of Brazil withdrew the amendment.
- 275.** The Worker Vice-Chairperson introduced an amendment to delete “Such guarantees may be achieved through contributory or non-contributory schemes, whether means-tested or not.”, and indicated that the text did not belong in Paragraph 2 as financing mechanisms would be discussed elsewhere in the text; it would be preferable to keep the definition of the social protection floor succinct, without any unnecessary additions.
- 276.** The Employer Vice-Chairperson preferred to retain the original text as it set out important information regarding the design of social protection floors. However, in a spirit of compromise, he agreed to support the amendment but would introduce an amendment to Paragraph 11 to acknowledge the different financing mechanisms of social protection floors.

277. The Government members of Argentina, Bangladesh, Brazil and South Africa supported the amendment.

278. The amendment was adopted.

279. Consequently, two amendments fell: one submitted by the Government members of Argentina, the Plurinational State of Bolivia, Brazil, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela to insert “or both,” after “schemes,”; and another submitted by the Africa group to replace “means-tested or not” by “universal or means-tested”.

280. Paragraph 2 was adopted as amended.

Paragraph 3

Chapeau

281. The Worker Vice-Chairperson introduced an amendment to insert at the beginning of the Paragraph “Recognizing the overall and primary responsibility of the State,”. Although the concept was included as a principle in Paragraph 3(1), she believed it to be an overriding principle which should be included in the chapeau of the Paragraph to strengthen the role of the State in guaranteeing social protection floors.

282. The Employer Vice-Chairperson as well as the Government member of Denmark, on behalf of the EU Member States, and the Government members of Australia, Bangladesh and Canada supported the amendment.

283. The amendment was adopted.

Paragraph 3(a)

284. Paragraph 3(a) was adopted.

Paragraph 3(b)

- 285.** The Employer Vice-Chairperson introduced an amendment to replace the words “by law” with “in accordance with national law and practice” as it would better reflect the reality, given that in some countries social security benefits were not set forth by national law.
- 286.** The Worker Vice-Chairperson supported the addition of “national” but was opposed to adding “and practice” as the Recommendation promoted the rights-based approach of social protection guarantees and adding those words could lead to confusion.
- 287.** The Government member of India supported the amendment.
- 288.** The Government member of Denmark, on behalf of the EU Member States, supported the amendment as it was similar to a forthcoming amendment submitted by the EU Member States.
- 289.** The Government member of Bangladesh expressed concern about the language used as it was difficult to link the notion of “practice” with the word “prescribed”.
- 290.** The Government member of Senegal suggested replacing the word “law” by “legislation”, as “law” was too restrictive, as well as deleting the words “national practice”.
- 291.** The Government members of Brazil, Namibia, and Zimbabwe, on behalf of the Africa group (with the exception of Senegal), did not support the amendment and preferred the original text.
- 292.** The Employer Vice-Chairperson withdrew the amendment.
- 293.** The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to insert after “by” the word “national” to underscore the national context.
- 294.** The Employer and Worker Vice-Chairpersons, as well as the Government members of Cameroon, Canada, Egypt and Qatar supported the amendment.

295. The Government member of Namibia preferred to retain the original text in view of the text of the preamble.

296. The amendment was adopted.

297. Paragraph 3(b) was adopted as amended.

New clause after Paragraph 3(b)

298. The Worker Vice-Chairperson introduced an amendment to add a new clause as follows:

“Efficient and easily accessible complaint and appeal procedures as well as adequately resourced and well-trained labour inspection;”. The additional principle would underscore the importance of complaint and appeal procedures as well as that of addressing fraud, corruption and tax evasion.

299. The Employer Vice-Chairperson pointed out that the text of the amendment was not formulated as a principle and that accessible complaint and appeal procedures were already mentioned in Paragraph 8 of the proposed Recommendation. He also commented that some of the social protection floor guarantees, such as guaranteed access to education, water and sanitation, could not be ensured through labour inspection as they would not fall under its authority.

300. The Government member of Denmark, on behalf of the EU Member States, and the Government members of Bangladesh, India, Namibia and Zimbabwe, on behalf of the Africa group (with the exception of Egypt), opposed the amendment as it was not a principle.

301. The Government members of Brazil and Egypt supported the amendment.

302. The Worker Vice-Chairperson agreed to include the reference to labour inspection elsewhere in the proposed Recommendation. She suggested subamending the text to read “Efficient and easily accessible complaint and appeal procedures” to ensure that the

principle of having accessible complaint and appeal procedures was reflected in the Recommendation.

303. The Employer Vice-Chairperson did not oppose the subamendment and proposed a further subamendment to formulate the text as a principle: “Efficiency and accessibility of complaint and appeal procedures”.

304. The Worker Vice-Chairperson supported the subamendment and raised a grammatical question which was referred to the Committee Drafting Committee.

305. The Government member of Canada supported the subamendment.

306. The Government member of Egypt pointed out the importance, for the sustainability of social protection systems, of having a well-trained labour inspectorate.

307. The Worker Vice-Chairperson and the Government member of Brazil agreed that it should be included in a subsequent Paragraph of the proposed Recommendation.

308. The Government member of the Democratic Republic of the Congo suggested that a reference to labour inspection could be covered in Part IV on follow-up mechanisms.

309. The amendment was adopted as subamended.

310. The new clause after Paragraph 3(b) was adopted.

Paragraph 3(c)

311. The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to insert “no distinction on the basis of race or colour” after “non-discrimination”. It was very important to highlight the problem of discrimination based on race or colour and the text would be in line with

the language used in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

312. The Employer Vice-Chairperson did not support the amendment, pointing out that the concept of non-discrimination already covered all grounds of discrimination. He preferred to retain the original text without highlighting any specific ground.

313. The Worker Vice-Chairperson supported the amendment as it was useful to remind countries of major forms of discrimination. She indicated that her group would propose a similar amendment on people living with HIV and AIDS.

314. The Government member of Egypt proposed a subamendment, seconded by the Government member of Cameroon, to add “All kinds of” before “non-discrimination” and to delete “, gender equality and responsiveness to special needs” as it would be better not to specify existing grounds of discrimination.

315. The Employer and Worker Vice-Chairpersons and the Government member of Brazil opposed the subamendment.

316. The subamendment was not adopted.

317. Although the issue of discrimination based on race and colour was very important to many countries, the Government member of Brazil withdrew the amendment, in view of the lack of consensus.

318. An amendment submitted by the Government member of the Islamic Republic of Iran to replace “equality” with “justice” was not seconded and thus was not discussed.

319. The Government member of Uruguay, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Brazil, Ecuador, Panama and the Bolivarian Republic of Venezuela, introduced an amendment to add “and equality of opportunity for

persons with disabilities” after “needs” to reflect in the proposed Recommendation that persons with disabilities should have equal opportunities.

320. The Employer Vice-Chairperson did not support the amendment as the clause already covered non-discrimination and responsiveness to special needs, which would include persons with disabilities. He reiterated that there was no need to list specific groups.

321. The Government member of Denmark, on behalf of the EU Member States, and the Government members of Cameroon, Canada, India, Lesotho, and Zimbabwe, on behalf of the Africa group, concurred.

322. The Worker Vice-Chairperson supported the amendment for the same reasons as for the previous amendment, as it would be good to remind countries of major forms of discrimination.

323. The Government member of Turkey supported the amendment.

324. In reply to a question by the Government member of Brazil, the representative of the Secretary-General confirmed that persons with disabilities were covered under “responsiveness to special needs”.

325. The Chairperson concluded that there was no majority support for the amendment.

326. The amendment was not adopted.

327. The Worker Vice-Chairperson introduced an amendment, subamending it to insert “including the needs of people living with HIV and AIDS” after “special needs”. She stated that the amendment was different to the previous amendments related to special needs and non-discrimination because, even after the adoption of the recent

Recommendation,⁶ national non-discrimination laws often still did not cover rights of people living with HIV. She underlined the importance of the issue which had been prioritized by the ILO.

328. The Employer Vice-Chairperson reiterated that he did not support the listing of specific groups. There was no reason to make a reference to HIV and not to other contagious diseases. Moreover, people living with HIV were already covered under “non-discrimination” and “responsiveness to special needs”.

329. The Government member of Denmark, on behalf of the EU Member States, and the Government members of Mauritania, Namibia, and Zimbabwe, on behalf of the Africa group (with the exception of Egypt and Senegal), endorsed the previous speaker’s statement.

330. The Government members of Brazil, Egypt and Senegal supported the amendment as discrimination on the ground of HIV and AIDS was still a major problem in many countries and for that reason needed special attention.

331. Since there was no agreement, the Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members were against the amendment.

332. The amendment was not adopted.

333. Paragraph 3(c) was adopted.

Paragraph 3(d)

334. Paragraph 3(d) was adopted.

⁶ Recommendation on HIV and AIDS and the world of work, No. 200 (2010).

New clause after Paragraph 3(d)

335. The Worker Vice-Chairperson introduced an amendment, immediately subamended to add a new clause: “design that includes respect for the rights and dignity of people covered by the guarantees”. She stated that social protection floor guarantees had to be delivered in a way that respected people’s dignity.
336. The Employer Vice-Chairperson concurred with the sentiment of the amendment but noted that, for reasons of consistency, the text should be rephrased. He submitted a further subamendment so that the clause would read “respect for the rights and dignity of people covered by the guarantees”.
337. The Worker Vice-Chairperson accepted the subamendment.
338. The Government member of the United States supported the subamendment and proposed a further subamendment, seconded by the Workers’ group, to add “privacy,” before “rights”.
339. The Employer Vice-Chairperson accepted the subamendment.
340. The Government member of India requested clarification of the meaning of the word “privacy” as in his country there was a right to information and anyone was entitled to access information about beneficiaries.
341. The Government of the United States responded that it was about the privacy of the beneficiaries.
342. The Government member of Brazil opposed the subamendment as the concept of “dignity” also covered “privacy”.
343. The Government members of Argentina, Bangladesh, and Denmark, on behalf of the EU Member States, also opposed the subamendment proposed by the Government member of the United States.

344. The subamendment was not adopted.

345. The Government member of Brazil stated that it was very important to include the principle of respecting rights and dignity. She proposed a further subamendment, seconded by the Government member of Australia, to add “social security” before “guarantees”.

346. The Employer and Worker Vice-Chairpersons, as well as the Government members of Bangladesh, the Republic of Korea, and Denmark, on behalf of the EU Member States, supported the subamendment.

347. The subamendment was adopted.

348. The new clause after Paragraph 3(d) was adopted as amended.

349. Consequently, an amendment submitted by the EU Member States fell. It had sought to add a new clause “respect for the dignity of beneficiaries;”.

Paragraph 3(e)

350. An amendment submitted by the Workers’ group to delete the clause was withdrawn.

351. The Government member of Brazil, on behalf also of the Government members of Argentina, the Plurinational State of Bolivia, Ecuador, Panama, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to replace in the first line “a fair balance” by “solidarity in funding while seeking to strike an optimal balance”. The idea of solidarity with regard to the funding of social security systems was essential.

352. The Worker Vice-Chairperson proposed a subamendment to rephrase the clause as: “solidarity in funding while seeking to strike an optimal balance between the responsibilities and interests of those who finance and who benefit from social security schemes” as no distinction should be made between the groups who benefited from social security schemes and those who contributed to them; people could be part of both groups.

-
353. The Employer Vice-Chairperson proposed a further subamendment to rephrase the clause as “achieving an optimal balance between the responsibilities and interests of those who finance and who benefit from social security schemes”.
354. The Worker Vice-Chairperson opposed the subamendment as it removed the word “solidarity” which was a basic principle of social protection.
355. The Government member of Denmark, on behalf of the EU Member States, and the Government member of Canada were in favour of the subamendment proposed by the Employers’ group.
356. The Government members of Argentina, Brazil, Uruguay and the Bolivarian Republic of Venezuela opposed the subamendment. The Government member of Brazil stressed that solidarity in funding was one of the principles of social security and needed to find its place in the Paragraph.
357. The Worker Vice-Chairperson suggested replacing the words “optimal balance” by “fair balance”.
358. The Employer Vice-Chairperson withdrew his group’s subamendment and proposed a further subamendment to replace the text of the Paragraph by “solidarity in funding while seeking to achieve an optimal balance between the responsibilities and interests of those who finance and who benefit from social security”.
359. The Worker Vice-Chairperson and the Government members of Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, supported the subamendment.
360. The Government member of Bangladesh supported the subamendment, but noted that in English the word “funding” might be replaced by “financing”. The suggestion was referred to the Committee Drafting Committee.

361. The amendment was adopted as subamended.

362. An amendment submitted by the Employers' group was withdrawn. It had sought to insert "and responsibilities" after "interests" in two instances.

363. Paragraph 3(e) was adopted as amended.

Paragraph 3(f)

364. Paragraph 3(f) was adopted.

Paragraph 3(g)

365. The Worker Vice-Chairperson introduced an amendment to insert "setting targets for time-bound" before "progressive realization" in clause (g). The amendment was consistent with several paragraphs of the 2011 Conclusions. Countries should set targets for the implementation of social protection floors. It should be left to governments to decide what targets they would choose. Words and expressions such as "quickly", "rapidly" and "as soon as possible" used in other parts of the Recommendation also expressed the expectation of time-bound implementation. It was common for governments to set targets. The MDGs similarly set time-bound targets. That would send a strong message to social partners and governments that the social protection floor was taken seriously.

366. The Employer Vice-Chairperson agreed that targets and a time frame were needed but "progressive realization" did not merely refer to targets for time-bound implementation but involved much more. It required the development of policies, allocation of funds and other actions which should also be reflected. The wording should either include all aspects of progressive realization or remain unchanged.

367. The Worker Vice-Chairperson proposed a subamendment to change the wording to "progressive realization including by setting targets and time frames".

368. The Employer Vice-Chairperson agreed to the amendment as subamended.

-
- 369.** The Government member of India did not support the amendment. The setting of targets at the national level might be difficult in some countries. Social protection floors cut across various government ministries and departments and also, in the case of India, across several provinces.
- 370.** The Government member of Bangladesh also opposed the amendment on several grounds: the proposed amendment reflected modalities and not a principle; it was too prescriptive and flexibility was needed; and time-bound targets would need to be determined by national law.
- 371.** The Government member of Zimbabwe, on behalf of the Africa group (with the exception of the Democratic Republic of the Congo, Mauritania, Morocco and Tunisia), supported the amendment as subamended.
- 372.** The Government member of Bangladesh observed that the 2011 Conclusions had not included that principle as one of the principles to be applied by member States and it should be left to national authorities to determine. It could perhaps be included when the design and implementation of national strategies was discussed.
- 373.** The Government member of the United States observed that the issue of time-bound targets belonged to the extension strategies. He agreed with India that in most countries there would not be a single piece of national legislation where such targets could be set because social protection floors were implemented through various pieces of legislation at federal level.
- 374.** The Government members of the Democratic Republic of the Congo, Indonesia, Mauritania, Morocco, Nepal, Papua New Guinea and Tunisia supported the original text.
- 375.** Despite reservations expressed by a number of Government members, the amendment was adopted as subamended as it had received majority support.

376. The Government member of Brazil pointed out that the Spanish translation of the subamendment did not adequately reflect the meaning of “including by” in the English version.

377. The Chairperson said that the matter would be referred to the Committee Drafting Committee.

378. Paragraph 3(g) was adopted as amended.

Paragraph 3(h)

379. The Worker Vice-Chairperson introduced an amendment to delete clause (h). The clause was not a principle and the content was out of line with the other principles. The question of which methods and approaches member States would wish to use for the national implementation of social protection floors was a design question that could be dealt with differently from one country to another. There was a diversity of methods across countries and the idea of national diversity of social protection floors had been reflected elsewhere in the text, including by referring to “social protection floors” with a plural “s”. However, within a country, member States should not be required to have a diversity of mechanisms. If a country chose to have a standard form of delivery and mechanism to achieve its social protection floor, that was acceptable. The current wording suggested that the country would not be respecting the principles outlined in the proposed Recommendation.

380. The Employer Vice-Chairperson did not support the amendment, arguing that it was a matter of principle that governments should consider a mix of instruments to get the best results.

381. The Government member of India opposed the amendment. The root idea of the proposed Recommendation was that social protection floors should be nationally determined and implemented.

-
- 382.** The Government members of Bangladesh, Nepal, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, also opposed the amendment.
- 383.** The Worker Vice-Chairperson withdrew the amendment, hoping to resolve the issue during discussion of the subsequent two proposed amendments.
- 384.** The Government member of the United States, on behalf also of the Government members of Canada and the Republic of Korea, introduced an amendment to replace in the first line the words “diversity of methods” by “employment of appropriate methods”. That should address the concern of the Workers’ group that the real issue was not to apply a diversity of methods and approaches but that the chosen measures were appropriate.
- 385.** The Employer Vice-Chairperson insisted that the principle should mention a proper mix of measures. Those methods should be appropriate but the idea of using a plurality of means should also be kept. By just saying “appropriate”, the idea of considering a mix of methods would be lost. He proposed a subamendment, similar to another amendment proposed on the clause, to replace “employment of appropriate” by “consideration to the diversity”.
- 386.** The Worker Vice-Chairperson supported the amendment proposed by the Government member of the United States but not the subamendment. The amendment reflected the intent of the 2011 Conclusions. There may or may not be a variety of methods, but they should be appropriate.
- 387.** The Government members of India, Switzerland, and Denmark, on behalf of the EU Member States, supported the subamendment.
- 388.** The Government member of the United States did not agree with the inclusion of “diversity of means” as a principle. The proposed Recommendation should not prescribe that governments had to have diversity in their systems; that should be left to governments to decide. It might be possible to achieve the objectives of the social protection floor by a universal programme.

389. The Government member of Papua New Guinea supported the amendment but not the subamendment.

390. The Employer Vice-Chairperson reiterated that the measures should be appropriate but governments should consider a diversity of methods.

391. The Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members were in favour of the subamendment.

392. The amendment was adopted as subamended.

393. Consequently, an amendment submitted by the EU Member States fell. It had sought to insert “consideration to the” before “diversity”.

394. Paragraph 3(h) was adopted as amended.

Paragraph 3(i)

395. The Worker Vice-Chairperson introduced an amendment to insert the word “accountable” after “transparent”. In reply to a request from the Government member of Mauritania for clarification, she explained that “transparent” would mean that it was clear for everyone to follow what happened but “accountable” inferred that one could hold institutions accountable for what happened, for example if funds were misspent.

396. The Employer Vice-Chairperson supported the amendment, as did the Government members of Argentina, Brazil, Canada, Congo, Mauritania, Trinidad and Tobago, and Zimbabwe, on behalf of the Africa group.

397. The amendment was adopted.

398. Paragraph 3(i) was adopted as amended.

- 399.** The Worker Vice-Chairperson introduced an amendment to insert a new clause after clause (i) as follows: “quality public services that enhance the delivery of social security systems;”. That would reflect the important role of quality public services in the delivery of social security systems, as agreed in the 2011 Conclusions. Quality public services were essential for establishing strong and accountable social security systems. There was a role for the ILO and other international organizations to support countries in building those public services to enhance the delivery of social protection.
- 400.** The Employer Vice-Chairperson agreed that quality services to enhance the delivery of social security systems were important; however, to bring the suggested text in line with clause (h), he proposed a subamendment to delete the word “public” before “services”. There should be a diversity of delivery systems. It should not be qualified that they necessarily had to be public services.
- 401.** The Worker Vice-Chairperson pointed out that the Employer Vice-Chairperson meant privatization when speaking about “diversity of methods”. However, there could be no doubt that quality public services were needed to enhance the delivery of social security. That had come out clearly in the 2011 Conclusions, which referred in various paragraphs to the primary responsibility of the State. The clause referred specifically to public services but did not exclude the need for other services.
- 402.** The Employer Vice-Chairperson remarked that it could be read as reducing the role of the social partners who also had an important role to play; it was not exclusively the role of the public sector to enhance the delivery of social security systems but also that of the social partners.
- 403.** The Worker Vice-Chairperson responded that the role of the social partners was reflected in clause (k), whereas the role of public services was not. Even dialogue with the social partners was often facilitated by public services.

-
- 404.** The Government member of Brazil welcomed the amendment because it was important to recognize the role of the State as a principle in Paragraph 3. Her Government aimed to provide quality public services that enhanced the delivery of social security systems. She therefore opposed the subamendment as it was important to retain the word “public”.
- 405.** The Government member of the United States agreed with the two previous speakers, supporting the amendment and opposing the subamendment. That was an important principle which governments should apply. The 2011 Conclusions emphasized the strong link between social security systems and public services.
- 406.** The Government members of Argentina and Denmark, on behalf of the EU Member States, supported the amendment and preferred to keep the word “public”.
- 407.** The Government member of Guinea supported the subamendment as it would avoid the provision of quality services being seen as solely a government responsibility.
- 408.** The Employer Vice-Chairperson agreed that the role of the social partners was reflected in clause (k) and withdrew the subamendment, supporting the original amendment.
- 409.** The amendment was adopted.
- 410.** The Worker Vice-Chairperson proposed an amendment to add, after clause (i), a new clause as follows: “regular monitoring of implementation and evaluation;”. That principle linked into Part IV of the proposed Recommendation which dealt with monitoring.
- 411.** The Employer Vice-Chairperson supported the amendment but suggested a subamendment to modify the order of the words so that it would read “regular monitoring and evaluation of implementation”.
- 412.** The Worker Vice-Chairperson had no objection to the subamendment.

-
- 413.** The Government member of Uruguay observed that the subamendment gave the impression that only the actual implementation of social security systems would be subject to evaluation, and not the system as a whole. The overall concept of the system should also be evaluated, not just the implementation of it.
- 414.** The Employer Vice-Chairperson observed that there was agreement on the need for monitoring and evaluation. The exact wording should be referred to the Committee Drafting Committee.
- 415.** The Worker Vice-Chairperson introduced a further subamendment to remove the words “of implementation”.
- 416.** The Government member of the United States did not support the latter subamendment as it was important to specify what was being evaluated. Social security systems had many different functions and there was a need to be explicit here: it was their implementation that should be monitored and evaluated.
- 417.** The Government members of Egypt, Guinea and Tunisia supported the original amendment. Monitoring of the implementation came first, followed by an overall evaluation.
- 418.** The Government member of Senegal observed that monitoring was permanent whereas evaluation was periodic. Consequently, “regular” should just apply to “monitoring”.
- 419.** The Government member of Niger, supporting the previous speaker’s statement, proposed a further subamendment so that the clause would read “regular monitoring of implementation and periodic evaluation”.
- 420.** The Government member of Senegal seconded that subamendment.

421. The Worker Vice-Chairperson considered that all the versions reflected the intention of the amendment that the Workers’ group had proposed and she accepted the subamendment if it reflected the preference of the majority of the Committee.

422. The amendment was adopted as subamended.

Paragraph 3(j)

423. An amendment introduced by the Government member of Turkey was not seconded and therefore not discussed.

424. The Worker Vice-Chairperson introduced an amendment to add, after “sustainability”, the words “without compromising on social justice and equity”. The principle of financial sustainability was key but it was important when evaluating economic sustainability that social justice and equity be considered so that there was an adequate balance between the different principles in the proposed Recommendation.

425. The Employer Vice-Chairperson did not support the amendment since the budgetary question was an issue that should stand on its own and not be mixed with other principles. If a country did not have the funds, its options were limited.

426. The Government member of Brazil understood the amendment and found it important, but suggested finding more positive wording. She proposed a subamendment to replace the words “without compromising” by “with due regard to”. The principle should express that one should always have in mind social justice and equity.

427. The Worker Vice-Chairperson indicated that the Workers’ group could support the subamendment. It highlighted the fact that a system could be financially sustainable without any regard to social justice or equity or it could be financially sustainable but compromise social justice or equity.

-
- 428.** The Employer Vice-Chairperson commented that the concern with social justice and equity was covered in Paragraph 3(a) on universality and (c) on non-discrimination. It would be better not to mix the concepts with fiscal sustainability in clause (j).
- 429.** The Government member of Niger agreed with the Employer Vice-Chairperson.
- 430.** The Government member of Uruguay asserted that precisely because the previous clauses had mentioned social justice and equity, it was important to retain the two concepts in clause (j) to ensure consistency between the clauses. One should achieve financial, fiscal and economic sustainability without compromising social justice and equity. The two aspects should be mentioned in one clause.
- 431.** The Government member of the Bolivarian Republic of Venezuela supported the amendment.
- 432.** The Government member of the United States supported the amendment and subamendment. Social justice and equity were important to keep a balance specifically with the principle of fiscal sustainability. Fiscal sustainability was not a stand-alone concept but a principle within the context of the proposed Recommendation. That was important also for the overall coherence of the Recommendation.
- 433.** The Government members of Egypt, the United Arab Emirates, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group (with the exception of Sudan), stated that they would prefer to retain the original text.
- 434.** The Government members of Australia, Argentina, Papua New Guinea, Republic of Korea, Sudan and Turkey supported the amendment as subamended as the issue of financial sustainability could not be considered in isolation.
- 435.** The Government member of Morocco pointed out a linguistic problem with the French text, and asked that it be referred to the Committee Drafting Committee.

436. The Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members were in favour of the amendment as subamended.

437. The amendment was adopted as subamended.

438. Paragraph 3(j) was adopted as amended.

439. An amendment submitted by the Employer members, which sought to reorder the clauses, was referred to the Committee Drafting Committee.

Paragraph 3(k)

440. The Worker Vice-Chairperson presented an amendment to replace “involvement” by “tripartite participation”. Tripartite participation was a well-known model promoted by the ILO, well understood and with a clear meaning. It should be stated explicitly that that model would be applied and that the proposed Recommendation was not seeking to create a new form of engagement with social partners.

441. The Employer Vice-Chairperson supported the amendment.

442. The Government member of Niger considered the addition of “tripartite” redundant and preferred the original wording.

443. The Government members of the Islamic Republic of Iran, Papua New Guinea, South Africa, and Zimbabwe, on behalf of the Africa group (with the exception of Niger), supported the amendment.

444. The Government member of Canada also supported the amendment but expressed concern about the addition of the word “tripartite” as it would include governments as well as employers’ and workers’ organizations.

-
445. The Worker Vice-Chairperson explained that the intention of the amendment was to clarify the form of participation, by using well-established terminology, and that governments were part of that as was indicated in the rest of the Paragraph.
446. The amendment was adopted.
447. An amendment submitted by the Employers' group to insert "the most" before "representative organizations" was withdrawn.
448. The Worker Vice-Chairperson introduced an amendment to replace, in the second line, the words "organizations and persons" with "relevant and representative organizations of persons". The intention was to ensure that only organizations that were relevant and genuinely represented persons such as the elderly, informal workers, children or others should participate.
449. The Employer Vice-Chairperson supported the amendment.
450. The Government member of the United States sought clarification on the meaning of the word "relevant" in that context.
451. The Worker Vice-Chairperson asserted that only those organizations representing persons concerned with the development of social protection floors should be able to participate in the process. For instance, an automobile organization might be representative but its participation would be irrelevant for the development of the social protection floor.
452. The Government member of the United States raised the concern that that would exclude certain groups who were important and should be included in the process.
453. The Worker Vice-Chairperson added that some groups might always be relevant and certainly no group that was relevant should be left out. However, governments should not be obliged to consult with all organizations wishing to participate. Some groups would not be relevant.

-
454. The Government member of Tunisia commented that the word “relevant” was ambiguous, and suggested the word “concerned” instead.
455. The Government member of Brazil preferred to keep the word “relevant” as she felt uncomfortable with the wording “organizations of persons concerned”.
456. The Government member of India did not support the amendment. He noted that tripartism only existed when there was a government–employer–worker relationship. In countries with a large percentage of the population in the informal economy, that was not always the case. The amendment would mean that only organized persons would be consulted, which he could not accept as in his country all concerned people were consulted when benefits were developed for them, even those people who were not organized.
457. The Employer Vice-Chairperson reiterated his group’s support for the amendment, explaining that both concepts – “relevance” and “representativeness” – were important and should be included.
458. The Government member of Norway supported the amendment.
459. The Government member of the United States also recognized that both concepts were important and should be included. However, as the Government member of India had pointed out, society as a whole should be involved as everyone was concerned. He therefore proposed a subamendment, supported by the Government member of Namibia, to insert “and an open process with special emphasis on consultations” and to delete “as well as consultation”.
460. The Government member of South Africa proposed a further subamendment, supported by the Government member of Brazil, to replace “consultations with” by “involvement of” because the word “consultations” was not strong enough. Consultations took place when a decision had already been reached, while the word “involvement” would reflect real participation in the discussion before a decision was made.

461. The Worker Vice-Chairperson did not support the subamendments and preferred to return to her group's original amendment, which tried to achieve a compromise by including, besides the social partners, other relevant organizations also. She was concerned that, by adding the words "placing a special emphasis" on the involvement of other organizations, the social partners would be sidelined. Participation of employers' and workers' organizations was indispensable as they represented a broad range of people in the society.

462. The Employer Vice-Chairperson, concurring with the views put forward by the Worker Vice-Chairperson, called for a reversion to the original amendment.

463. The subamendments proposed by the Government members of South Africa and the United States lacked majority support and thus were not adopted.

464. With majority support, the amendment was adopted.

465. Paragraph 3(k) was adopted as amended.

New clause after Paragraph 3(k)

466. The Government member of Zimbabwe, on behalf of the Africa group, introduced an amendment to add a new clause "social inclusion, including persons in the informal sector;". He recalled that during the 2011 discussion, the Africa group had already stressed the importance of including the informal economy and he noted that there was no such reference in the proposed principles.

467. The Worker Vice-Chairperson agreed with adding a new clause and proposed a subamendment to replace the text with "social inclusion of workers informally employed, workers in atypical forms of employment, and own-account workers" to make sure that all people were included, as numerous workers were between the informal and the formal economy or had other forms of employment.

468. The Employer Vice-Chairperson opposed the subamendment, explaining that the subamendment differed completely from the original amendment. The text of the amendment focused on social inclusion, while the subamendment listed different groups of workers, losing its specific focus on social inclusion. He added that it would not improve the text, stating that the principle contained in Paragraph 3(a) – “universality of protection” – implied “social inclusion”.

469. The Government members of Bangladesh, Brazil, India and Morocco supported the amendment as it was important to include the informal economy; however, they opposed the subamendment.

470. The Worker Vice-Chairperson withdrew the subamendment but suggested another subamendment to replace “sector” by “economy” to be consistent with ILO terminology.

471. The Employer Vice-Chairperson opposed the subamendment and reiterated that he preferred not to add a new clause.

472. The Government members of Brazil, Tunisia and the United States supported the amendment and opposed the subamendment.

473. A further subamendment proposed by the Government member of Brazil to add “of the economy” after “sector”, did not find support.

474. The Government member of Bangladesh supported the amendment as subamended.

475. The Worker Vice-Chairperson recalled that it was important to use the right terminology as it had been the object of an in-depth discussion at the ILC in 2002.

476. The Chairperson suggested referring the matter to the Committee Drafting Committee to ensure that the text of the Recommendation was in line with terminology used by the Office.

477. The Government members of India, Namibia, Papua New Guinea, and Zimbabwe, on behalf of the Africa group (with the exception of Morocco and Tunisia), supported the amendment as subamended.

478. Although the Employer Vice-Chairperson preferred not to support the amendment as it was already reflected in Paragraph 3(a), he did not oppose the intent of its subamended version.

479. The amendment was adopted as subamended.

480. The new clause after Paragraph 3(k) was adopted.

Paragraph 3(l)

481. In view of the inclusion of the principle of the responsibility of the State in the chapeau of Paragraph 3, the text was referred to the Committee Drafting Committee.

New clauses after Paragraph 3(l)

482. The Government member of Canada, on behalf also of the Government members of the Republic of Korea and the United States, introduced an amendment to add a new clause “coherence across institutions responsible for delivery of social protection to reduce fragmentation and improve efficiency;”, the aim of which was to ensure that social protection systems helped people to the largest extent possible through an optimal and efficient delivery system.

483. The Worker Vice-Chairperson supported the amendment.

484. As the term “coherence” implied efficiency and no fragmentation, the Employer Vice-Chairperson proposed a subamendment to delete “to reduce fragmentation and improve efficiency”.

485. The Worker Vice-Chairperson supported the subamendment.

-
- 486.** The Government member of the United States accepted the subamendment as the deleted words had only served to explain the intent of the amendment.
- 487.** The amendment was adopted as subamended.
- 488.** The new clause after Paragraph 3(l) was adopted.
- 489.** The Worker Vice-Chairperson introduced an amendment to add a new clause “full respect for and promotion of collective bargaining and freedom of association for all workers, including workers informally employed, workers in atypical forms of employment and own-account workers;”. That principle, although included in the 2011 Conclusions, was missing in the proposed Recommendation. Promotion of collective bargaining and freedom of association were some of the elements that needed to be put in place to make social protection floors viable.
- 490.** The Employer Vice-Chairperson noted that the proposed Recommendation already dealt with social inclusion and universality in other adopted clauses of Paragraph 3. He opposed the amendment and reasoned that, if the Committee were to incorporate Paragraphs that only dealt with workers, there should be additional Paragraphs that covered other elements, such as the creation of sustainable enterprises and an environment conducive to entrepreneurship. He reiterated that the focus of the Recommendation should be on social protection floors.
- 491.** The Government member of Tunisia supported the amendment.
- 492.** The Government members of Bangladesh and India agreed with the Employer Vice-Chairperson and recalled that tripartism was already included in the proposed Recommendation.

-
- 493.** The Government member of Norway supported the amendment, acknowledging that the principles of freedom of association and collective bargaining were important in underpinning social protection floors.
- 494.** The Government member of Senegal supported the amendment.
- 495.** The Government member of Denmark, on behalf of the EU Member States, proposed a subamendment to delete “including workers informally employed, workers in atypical forms of employment and own-account workers”.
- 496.** The Worker Vice-Chairperson agreed that the listed categories of workers were covered by the reference to “all workers” and she could accept the subamendment. The listed categories of workers had been singled out because they were often not easily included under the principles of freedom of association and collective bargaining. Furthermore, she stated that in many countries freedom of association and collective bargaining played an important role in the transition from informal to formal employment, and helped achieve horizontal and vertical extension of social protection floors in a sustainable way.
- 497.** The Employer Vice-Chairperson reiterated that the Committee should focus on the core of the discussion, namely the social protection floor. If Paragraph 3 were to cover freedom of association and collective bargaining, the Employers’ group would be obliged to propose additional amendments to ensure that all elements that affected the viability of social protection floors were incorporated.
- 498.** The Worker Vice-Chairperson observed that the issue of sustainable enterprises was covered in another part of the proposed Recommendation. Freedom of association and collective bargaining, however, were fundamental principles of the ILO; they had been incorporated in the 2011 Conclusions, but were missing in the proposed Recommendation.
- 499.** As the EU subamendment lacked majority support, it was not adopted.

500. In a spirit of compromise, the Employer Vice-Chairperson proposed a subamendment to replace the text with “full respect for collective bargaining and freedom of association of all workers”.

501. The Worker Vice-Chairperson supported the subamendment.

502. The amendment was adopted as subamended.

503. The new clause after Paragraph 3(l) was adopted.

504. Paragraph 3 was adopted as amended.

505. Part I was adopted as amended.

Part II. National social protection floors

Title

506. The title was adopted.

Paragraph 4

507. The Government member of Zimbabwe, on behalf of the Africa group, introduced an amendment to insert, after the word “should” in the first line, the following: “, in accordance with national context and considering the level of national economic development,” to bring in the national circumstances which needed to be considered when implementing social protection floors.

508. The Employer Vice-Chairperson affirmed that, if the amendment received broad support from the Government members, his group would support the amendment.

509. The Worker Vice-Chairperson opposed the amendment as the idea of national circumstances and priorities was already included in the preamble. There should be no

qualifiers in Part II and it would even be better to emphasize that all countries could make an effort and progress in establishing social protection floors.

510. The Government member of India expressed support for the amendment. He pointed out that he and the Government members of Bangladesh, the Islamic Republic of Iran and Nepal had submitted an amendment along much the same lines. He wondered whether the two amendments should in fact be considered together.

511. The Government member of Morocco, highlighting the need to take national contexts into account, voiced support for the original text of the amendment submitted by the Africa group.

512. The Government member of the United Arab Emirates also supported the original amendment as national realities should be taken into account.

513. The Government member of Bangladesh stated that, given that “National social protection floors” was the title of Part II, the text of the first Paragraph of that Part should refer to national circumstances; reference to them in the preamble was not enough.

514. The Worker Vice-Chairperson stressed that the main obstacle for the Workers’ group was the second part of the proposed amendment, namely “and considering the level of economic development”. Countries at the same level of economic development could do better or worse with regard to establishing social protection floors. She therefore submitted a subamendment to change “context and considering the level of national economic development,” to “circumstances,”. She noted that national circumstances included the different levels of economic development.

515. The Government member of Zimbabwe, on behalf of the Africa group, and the Government member of Brazil supported the subamendment. The Government member of Brazil added that political will was much more important than the level of economic development in creating social protection floors.

-
516. The Government member of Japan did not support the amendment and subamendment as the concept of national circumstances was already in the text.
517. A subamendment which concerned the French version, proposed by the Government member of Morocco to replace “situations” with “conjonctures”, was not supported.
518. The amendment was adopted as subamended.
519. Two identical amendments, introduced respectively by the Government member of Trinidad and Tobago and the Government members of Canada, Japan and the United States, proposed replacing in the first line “put in place and complete” by “establish”. The Government member of Canada reasoned that it would make the text consistent with the wording previously adopted in the preamble, and would reflect the notion that social protection floors could not be fully completed but could continue to evolve.
520. The Employers’ and Workers’ groups supported the amendment.
521. The amendment was adopted.
522. In view of earlier discussion, an amendment submitted by the Government members of Bangladesh, India, the Islamic Republic of Iran and Nepal, to replace in the first line “put in place and complete as rapidly as possible” by “establish” and, in the second line, after “social security guarantees,” to insert “tailored to national circumstances, levels of development, and fiscal resources”, was withdrawn.
523. The Government member of Zimbabwe, on behalf of the Africa group, introduced an amendment to replace “rapidly” by “quickly”.
524. The Employers’ and Workers’ groups supported the amendment.
525. The amendment was adopted.

-
526. An amendment submitted by the Government member of the United States, which had sought to insert “or protections” after “guarantees” in two instances, was withdrawn.
527. The Government member of Argentina, on behalf also of the Government members of Brazil, Mexico, Panama and Uruguay, introduced an amendment to insert, after “guarantees” “and their progressive extension”. The intention was to recognize and emphasize the importance of the horizontal dimension of progressive extension and the vertical dimension of higher levels of protection.
528. The Employer Vice-Chairperson noted that Part II was on the definition of social protection floors, which was the horizontal dimension of social protection extension strategies. The vertical dimension would be discussed in Part III.
529. The Worker Vice-Chairperson supported the amendment and noted that it was in line with the adopted amendment to the first sentence which referred to national circumstances.
530. The Government member of Denmark, on behalf of the EU Member States, and the Government members of Canada, Chad, Norway, Switzerland and Trinidad and Tobago opposed the amendment, for the same reasons given by the Employers’ group.
531. The Government member of Bangladesh also opposed the amendment, pointing out that many countries had not reached the stage of establishing social protection floors. Before considering higher levels of protection, those countries had first to be given the opportunity to establish social protection floors.
532. The Government member of Argentina noted that a time horizon had to be included because countries needed to integrate in their planning how they would go about making further improvements, once the basic levels of protection had been reached.
533. The Government member of Uruguay recalled that the continued relevance of the Social Security (Minimum Standards) Convention, 1952 (No. 102), demonstrated that the

proposed Recommendation needed to incorporate a process of improvement so the content would remain relevant over time.

534. The Government members of Brazil, South Africa, Tunisia, and Zimbabwe, on behalf of the Africa group (with the exception of Chad), supported the amendment. The Government member of Brazil added that there was a difference between the progressive extension mentioned in Part III, which was related to the extension of population coverage, and the proposed amendment which related to the improvement of quality of protection.

535. As the amendment lacked majority support, it was not adopted.

536. The Government member of Turkey submitted an amendment, seconded by the Government member of Chile, to insert “by legislation” after “defined” to add clarity.

537. The Employer and Worker Vice-Chairpersons opposed the amendment as they considered it difficult to define access to goods and services by law.

538. The Government member of Uruguay concurred.

539. The amendment was not adopted.

540. Paragraph 4 was adopted as amended.

Paragraph 5

Chapeau

541. An amendment submitted by the Government member of the United States, which had sought to insert “or protections” after “guarantees”, was withdrawn.

542. The chapeau was adopted.

Paragraph 5(a)

543. Two identical amendments, introduced respectively by the Employers' group and the Government member of Trinidad and Tobago, proposed replacing in the second line "in the case of maternity" by "maternity care" for reasons of consistency.

544. The Workers' group supported the amendment.

545. The amendment was adopted.

546. The Government member of Brazil, on behalf also of the Government members of Argentina, Mexico and Uruguay, introduced an amendment to insert ", and access to literacy and basic education" after the word "maternity", explaining that, besides health, education was an important element for employment.

547. The Employer Vice-Chairperson recalled that the definition of the basic social security guarantees had been discussed in depth during the 2011 discussion. It was important to keep the agreed definition. He suggested including additional references to education in the next Part of the proposed Recommendation.

548. The Worker Vice-Chairperson shared that view.

549. In view of the previous statements, the Government member of Brazil withdrew the amendment.

550. The Worker Vice-Chairperson introduced an amendment to insert ", that meets the criteria of availability, accessibility, acceptability and quality" after the word "maternity" to define more precisely the concept of "essential health care". The concept of "basic income security" would be defined in Paragraph 7 but the proposed text did not explain sufficiently "essential health care". As that was a new concept for the ILO, she suggested adding wording consistent with the agreed definition set out in the International Covenant on Economic, Social and Cultural Rights.

551. The Employers' group supported the amendment.

552. The amendment was adopted.

553. Paragraph 5(a) was adopted as amended.

Paragraph 5(b)

554. The Government member of India, on behalf also of the Government members of Bangladesh and Nepal, introduced an amendment to replace the entire clause with "access to nutrition, education, care and any other necessary goods and services for children, at least at a nationally defined minimum level;" explaining that the concept of "basic income security" did not exist in India nor most probably in many other countries.

555. The Worker Vice-Chairperson pointed out that "basic income security" did not refer to the income of children but to a family income sufficient to enable children to go to school instead of having to work. She recalled that the definition of the basic social security guarantees had been debated in depth during the 2011 discussion. It was important to retain the agreed definition.

556. The Employer Vice-Chairperson concurred.

557. The Government member of the Republic of Korea acknowledged the 2011 Conclusions, but noted that there was a need to widen the range of measures as income security was not the only way of securing access to nutrition, education, care and other necessary goods and services.

558. The Government member of Zimbabwe, on behalf of the Africa group, preferred the original text.

559. As the amendment lacked majority support, it was not adopted.

560. An amendment submitted by the Government members of the Republic of Korea and the United States was withdrawn. It had sought to replace “basic income security for children, at least at a nationally defined minimum level, providing access to” by “providing for access of children to nationally defined goods and services”.

561. Paragraph 5(b) was adopted.

Paragraph 5(c)

562. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to replace “including in case” by “in particular in cases”. The amendment was purely linguistic and she noted that it was desirable to underline the contingencies listed in the clause in question.

563. The Employer and Worker Vice-Chairpersons accepted the amendment.

564. The amendment was adopted.

565. Paragraph 5(c) was adopted as amended.

Paragraph 5(d)

566. The Employer Vice-Chairperson introduced an amendment to replace “persons in old age” with “older persons”, explaining that the intention was to make the clause sound less pejorative and recognize that the end of a working life was a flexible concept.

567. Since there were no objections, the amendment was adopted.

568. Paragraph 5(d) was adopted as amended.

569. Paragraph 5 was adopted as amended.

Paragraph 6

570. The Worker Vice-Chairperson introduced an amendment to replace the entire paragraph as follows: “As a priority step towards the realization of the right of everyone to social

security as stated in the Universal Declaration of Human Rights, Members should provide the basic social security guarantees referred to in this Recommendation to at least all children, and to all residents as defined in national laws and regulations and subject to their existing international obligations.” She explained that the wording was an attempt to find a compromise between the Worker members’ view that everyone should have access to the basic rights referred to in the Recommendation, and the reluctance she expected from governments to grant universal coverage. The Universal Declaration of Human Rights covered everyone, regardless of status or nationality. The social protection floor should be universal, even for children who were illegally present in a country. The priority focus should be on children, as they were especially vulnerable, but governments should extend coverage to all residents.

571. The Employer Vice-Chairperson responded that the discussion was moving on from the principles of the social protection floor to the implementation stage so the concern had to be about what was practicable. He asserted that a reference to the Universal Declaration of Human Rights in the preamble was sufficient. He therefore proposed a subamendment to delete the reference to the Universal Declaration of Human Rights and for Paragraph 6 to read “As a priority step, Members should provide the basic social security guarantees referred to in this Recommendation to at least all children, and to all residents as defined in national laws and regulations and subject to their existing international obligations.” He added that, in light of the 2011 Conclusions, it was important to avoid reopening the debate on the definition of “residents” and to refer to it “as defined in national laws and regulations”.

572. The Worker Vice-Chairperson opposed the subamendment as the rights-based approach was fundamental as everyone had to be included and everyone had the right to social security.

573. The Government member of Namibia concurred with the Employer Vice-Chairperson, noting that the reason for including a preamble before the main text was precisely to define the parameters for the implementation of social protection floors. It was not necessary to include, in Paragraph 6, the framework already specified at the beginning of the proposed Recommendation.

574. The Government member of the United States proposed a further subamendment, supported by the Government member of Canada, to rephrase the Paragraph to read “As a priority step, subject to national laws and regulations and bilateral, regional and multilateral social security agreements, Members should provide the basic social security guarantees referred to in the Recommendation to at least all children, and to all residents subject to their adoption of international Covenants”. He explained that an international social protection floor did not exist as each nation would define its own social protection floor. First mentioning bilateral, regional and multilateral social security agreements would make it possible to adopt social protection floors so that agreements could be reached on protection for each country’s citizens in other countries. That was the best way of ensuring that the floor was raised for everyone.

575. The Worker Vice-Chairperson did not support either subamendment since the last line made all guarantees subject to the adoption of international instruments and did not go as far as the Worker members wished. She proposed a subamendment to replace the text with “As a priority step towards universal coverage, Members should provide the basic social security guarantees referred to in this Recommendation to at least all children, and to all residents as defined in national laws and regulations and subject to their existing international obligations including bilateral, regional and multilateral social security agreements.” The ambition of universal coverage would be retained, and the notion of the first step towards it would be acknowledged. All children would be covered, even if not all governments seemed to agree on that. Coverage would be as defined in national laws and

regulations and subject to international obligations, including bilateral and multilateral social security agreements.

- 576.** The Employer Vice-Chairperson considered that the subamendment covered all the major points of concern but wished to hear opinions from the Government members.
- 577.** The Government member of Brazil found the original simpler, more concise and not burdened with caveats. It was subject only to existing international obligations. It was evident that children should be covered on a universal basis.
- 578.** The Government member of Denmark, on behalf of the EU Member States, preferred to revert to the original text of the proposed Recommendation. The Government members of Bangladesh, Switzerland, and Zimbabwe, on behalf of the Africa group (with the exception of Tunisia), also indicated their preference for the original wording.
- 579.** The Government member of Tunisia supported the original amendment submitted by the Worker members.
- 580.** The Government member of the United States welcomed the aspiration of the Worker members to improve the wording and emphasize the realization of universal coverage; he proposed a further subamendment to replace “... all children, and to all residents ...” with “all residents and children ...”.
- 581.** The proposed subamendment was not adopted due to a lack of support.
- 582.** In view of the Government members’ positions, the Employers’ group supported the original text of the proposed Recommendation.
- 583.** The Worker Vice-Chairperson regretted that the principle of basic social security for all had not been retained but, acknowledging the lack of support, withdrew both the amendment and the subamendment.

584. In view of the previous discussion, two amendments were withdrawn: one submitted by the Government members of Bangladesh, India and Nepal, which had sought to insert “aim to” after “Members should”; and another submitted by the Government members of the United States and the Republic of Korea to replace “existing international obligations” by “national laws and regulations and bilateral, regional and multilateral social security agreements”, and to delete “, as defined in national laws and regulations”.

585. The Government member of Brazil, on behalf also of the Government members of Argentina, Dominican Republic, Mexico and Uruguay, hoping that the Committee had understood that the term “all residents” would include migrant workers and their families, withdrew a further amendment.

586. Paragraph 6 was adopted.

Paragraph 7

Chapeau

587. The chapeau was adopted.

Paragraph 7(a)

588. The Government member of Brazil, on behalf also of the Government members of Argentina, Mexico and Uruguay, introduced an amendment to replace clause (a) with “the continuing extension and improvement of health care with a view to guaranteeing access to such care by the whole of the population, in particular persons exposed to risk and social vulnerability;”. The amendment sought to reformulate the intention of the clause with more positive, solution-oriented wording. What people needed was access to health care and that should be stated.

589. The Worker Vice-Chairperson supported the proposed amendment and, recalling that the Social Security (Minimum Standards) Convention, 1952 (No. 102), singled out maternity care as the only service that should be provided free of charge, she proposed a

subamendment to read “health care should continue to be extended and improved with a view to guaranteeing access to such care by the whole of the population, in particular persons exposed to risk and social vulnerability and pre- and postnatal medical care should be provided free of cost to recipients”. Free pre- and postnatal medical services were important because any cost for those services created barriers to access and could have dire consequences. That was a social cost which had a broad effect on families and societies.

590. The Employer Vice-Chairperson was concerned about the consistency of the overall text and pointed out that Paragraph 7 dealt with the elements that member States should consider when defining basic social security guarantees. The extension of health care should be covered in Part III of the proposed Recommendation, while the issue of maternity care should be covered in the Paragraph relating to types of benefits.

591. The Government member of India considered the amendment and subamendment too prescriptive and preferred to retain the original text.

592. The Government members of Norway and Switzerland also preferred to retain the original text.

593. The Government member of Bangladesh agreed and added, based on the experience of his country, that free medical care did not necessarily mean that people accessed medical care. A reference to free medical care could also be problematic for his country.

594. The Government member of Uruguay expressed strong support for the positive language of the amendment. The Recommendation should clearly state that people had a right to health care. The amendment asked member States to give consideration to the continued extension and improvement of health care with a view to guaranteeing health care for all. Asking member States to consider the endeavour did not create an obligation.

-
- 595.** The Government member of the Bolivarian Republic of Venezuela supported the amendment as the content was essentially the same as in the original text, only expressed in the affirmative.
- 596.** The Government member of Brazil added that there was general agreement that people should not face hardship, but it was important to identify the solution to the problem: affordable access to health care.
- 597.** The Employer Vice-Chairperson added that his group opposed the subamendment because Part II should not discuss what should be done nor present solutions. What should be done was covered in Part III; Part II only set out elements to consider, one of which was not to build in thresholds to access care as expressed in the original text.
- 598.** The Government member of Zimbabwe, on behalf of the Africa group, agreed with that position.
- 599.** As it did not receive majority support, the amendment was not adopted.
- 600.** The Worker Vice-Chairperson proposed an amendment and an immediate subamendment to add, at the end of the clause, the sentence “Free pre- and postnatal medical care to recipients should be considered.” The amendment was needed because the cost of that type of health care presented an enormous cost to families. Poor women all over the world only made use of pre- and postnatal care services when they experienced health issues, to avoid related costs, often with detrimental consequences.
- 601.** The Government members of Australia and Canada supported the subamendment.
- 602.** The Government member of Bangladesh stated that the notion of free care was problematic. Like other countries, Bangladesh was striving to achieve the MDGs, particularly Goal 5 related to maternal health. However, there were different ways of achieving that Goal and consequently the proposed subamendment was too prescriptive.

-
- 603.** The Government member of Namibia agreed.
- 604.** The Government member of Tunisia also found the notion of free care problematic. Health care should be free for vulnerable groups who needed it the most, and not for everyone.
- 605.** The Worker Vice-Chairperson clarified that the subamendment referred to those who would be recipients of the social protection floor, namely those most in need.
- 606.** The Government member of India preferred the original text.
- 607.** The Employer Vice-Chairperson remarked that the Committee needed to listen to those governments that were most challenged by the establishment of social protection floors. He proposed a further subamendment, replacing the sentence in question with “Free pre- and postnatal medical care to the most vulnerable should be considered.”
- 608.** The Worker Vice-Chairperson supported the subamendment.
- 609.** The Government member of Namibia noted that health care already included pre- and postnatal medical care and, for that reason, he preferred the original text.
- 610.** The Government member of Denmark, on behalf of the EU Member States, supported the subamendment.
- 611.** The Government member of Bangladesh felt that the reference to the topic should be placed elsewhere. One possibility was Paragraph 9(2). He stressed the importance for the Committee to listen to the views of the least developed and developing countries.
- 612.** The Worker Vice-Chairperson noted that the Workers’ group was composed of members from all countries. Lack of access to pre- and postnatal medical care caused hardship for many women around the world.

-
- 613.** The Government member of Brazil argued that free medical care should be considered for all, not only in pre- or postnatal conditions. She proposed a subamendment replacing “pre- and postnatal medical care to the most vulnerable recipients” by “free medical care for all”.
- 614.** The Government member of the Republic of Korea proposed a subamendment, supported by the Government member of Bangladesh, for the sentence to read “Affordable medical care to the most vulnerable should also be considered.” The provision of affordable medical care to the most vulnerable should be an objective for developing countries. The Republic of Korea provided free health care to the most vulnerable but the proposed wording was a good compromise and a realistic goal for low-income countries.
- 615.** Reminding the Committee that the question of affordability and quality had already been addressed in Paragraph 5(a) and, stressing that the Social Security (Minimum Standards) Convention, 1952 (No. 102), did not require free medical care for all and allowed for a certain portion of the cost of medical care to be charged to the user, the Government member of Switzerland opposed the subamendment.
- 616.** The Government member of Norway agreed with the previous speaker.
- 617.** The Worker Vice-Chairperson did not support the subamendment and stressed that the amendment sought to include free pre- and postnatal care, which should not be confused with the concept of affordability of health care in general. The importance of free pre- and postnatal medical care justified a special reference.
- 618.** As the Employers’ group was of the same view, the subamendment proposed by the Government member of the Republic of Korea was not accepted.
- 619.** Returning to the amendment as subamended by the Employers’ group, the Government member of Namibia argued that the original text already affirmed that a person should enjoy access to health care regardless of whether or not that person had the means to pay

for it. Health care included pre- and postnatal medical care, and a further precision was not necessary. He therefore supported the original text.

620. The Chairperson noted that, despite the reservations expressed by some Government members, the amendment had majority support in the Committee.

621. The amendment was adopted as subamended.

622. Paragraph 7(a) was adopted as amended.

Paragraph 7(b)

623. The Workers' group and the Government members of Argentina and Brazil submitted identical amendments to delete the words "national poverty lines" after the word "services".

624. Introducing the amendment, the Worker Vice-Chairperson explained that the concept of the monetary value of necessary goods and services was pertinent but not that of poverty lines, as some countries had set national poverty lines well below levels needed for a life in dignity.

625. The Employer Vice-Chairperson recalled that the focus of clause (b) was on income security that allowed a life in dignity; there were a number of possible thresholds for that listed in the clause. He requested the secretariat to clarify where the concept of poverty lines came from and whether it was mentioned in the 2011 Conclusions.

626. The representative of the Secretary-General said that the 2011 Conclusions included a specific reference to "access to essential goods and services". The replies to the questionnaire had also shown that an indicative list or series of benchmarks was needed in the proposed Recommendation. The important thing was for the benchmarks to be nationally defined by an established procedure rather than on an ad hoc, discretionary basis.

-
- 627.** The Government member of the United States considered that the amendments were the result of a misreading of the text. As the Employer Vice-Chairperson had said, the first part of the clause, referring to a life in dignity, was the key part. The remainder of the clause referred to how that might be defined. In many countries, benefit levels might be two or three times the poverty threshold. National poverty lines were just one of the reference points that governments might find instructive, as governments needed to have a means of determining who was vulnerable and who was not.
- 628.** The Government members of Bangladesh and India did not support the amendment and agreed with the Government member of the United States. National poverty lines were important indicators but the first priority was to raise the living standards of the most vulnerable.
- 629.** The Worker Vice-Chairperson remarked that national poverty lines were constructs intended to show that governments were dealing with poverty when, in reality, rather than lifting people above it, they might have simply lowered the poverty line.
- 630.** The Government member of Tunisia pointed out that governments set not only national poverty lines but also the other parameters and benchmarks in the list such as income thresholds. The original text should therefore be retained since deleting the reference to poverty lines would not address the Worker members' concerns.
- 631.** The Government member of Namibia agreed that, given the way clause (b) was drafted, even if the proposed deletion went ahead, the reference to other thresholds would still remain.
- 632.** The Government member of Zimbabwe, on behalf of the Africa group, agreed that comparable thresholds reinstated the idea of national poverty lines.

633. The Employer Vice-Chairperson pointed out that agreement had already been reached on determining the levels through a tripartite process and consultations with other representative groups. The original text should therefore be retained.

634. The amendment was not adopted.

635. Paragraph 7(b) was adopted.

Paragraph 7(c)

636. The Government member of Canada introduced an amendment to insert, in the second line, after “regulations” the words “or practice as appropriate”. It would widen the scope of the clause since the process of how the levels of guarantees were reviewed was not necessarily established by laws and regulations.

637. The Worker Vice-Chairperson supported the amendment in light of the earlier discussion.

638. The Employer Vice-Chairperson also supported the amendment.

639. The Government member of Zimbabwe, on behalf of the Africa group, supported the amendment.

640. The amendment was adopted.

641. An amendment submitted by the Government members of Argentina, Brazil and Uruguay to insert “and there should be a commitment to the continuing extension and improvement of the social protection system” after “regulations” was withdrawn.

642. Paragraph 7(c) was adopted as amended.

Paragraph 7(d)

643. The Worker Vice-Chairperson introduced an amendment to replace the clause with the following: “the tripartite participation of representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of

persons concerned, in regard to the establishment and review of the levels of these guarantees”.

644. The amendment reflected the agreement reached earlier on tripartite participation and the involvement of representative organizations. There had been a wide-ranging discussion so it was important for the wording to be consistent with what had previously been agreed.

645. The Government member of the United States said the context of the proposed amendment was different to that of Paragraph 3(k), which was about setting up a system, whereas Paragraph 7(d) was about reviewing levels of guarantees. Governments should be able to call upon individuals, for example social security experts, who were knowledgeable but not representatives of persons concerned.

646. The Government member of Namibia said the concerns expressed by the Government member of the United States were covered in the amended Paragraph 3(k) and that the wording could also be used in Paragraph 7(d).

647. The Employer Vice-Chairperson recalled that agreement had already been reached on the issue. The review process was about consultation and participation; it was the responsibility of governments to seek the advice of experts. In view of that, there was no cause for concern about supporting the amendment.

648. The Worker Vice-Chairperson noted that unions also had experts advising them. That was not called into question by the proposed amendment. The amendment acknowledged the role of tripartite partners and other actors as required in the context of establishing social protection floors.

649. The Chairperson noted that there was an inconsistency between the two clauses in question.

650. The Worker Vice-Chairperson agreed and introduced a subamendment so that the proposed text read “the tripartite participation of representative organizations of employers and workers as well as consultation with representatives of other relevant and representative organizations of persons concerned in regard to the establishment and review of the levels of these guarantees”.

651. The Employer Vice-Chairperson supported the subamendment, noting that similar wording had already been adopted in Paragraph 3(k).

652. The amendment was adopted as subamended.

653. An amendment submitted by the Employer members to insert “the most” before “representative organizations” was withdrawn.

654. Paragraph 7(d) was adopted as amended.

655. Paragraph 7 was adopted as amended.

Paragraph 8

656. The Employer Vice-Chairperson introduced an amendment, immediately subamended, to insert in the third line “and the responsibilities of beneficiaries” after “guarantees”, to improve the balance between rights, benefits and responsibilities.

657. The Worker Vice-Chairperson did not support the amendment as the notion of responsibility was already covered under “qualifying conditions”. There was no reason to single out the responsibilities of one party and she was not in favour of introducing the term “beneficiaries”.

658. The Government member of the United States concurred.

659. The Employer Vice-Chairperson withdrew the amendment.

-
- 660.** The Government member of Turkey introduced an amendment, seconded by the Government member of Chile, to replace “Effective” by “Impartial, transparent, effective” in the third line, in order to strengthen the legitimacy of complaint and appeals procedures and to provide a rational argument for such procedures.
- 661.** The Worker Vice-Chairperson supported the amendment.
- 662.** The Employer Vice-Chairperson did not support the amendment and preferred to retain the original text. He argued that a long list of qualifiers would not improve the text as it would divert attention from the key point of having access to complaint and appeals procedures.
- 663.** The Government member of Denmark, on behalf of the EU Member States, supported the original text.
- 664.** The Government member of Brazil supported the amendment, stating that the content of the qualifiers was more important than the number of qualifiers. Transparency and impartiality were important for all procedures and needed to be mentioned in the list of qualifiers.
- 665.** The Government member of the United States concurred with the previous speaker, adding that impartiality and transparency were fundamental principles and should be listed first.
- 666.** The Government members of Australia, Canada, India, Islamic Republic of Iran, Mauritania, Papua New Guinea, Sudan, Trinidad and Tobago, Tunisia and the Bolivarian Republic of Venezuela supported the amendment.
- 667.** In view of the support expressed by the majority, the amendment was adopted.
- 668.** An amendment submitted by the Government member of Trinidad and Tobago to replace “rapid” by “efficient” was withdrawn.

-
- 669.** The Worker Vice-Chairperson introduced an amendment to replace “inexpensive” by “cost-free” to ensure access to complaint and appeals procedures for those persons who were most in need of a social protection floor.
- 670.** The Employer Vice-Chairperson understood the intent of the amendment but remarked that setting up complaint and appeals procedures could never be cost free.
- 671.** The Worker Vice-Chairperson responded that, in her understanding, the inexpensive complaint and appeals procedures referred to the applicant and not to the government that would have to provide for the procedures.
- 672.** The Government member of the United States supported the amendment, although he invited the Worker members to rephrase the amendment to note the distinction between the cost-free complaint and appeals procedures for applicants and the inexpensive set-up of the system. He preferred to retain the concept of inexpensive procedures in the text as the system should be established in an inexpensive manner.
- 673.** The Government member of Brazil supported the amendment and highlighted that such procedures should be cost free for all persons in vulnerable situations who most needed the social protection floor.
- 674.** The Worker Vice-Chairperson stressed that the intention of the amendment was to make complaint and appeals procedures free of charge for applicants, but recognized that such procedures were not cost free.
- 675.** As there were questions arising about the meaning of the amendment, the Chairperson asked for clarification from the secretariat.
- 676.** The representative of the Secretary-General clarified that the two terms “free of charge” and “cost free” were not identical. If the intention was to ensure complaint and appeals

procedures that were free of charge for applicants, it should be indicated more clearly in the text.

677. Following the clarification, the Worker Vice-Chairperson proposed a subamendment to replace “cost-free” by “free-of-charge”.

678. The Government member of India expressed concern that applicants sometimes had to travel far to get access to complaint and appeals procedures and asked the Worker members who would cover those travel costs.

679. The Worker Vice-Chairperson replied that accessibility was already covered in the proposed text.

680. The Government member of Switzerland opposed the amendment and pointed out that the Social Security (Minimum Standards) Convention, 1952 (No. 102), included the right to complaint and appeals procedures, without giving any indication as to the participation of protected persons in the cost of such procedures. Also, more advanced ILO social security standards did not include provisions concerning the financing of complaint and appeal procedures.

681. The Government members of Canada, Congo, Ghana, Iraq, Mauritania, Morocco, Tunisia, Denmark, on behalf of the EU Member States, Oman, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group (with the exception of Chad, Egypt, Senegal, South Africa and Sudan), opposed the subamendment and preferred to retain the original text.

682. The Government member of Mauritania added that the concept of accessible complaint and appeals procedures already implied the idea of inexpensive procedures.

-
- 683.** The Government members of Argentina, the Plurinational State of Bolivia, Chad, Chile, Egypt, Guatemala, Malaysia, Papua New Guinea, Senegal, South Africa, Sudan, Uruguay and the Bolivarian Republic of Venezuela supported the subamendment.
- 684.** The Government member of Uruguay stressed the importance of focusing on the persons covered by the social protection floor measures: those with scant resources and a low level of education. Access to complaint and appeals procedures could only be guaranteed to such persons if those procedures were free of charge. Accessibility was not enough; the reference to “free of charge” had to be explicit.
- 685.** The Government member of South Africa added that a distinction had to be made between external and internal complaint and appeals procedures. Internal or administrative procedures should be free of charge, while external appeals to courts or tribunals could not be free of charge.
- 686.** In order to facilitate a compromise, the Government member of Australia suggested retaining the word “inexpensive” to refer to the costs borne by the government, and adding a new sentence referring to the costs for individuals.
- 687.** The Employer Vice-Chairperson reiterated the position of his group against the proposed amendment and subamendment. He recalled the importance of keeping the word “inexpensive” in the text to refer to the systemic level, and reminded the Committee that Paragraph 8 contained requirements rather than considerations.
- 688.** The Workers Vice-Chairperson withdrew the subamendment and introduced a new subamendment to reinstate “inexpensive” and thus retain the original text, but add a new sentence at the end of the Paragraph as follows: “Access to complaint and appeals procedures should be free of charge to the applicant.”
- 689.** The Government members of Argentina, Brazil, Japan, the United States and the Bolivarian Republic of Venezuela supported the subamendment.

-
- 690.** The Government member of Bangladesh called upon the Chairperson to proceed to an indicative show of hands. By focusing on how complaint and appeals procedures should be organized, the current discussion was moving away from the heart of the matter, namely social protection floors.
- 691.** The Government member of Denmark, on behalf of the EU Member States, endorsed the previous speakers' comments. She preferred to retain the original text of the Paragraph.
- 692.** The Government member of Indonesia opposed the subamendment and preferred the original text.
- 693.** Since there was no agreement, the Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members supported the subamendment.
- 694.** The amendment was adopted as subamended.
- 695.** In view of earlier discussion, an amendment to replace “complaint and appeals” by “grievance redress”, submitted by the Government members of Bangladesh, India and Nepal, was withdrawn.
- 696.** The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to add a new sentence at the end of the Paragraph: “Systems should be in place that enhance compliance with national legal frameworks.”
- 697.** The Worker members and Employer members, as well as the Government members of Lesotho, South Africa and Zimbabwe, on behalf of the Africa group, supported the amendment.
- 698.** The amendment was adopted.

699. An amendment submitted by the Worker Vice-Chairperson to move Paragraph 8 to after Paragraph 5 was referred to the Committee Drafting Committee.

700. Paragraph 8 was adopted as amended.

Paragraph 9

Paragraph 9(1)

701. Paragraph 9(1) was adopted.

Paragraph 9(2)

702. An amendment submitted by the Government members of Argentina, the Plurinational State of Bolivia, Brazil, Mexico, Uruguay and the Bolivarian Republic of Venezuela, which applied to the French and Spanish versions, was referred to the Committee Drafting Committee.

703. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to delete “and employment guarantees”. She argued that subparagraph (2) listed different types of benefits, and employment guarantees could not be considered as such.

704. The Worker Vice-Chairperson opposed the amendment and recalled that, during the 2011 discussion, good examples of employment guarantee schemes had been discussed, as had ways of providing employment benefits, which, in the case of India, appeared to be effective.

705. The Employer Vice-Chairperson proposed a subamendment to replace “employment guarantees” with “employment incentives”.

706. The Worker Vice-Chairperson opposed the subamendment as employment incentives were a completely different concept which did not belong in Paragraph 9 on benefits. India’s

Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) demonstrated how employment guarantees could be provided.

707. The Government member of India opposed the subamendment on several grounds. First, the meaning of employment incentives was not clear. Second, the MGNREGA demonstrated how employment guarantees could be provided. Lastly, the proposed text of the Paragraph was an indicative list of possible benefits. There would be no obligation for Members to include employment guarantee schemes.

708. The Government member of Sudan supported the amendment submitted by the EU Member States.

709. The Government member of the United States opposed the amendment and subamendment. He mentioned India's MGNREGA, which had been discussed in depth in 2011, as a good and creative example of how to address the challenge of a large informal economy, and which could serve as a useful model for other countries.

710. The Employer Vice-Chairperson withdrew the subamendment.

711. The Worker Vice-Chairperson reiterated the importance of including "employment guarantees" in the list of possible benefits as such guarantees met the needs of some countries.

712. In view of the discussion, the Employer Vice-Chairperson concurred with the previous speaker and supported the original text.

713. The Government members of Iraq and Japan opposed the amendment.

714. The Chairperson concluded that there was no majority support for the amendment and the amendment was thus not adopted.

715. Paragraph 9(2) was adopted.

Paragraph 9(3)

716. Paragraph 9(3) was adopted.

717. Paragraph 9 was adopted.

Paragraph 10

Chapeau

718. The chapeau was adopted.

Paragraph 10(a)

719. The Government member of Canada, on behalf also of the Government member of Japan, introduced an amendment to replace “and promotional” by “, promotional and active” in order to include active labour market measures. Such measures, which included skills training, job counselling and training regarding job search techniques, enabled labour market participation and should be an integral part of social protection floors.

720. The Worker and Employer Vice-Chairpersons had no objection to the amendment.

721. The Government member of Zimbabwe, on behalf of the Africa group, supported the amendment, as did the Government member of Denmark, on behalf of the EU Member States.

722. The amendment was adopted.

723. Paragraph 10(a) was adopted as amended.

Paragraph 10(b)

724. The Government member of India, on behalf also of the Government members of Bangladesh and Nepal, introduced an amendment to delete “formal” before “employment” since employment should be promoted in general, be it formal or informal. Many countries had adopted policies that also promoted informal employment.

-
- 725.** The Worker Vice-Chairperson opposed the amendment and recalled that the matter had been resolved during the ILC in 2011, where it had been clearly concluded that social protection floors could, and should, be used to achieve three goals: lift people out of poverty, shift people from informal to formal employment and enhance formal employment.
- 726.** The Employer Vice-Chairperson fully agreed with the Worker Vice-Chairperson.
- 727.** The Government member of Uruguay agreed with the previous speakers, pointing out that the amendment was also inconsistent with the ILO decent work concept.
- 728.** The Government member of Chile affirmed that informal work should be formalized and people should be brought into formal work so that they would have access to social security, health care and other benefits. Setting standards to curtail informal work was important also when considering the competitiveness of countries. Countries with large informal economies had an undue comparative advantage in the cost of labour. There were thus economic, social and ethical reasons to commit to formal work.
- 729.** The Government member of the Bolivarian Republic of Venezuela likewise opposed the amendment, pointing out that his Government had undertaken great efforts to curtail the informal economy.
- 730.** The amendment was not adopted.
- 731.** The Worker Vice-Chairperson proposed an amendment to insert after “employment” the words “, including in public procurement, in government credit provisions and through labour inspection, active labour market policies and tax incentives”, and immediately subamended it to replace “and tax incentives” by “, tax incentives, and vocational training and rights education”.

732. The Employer Vice-Chairperson stated that the first part of the amendment introduced too many concepts into the clause, including concepts – such as public procurements and government credit provisions – that still needed to be developed in some countries. That distracted attention from the central matter of social protection floors and limited the ways in which countries could promote productive economic activity and formal employment. Furthermore, the proposed Recommendation already contained a clause on formal employment and economic activity, and another reference in Paragraph 10(b) was unnecessary. The focus should be on vocational training, skills development, capacity building and education in general rather than on rights education only. The Employer members would introduce an amendment on the same elements under Paragraph 10(c).

733. The Worker Vice-Chairperson responded that Paragraph 10(b) was on promotion and was the right place to include the proposed elements. Facilitating the transition to formal employment was a fundamental aspect of the social protection floor and it was therefore important that the Recommendation provide substantial guidance on how to promote productive economic activity and formal employment. The proposed amendment gave examples and presented choices to governments in the design of policies to achieve formal employment.

734. The Government member of Brazil supported the amendment as subamended. He said that the amendment did not narrow the promotion of productive economic activity and formal employment, but highlighted a number of elements relating to how it could be achieved. He reiterated the argument of the Worker Vice-Chairperson regarding the different focus of Paragraph 10(b) and (c) on promotion and coordination of policies, respectively. The amendment did indeed belong in Paragraph 10(b) as training and education were necessary for productive economic activity.

735. The Employer Vice-Chairperson clarified that he did not oppose the concepts in the amendment. However, the elements mentioned should not be the only examples of policies

that promoted employment and productive economic activity. Other elements were more essential for productive economic activity than the ones listed, such as strengthening governance systems and the promotion of sustainable enterprises.

736. The Government member of Denmark, on behalf of the EU Member States, opposed the inclusion of additional elements and thus preferred to retain the original text.

737. The Government member of Tunisia endorsed the arguments put forward by the Employer Vice-Chairperson.

738. The Government member of the United States proposed a further subamendment, seconded by the Government member of Australia, to insert “through considering policies that include” after “employment” and to delete “including in”.

739. The Worker Vice-Chairperson supported the subamendment.

740. The Government member of India preferred the original text.

741. The Government member of the Bolivarian Republic of Venezuela supported the subamendment.

742. The Government member of Uruguay argued that the two subamendments did not change the original message of the amendment and he preferred to retain the amendment as proposed originally. There should be a straightforward message on promoting formal employment, including what governments could do in that regard, for example in public procurement and contracting, without additional references that could create confusion.

743. The Employer Vice-Chairperson indicated his approval of the mention of the principle of formalizing employment; however, his comments related to the promotion of productive economic activity. As formulated, the suggested list of measures for promoting productive economic activity was too limited; it did not mention other more important elements and as a result did not give sufficient value to the work of the ILO and the efforts of member

States in that regard. He proposed a further subamendment for the text to read “through considering policies that include public procurement, government credit provisions, labour inspection, labour market policies, tax incentives, and that promote education, vocational training, productive skills and employability”.

744. The Worker Vice-Chairperson observed that the idea of rights education was lost in the proposed subamendment. Rights education was of key importance for moving people into the formal economy and therefore an important element to include in the list of measures for governments to consider. Formalization could only be achieved if workers knew what their rights were in relation to employment, what formal employment entailed and what it meant to have access to social protection floors.

745. The Employer Vice-Chairperson pointed out that the clause did not only address the question of formal employment and that education in general was important, not just rights education.

746. The Worker Vice-Chairperson introduced a further subamendment to insert the words “including rights education” after education.

747. The Employer Vice-Chairperson considered that the subamendment built a text within a text; the wording was becoming convoluted and it would be best to go back to the original text which was straightforward.

748. The Government members of Poland, and Zimbabwe, on behalf of the Africa group (with the exception of Tunisia), agreed with the Employer Vice-Chairperson.

749. The Government member of the Bolivarian Republic of Venezuela did not see how the subamendment changed clause (b) to such an extent that there were suggestions to go back to the original text. He supported the subamendment.

750. The Worker Vice-Chairperson emphasized that rights education was important; however, in a spirit of compromise, she withdrew her last subamendment and accepted the subamendment as proposed by the Employer Vice-Chairperson.

751. The Government member of South Africa supported the Employer members' subamendment.

752. The Government member of Trinidad and Tobago argued that the discussion proved the difficulty of including the additional concepts in the text; he thought it was better to remain more general and inclusive than to be specific but controversial. He was therefore in favour of the original text.

753. The Government members of Jamaica and Tunisia also supported the original text.

754. The Government member of Brazil appealed to the Committee not to shy away from adopting a longer Paragraph. The original text was good but not sufficiently specific and further guidance was needed. The proposed amendment introduced the key elements that were needed in Paragraph 10.

755. The amendment was adopted as subamended.

756. Paragraph 10(b) was adopted as amended.

757. In light of the previous discussion, the Government member of Brazil withdrew an amendment to insert "as well as training to broaden productive skills and in the exercise of citizenship" after "employment".

New clause after Paragraph 10(b)

758. The Government member of Brazil, on behalf also of Argentina, Mexico, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to add a new clause after Paragraph 10(b) as follows: "integrate economic, social and environmental protection policies, with a view to promoting sustainable development; and". The intention was to

highlight the relevance of environmental protection and sustainable development for social protection. Such an element was not yet reflected in the proposed Recommendation but it was important as some countries had moved towards implementing green social protection floors. The clause could be inserted either after clause (b) or clause (c).

759. The Worker Vice-Chairperson supported the amendment.

760. The Employer Vice-Chairperson supported the concepts but did not consider them relevant to the present discussion on social protection floors. The discussion would be more appropriate at the ILC in 2013 on the agenda item on green jobs and the debate on “Rio+20”. If it was to be included in the proposed Social Protection Floors Recommendation, it should not be a stand-alone clause but should be included under clause (c) on policy coordination.

761. The Government member of Brazil emphasized that sustainable development combined all three aspects of sustainability – social, economic and environmental – and was therefore very pertinent to the present discussion on the social protection floor. As discussions were under way in the UN on moving towards green economies and green jobs, it was important to also have green protection. The amendment introduced well-recognized concepts.

762. The Government member of Denmark, on behalf of the EU Member States, said that the new element did not fit in the proposed Recommendation; she was in favour of retaining the original text.

763. The Government member of the United Arab Emirates supported the amendment but thought that the text would be better placed in Part I, which covered basic principles.

764. The Government members of Canada, Switzerland, and Zimbabwe, on behalf of the Africa group, concurred with the EU position and also opposed the amendment.

765. The amendment was not adopted.

Paragraph 10(c)

766. The Government member of Brazil, on behalf also of the Government members of Argentina, Mexico, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to replace “skills and employability” by “formal employment, income generation, education, literacy and vocational training”, as immediately subamended, to ensure coherence with the wording that had been previously agreed on for Paragraph 10(b). The amendment reflected the discussion on formal employment, education and literacy. It would also be consistent to refer in clause (c), on coordination, to the elements contained in clause (b), on promotion.

767. The Worker Vice-Chairperson supported the amendment.

768. The Employer Vice-Chairperson considered it important to retain the reference to “skills and employability”. He argued against the reference to “reduce the precariousness of employment”. Precariousness had not been defined and it was not clear what was meant. Also, positive wording would be preferable and he proposed a further subamendment for the clause to read: “(c) ensure coordination with other policies that enhance formal employment, income generation, education, literacy, vocational training, skills and employability, that promote secure and decent work, entrepreneurship and sustainable enterprises”.

769. The Worker Vice-Chairperson agreed with the first part of the amendment; however, she considered it important to keep the term “precariousness”. The 2011 Conclusions had also referred to precariousness.

770. The Government member of Brazil expressed his appreciation for the support of the Workers’ and Employers’ groups for the amendment.

771. The Government member of Denmark, on behalf of the EU Member States, stated that the EU wished to retain the original text. The proposed amendment added too many elements.

However, she did support the addition of education and vocational training as proposed in another amendment.

772. After a brief consultation with the Employer Vice-Chairperson, the Worker Vice-Chairperson proposed a further subamendment to add, after “literacy, vocational training, skills and employability”, the words “, and that reduce precariousness and informality”.

773. The Employer Vice-Chairperson supported the subamendment.

774. The Government member of Namibia proposed a further subamendment, seconded by the Government member of the United States, to delete “and informality” after “precariousness”.

775. The Worker Vice-Chairperson supported that proposal, since there was already a reference to promoting formal employment.

776. The Employer Vice-Chairperson, agreeing with the Worker members, also supported the subamendment.

777. The amendment was adopted as subamended.

778. The Employer Vice-Chairperson noted that there were some inconsistencies between the English and Spanish versions of the amended Paragraph, which were referred to the Committee Drafting Committee.

779. Two amendments were withdrawn: one submitted by the Worker members to insert “education, vocational training,” after “enhance”; and another by the Employer members to replace “enhance skills and” by “develop skills and training and that enhance”, as the concerns had been covered by the previous amendment.

-
- 780.** An amendment submitted by the Employer members to delete “, reduce precariousness of employment,” was withdrawn.
- 781.** The Government member of Turkey introduced an amendment that was not seconded and was therefore not discussed.
- 782.** The Worker Vice-Chairperson introduced an amendment to add at the end of the clause “, including cooperatives and other forms of solidarity economy enterprises within a decent work framework”. As sustainable enterprises could be defined in different ways, it was important to refer to sustainable enterprises as described by the ILO within the context of the decent work framework. It was also important to acknowledge other forms of entrepreneurship and sustainable enterprises, such as cooperatives and solidarity economy enterprises. Many NGOs were creating work for marginalized people through enterprises that had low capital but provided decent work.
- 783.** The Employer Vice-Chairperson did not support the amendment as it made the text too complicated and the Paragraph already contained too many different concepts. The term “solidarity economy enterprises” was not widely known and the term “sustainable enterprises” already encompassed such forms of economic entities. There was also a duplication of the reference to decent work.
- 784.** The Worker Vice-Chairperson emphasized the importance of retaining the reference to the decent work framework after “sustainable enterprises”, but agreed to modify other parts of the amendment.
- 785.** The Government member of Brazil supported the amendment.
- 786.** The Government member of Egypt said the amendment made the wording repetitive and cumbersome. He did not support the amendment.

-
- 787.** The Government members of Bangladesh and Switzerland preferred the original text and did not support the amendment.
- 788.** The Worker Vice-Chairperson proposed a subamendment so that the end of the clause read “promote secure work, entrepreneurship and sustainable enterprises within a decent work framework”.
- 789.** The Employer Vice-Chairperson and the Government members of the United Arab Emirates and Denmark, on behalf of the EU Member States, did not support the subamendment.
- 790.** The Government members of Argentina, Australia, the Islamic Republic of Iran, Japan, Lesotho, Namibia, Norway, Papua New Guinea, South Africa, Senegal, the United States, the Bolivarian Republic of Venezuela, Zambia, and Zimbabwe, on behalf of the Africa group, supported the subamendment.
- 791.** The Government member of Bangladesh sought clarification from the Worker Vice-Chairperson regarding the wording “promote secure work”.
- 792.** The Worker Vice-Chairperson said that the wording had been chosen to find a formulation in the affirmative for “reducing precariousness”. It was a positive way of expressing the same idea of employment that people could rely on.
- 793.** The Employer Vice-Chairperson argued that the whole clause was redundant as governments would be expected to ensure coordination with all other policies.
- 794.** The amendment was supported by a majority and adopted as subamended.
- 795.** Paragraph 10(c) was adopted as amended.
- 796.** Paragraph 10 was adopted as amended.

Paragraph 11

- 797.** The Employer Vice-Chairperson introduced an amendment to replace, in the first line before “methods”, the word “different” by “a variety of different effective”. The methods used should not be just any methods; they had to be effective.
- 798.** The Worker Vice-Chairperson and Government member of Senegal supported the amendment.
- 799.** With no Government member opposing the amendment, it was adopted.
- 800.** The Worker Vice-Chairperson introduced an amendment to replace “financial, fiscal and economic” by “the” before “sustainability”. The financial, fiscal and economic aspects of sustainability were intertwined and sustainability in general without further qualification should be ensured, including social sustainability.
- 801.** The Employer Vice-Chairperson said the Paragraph in question covered the financial and budgetary aspects of social protection floors and it should therefore refer specifically to financial, fiscal and economic sustainability. Those were the qualifiers that were needed as the text was not discussing sustainability in general.
- 802.** The Government member of the United States considered that the words “mobilize the necessary resources” already covered the idea of financial, fiscal and economic sustainability; “financial, fiscal and economic sustainability” was too limiting as mobilizing resources was more than a mere arithmetical exercise. There was also a social aspect since the population had to agree to commit the necessary resources for social protection floors. The words “financial, fiscal and economic” should therefore be removed.
- 803.** The Government members of Bangladesh, Egypt, Denmark, on behalf of the EU Member States, Oman, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group, did not support the subamendment. The three qualifiers were needed.

-
- 804.** The Worker Vice-Chairperson withdrew the amendment.
- 805.** An amendment submitted by the Government members of Argentina, Brazil, Colombia, Mexico, Uruguay and the Bolivarian Republic of Venezuela to replace in the third line, “floors” by “systems” was withdrawn.
- 806.** The Worker Vice-Chairperson introduced an amendment to replace, in the fifth line, “broadening the” by “a broader and sufficiently progressive”. That would reflect the 2011 discussion concerning the solidarity aspect of social protection. The concept of redistribution would not be meaningful without progressivity in the revenue collection.
- 807.** The Employer Vice-Chairperson said that there was a need to give Members room to finance social protection floors sustainably. There was no need to be more specific and a reference to progressive financing was not needed. Financing required a variety of methods and governments should consider all possible ways of sustainable financing, not necessarily “progressive” ones.
- 808.** The Government members of Namibia, Zambia, and Zimbabwe, on behalf of the Africa group, supported the amendment.
- 809.** The Government member of Denmark, on behalf of the EU Member States, did not support the amendment. The reference to progressive financing belonged in Part III.
- 810.** The Government member of Bangladesh considered that the Paragraph already referred to broadening the revenue base. However, since it could be useful to specify it, he supported the amendment.
- 811.** The Chairperson invited the Government members to indicate their preference by a show of hands. A clear majority of Government members were in favour of the amendment.
- 812.** The amendment was adopted.

813. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment, immediately subamended, to insert in the first line after “11.”, “(1)”; to replace in the fourth line “better” by “effective”; and to add, at the end of the Paragraph, a new subparagraph as follows: “(2) In applying such methods, Members should consider the need to implement measures to prevent fraud as well as tax evasion and non-payment of contributions.” As it had been suggested to consider including in Paragraph 11 a similar amendment which had been well received when proposed under the preamble, the EU Member States were hoping for wide support.

814. The Worker and Employer Vice-Chairpersons, as well as the Government member of Zimbabwe, on behalf of the Africa group, supported the amendment.

815. The amendment was adopted as subamended.

816. The Worker Vice-Chairperson introduced an amendment to add a new sentence to Paragraph 11, at the end of subparagraph (1), as follows: “Furthermore, support for adequate wage levels and collective bargaining is important in order to increase the contributory capacity of workers and avoid costly hidden wage subsidies through the social security system.” Paragraph 11 outlined the different elements for countries considering building sustainable social protection floors. Adequate wage levels were a key element in making systems affordable and preventing them from becoming a subsidy for low-wage systems. Adequate wages would move people above the floor, lead to increased contributory capacity and higher tax revenue and, in turn, increase the financial sustainability of the system. Those elements had also been discussed previously and reflected in the 2011 Conclusions.

817. The Employer Vice-Chairperson did not support the amendment. The 2011 Conclusions included many other elements that would also increase the contributory capacity of workers; either all the elements should be included or none at all, as in the original text of the Paragraph.

-
- 818.** The Worker Vice-Chairperson responded that there were not many other elements that would increase the contributory capacity of workers, and none of them was as relevant as adequate wages. Furthermore, social security systems should not become subsidies for low-wage systems; policies had to be combined to make social protection floors sustainable.
- 819.** The Government members of Bangladesh, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group (with the exception of Egypt), did not support the amendment.
- 820.** The Government member of the United States strongly supported the idea of the amendment but disliked the wording. Adequate wage levels not only contributed to increasing the contributory capacity of workers, they also provided incentives to work. Increasing wages to make work pay was a much better way of giving incentives to work than lowering benefits if it did not pay to work.
- 821.** The Government member of the Bolivarian Republic of Venezuela supported the amendment. Not many measures increased the contributory capacity of workers besides wage levels. If social protection floors were to have broad participation of workers who were expected to contribute, they needed a sufficient wage level to make contributions affordable, especially when linked to social protection floors.
- 822.** The Government member of Egypt agreed with the Government member of the United States that it would be desirable to reflect the idea of the amendment with shorter wording.
- 823.** The Government member of Australia supported the amendment and emphasized the importance of adequate wage levels arrived at through collective bargaining that would enable people to contribute.
- 824.** The Government member of Bangladesh did not support the amendment. In countries with a large informal economy the issue of wage levels was a sensitive one, which Bangladesh

preferred not to address when discussing social protection floors. If at all, the issue should be discussed in Part III of the proposed Recommendation on progressive extension.

- 825.** The Government member of Namibia preferred not to introduce notions of “adequate wage levels” and “hidden wage subsidies” that were unclear.
- 826.** The Government members of the Islamic Republic of Iran and of Cameroon did not support the amendment.
- 827.** The Worker Vice-Chairperson proposed a subamendment to delete the words “and avoid costly hidden wage subsidies through the social security system”.
- 828.** The Employer Vice-Chairperson still opposed the amendment. Ensuring that people had an income, preferably from formal employment, would also increase the contributory capacity of workers, a consideration when building social protection floors. Wage levels should be looked at subsequently.
- 829.** The Government member of the United States supported the subamendment. Wage levels were important for the sustainability of systems, including for the sustainable financing of social protection floors. There were many different ways of achieving sustainability. For example, in the United States individual wage contributions were closely linked to social security, including unemployment benefits. Wage levels were crucial in that context, not just with regard to the extension of the system. Wages were key parts of the equation on sustainability and that was so far missing in the proposed Recommendation.
- 830.** The Government member of Namibia did not support the subamendment as he still wished to receive clarification as to what was meant by “adequate wage levels”.
- 831.** The Worker Vice-Chairperson made a plea that the subamendment be accepted. Collective bargaining was recognized as a key instrument by the ILO and yet its recognition always had to be fought for. The message was clear and simple: adequate wages were important

for sustaining social security systems. Adequate wage levels implied a recognition also that workers wanted to work and earn their own living rather than having to depend on benefits. Paragraph 4 of the 2011 Conclusions also acknowledged the importance of “... adequate wages for workers thereby assisting them to increase their contributory capacity”. Other elements that were important for the sustainability of the system were already included elsewhere in the proposed Recommendation, but adequate wage levels were not.

832. The Employer Vice-Chairperson opposed the subamendment; it raised issues that were employment issues and not central to the discussion on social protection floors. The debate on social protection floors should not be used as a pretext for bringing in other issues such as adequate wages and collective bargaining. Otherwise, many other ILO instruments related to employment would have to be brought in, for instance the Global Jobs Pact, and the focus on social protection floors would be lost.

833. To ensure broader support from Government members and address the issue raised regarding the meaning of “adequate wage levels”, the Government member of the United States suggested another subamendment to replace “adequate wage levels” with “support for wage levels, adequate to support social protection floors”. The subamendment of the United States was not seconded and was therefore not discussed.

834. The Worker Vice-Chairperson explained that it should be left to governments to define what wage levels they considered adequate. The Paragraph addressed the questions of mobilizing sufficient resources, sustainability and reprioritization, and capacity to contribute. Adequate wage levels should be considered in the context of the ability to contribute, recognizing that adequate wage levels relieved pressure on social security.

835. The Employer Vice-Chairperson repeated that collective bargaining and adequate wages were employment issues and the current discussion should focus on social protection floors.

836. The Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members did not support the amendment and it was not adopted.

837. Paragraph 11 was adopted as amended.

Paragraph 12

838. The Employer Vice-Chairperson proposed an amendment to delete “, in principle,”. It should be made clear that there was a two-stage approach: first, that national protection floors had to be financed by national resources; and, as a second stage, only if countries had insufficient capacities should they turn to international assistance. The message was not clear enough if “, in principle,” was included.

839. The Worker Vice-Chairperson supported the amendment as the principal idea that there could be international assistance was maintained.

840. No Government member objected and the amendment was adopted.

841. The Government member of Bangladesh, on behalf also of the Government members of India and Nepal, introduced an amendment to replace the second sentence with the following: “International cooperation can play an important role in helping member States to initiate the process and build the national resource base with a view to ensuring sustainable financing mechanisms.” That would strengthen the notions of international cooperation and partnership in development. The current wording did not reflect the realities of many countries and was too weak. As reflected within Part II, governments agreed that they should assume responsibility for providing sustainable financing for social protection floors. However, in resource-limited settings, it would be difficult to build national social protection floors through national resources alone. International cooperation only came into play in those constraining national contexts. The concept of “transitional assistance” should not be included as it was unclear. The proposed wording was taken

exactly as agreed on in paragraph 18 of the 2011 Conclusions and should therefore be acceptable to the Committee.

842. The Employer and Worker Vice-Chairpersons, as well as the Government members of Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, supported the intention of the amendment but thought it would be better reflected in subsequent amendments and therefore did not support the amendment.

843. The Government member of Bangladesh, in view of the lack of support and in the interest of moving the discussion forward, withdrew the amendment but noted that he would propose further amendments with a view to his concerns being addressed.

844. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to delete “entire set of” before “guarantees”. That would bring the wording more in line with the idea of progressive realization. International assistance could be sought not only if the whole set of social protection floor guarantees was dealt with but also for individual elements of the social protection floor.

845. The Worker and Employer Vice-Chairpersons, as well as the Government member of Zimbabwe, on behalf of the Africa group, supported the amendment.

846. The amendment was adopted.

847. The Worker Vice-Chairperson introduced an amendment, immediately subamended, to replace “assistance” by “cooperation and support that complements their own efforts”. The proposed wording was less paternalistic and addressed the concerns of some members of the Committee regarding the term “solidarity”, which had been part of the original amendment submitted by the Worker members.

848. The Employer Vice-Chairperson agreed that “assistance” sounded condescending and pointed out that “cooperation and support” fitted well with the first line. He hoped the

wording also addressed the concerns of the Government members of India and Bangladesh.

849. The Government member of Denmark, on behalf of the EU Member States, supported both the amendment and subamendment.

850. The Government member of Bangladesh emphasized that international cooperation, including assistance, was needed and was part of the international commitments in the UN system. He introduced a subamendment to delete “transitional” before “international”. The amendment was seconded by the Government member of India.

851. The Employer Vice-Chairperson stated that the Paragraph as a whole reflected the idea that the assistance should be transitional and he therefore supported the subamendment.

852. The Worker Vice-Chairperson supported the subamendment.

853. The Government members of Brazil, the Islamic Republic of Iran, Oman, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group, supported the amendment.

854. The amendment was adopted as subamended.

855. Paragraph 12 was adopted as amended.

856. Part II was adopted as amended.

Part III. National strategies for the extension of social security

857. The title was adopted.

Paragraph 13(1)

858. The Government member of the Bolivarian Republic of Venezuela, on behalf also of the Government members of the Plurinational State of Bolivia and Brazil, introduced an amendment: to replace “and” after “consultations” by a comma; and after “dialogue” to

insert “and social participation in the development and monitoring of public policies”. That should ensure the widest possible national consultations and participation in the formulation of national social security extension strategies.

859. The Employer Vice-Chairperson asserted that Paragraphs in other Parts of the proposed Recommendation had already sufficiently specified the importance of national consultations and how participation should be organized. As well as the reference to monitoring, those elements should not be included here.

860. The Worker Vice-Chairperson supported the inclusion of “social participation” in the Paragraph. Social participation was a key element in the development of social security extension strategies and, as yet, was not adequately covered within Part III of the proposed Recommendation.

861. The Government member of the United States stressed that the text should go beyond social dialogue and should include social participation. He proposed a subamendment, to delete “in the development and monitoring of public policies”.

862. The Government member of Brazil, on behalf also of the Government members of the Plurinational State of Bolivia and the Bolivarian Republic of Venezuela, seconded the subamendment.

863. The Employer Vice-Chairperson again pointed out that social participation was already included within Part I, which covered principles. Those principles applied to Parts II, III and IV and repetition was unnecessary but, in a spirit of consensus, he agreed to the additional mention of social participation in Part III.

864. The Worker Vice-Chairperson supported the amendment.

865. The Government member of Bangladesh supported the amendment, but noted that the use of “by” in the English text should be referred to the Committee Drafting Committee.

866. The Government member of Tunisia supported the amendment.

867. The amendment was adopted as subamended.

868. Paragraph 13(1) was adopted as amended.

Paragraph 13(1)(a)

869. The Government member of Argentina, on behalf also of the Government members of Brazil, Colombia, Mexico and the Bolivarian Republic of Venezuela, introduced an amendment to replace “national social protection floors” by “social protection floors as a starting point for countries that do not have a minimum level of social security, and seek the continuous extension and enhancement of social protection in all other countries”. That reflected the dual vision of the horizontal and vertical dimensions of social security extension, emphasizing that the social protection floor was only a first stage. A similar amendment had been discussed earlier and the Committee had suggested that it be included in Part III, on the extension of social security.

870. The Worker Vice-Chairperson agreed with the first part of the amendment that the social protection floor, as a priority, was for those countries that did not provide a minimum level of social security. Regarding the second part, she proposed a subamendment, to replace “, and seek the continuous extension and enhancement of social protection in all other countries” by “as a fundamental element of their national social security systems”. That would place the national social protection floors at the beginning of an overall system; the Paragraph would then continue with the extension provision in subparagraph (1)(b).

871. The Employer Vice-Chairperson confirmed that the amended clause would contain all of the elements that were needed: the idea of social protection floors as a starting point; addressing countries that did not have a minimum level of social security; and specifying that social protection floors were a fundamental element of national social security systems.

-
- 872.** The Government member of Chile supported the subamendment.
- 873.** The Government member of the United States introduced a subamendment, seconded by the Government members of Canada and the Republic of Korea, to insert “sustainable” before “social protection floors” to re-emphasize the importance of sustainability included in other Parts of the proposed Recommendation.
- 874.** The Worker Vice-Chairperson said that the other Parts of the proposed Recommendation did not refer to “sustainable social protection floors”. By adding the qualifier “sustainable” in that clause, it would be understood that, in Part III, social protection floors should be read differently.
- 875.** The Employer Vice-Chairperson was also concerned that the concept could be understood differently if “sustainable” was added.
- 876.** The Government member of Chile supported the subamendment.
- 877.** The Government members of Bangladesh and Ghana opposed the subamendment.
- 878.** The subamendment was not accepted.
- 879.** The Government member of India introduced a subamendment, seconded by the Government member of Bangladesh, to delete “as a starting point” as it was difficult for many countries to reach even the minimum floor level.
- 880.** The Worker Vice-Chairperson emphasized that Part III was about the extension of social security and that it was appropriate to include in it a reference to social protection floors as starting points. There had been wide consensus during the discussion in 2011 that social protection floors were starting points that enabled governments to develop their social security systems further.

-
- 881.** The Employer Vice-Chairperson and the Government members of Colombia and the Bolivarian Republic of Venezuela agreed with the Workers' group and opposed the subamendment.
- 882.** The subamendment proposed by the Government member of India was not adopted.
- 883.** The Government member of Bangladesh requested clarification from the secretariat on the meaning of "countries that do not have a minimum level of social security" and suggested that it might be more appropriate to refer to "social security guarantees", which would reflect the definition, given in Part II, of social protection floor guarantees.
- 884.** The representative of the Secretary-General confirmed that most countries had some minimum social security elements and did not start from zero. The question was whether they had reached the social protection floor level of guarantees. It was for the Committee to decide what wording best reflected that idea.
- 885.** The Government member of Bangladesh welcomed the clarification and introduced a subamendment, seconded by the Government member of the Islamic Republic of Iran, to insert "guarantees" after "minimum level of social security".
- 886.** The Worker Vice-Chairperson supported the subamendment as it constituted a clarification of what was intended.
- 887.** The Employer Vice-Chairperson also supported the subamendment.
- 888.** The subamendment was adopted.
- 889.** The amendment was adopted as subamended.
- 890.** As a consequence, two amendments fell: one amendment submitted by the Government members of Canada, the Republic of Korea and the United States to insert "sustainable"

after “of”; and another submitted by the Worker members to insert “floors” after “as a fundamental element of their national social security systems”.

891. Paragraph 13(1)(a) was adopted as amended.

Paragraph 13(1)(b)

892. The Employer Vice-Chairperson withdrew an amendment to replace in the first line “possible” by “are in need”.

893. The Government member of Bangladesh, on behalf also of the Government members of India and Nepal, withdrew an amendment to insert in the first line “progressively” after “provide” and to delete “as soon as possible”.

894. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment to insert “, reflecting economic and fiscal capacities of Members” after “as soon as possible”.

895. The Worker Vice-Chairperson did not support the amendment as the qualifiers were provided for in Paragraph 17. Paragraph 13 addressed the extension of social security and acknowledged that social protection floors were a first step. It was indisputable that countries had different abilities to implement social protection floors and it was important for countries to reflect on their capacities; however, Paragraph 13 was not the right place to do so.

896. The Employer Vice-Chairperson underlined the importance of including the notion of affordability also in Part III, on extension strategies, and supported the amendment. He observed that Paragraph 17 was about higher levels of social security and was linked to the Social Security (Minimum Standards) Convention, 1952 (No. 102), whereas Paragraph 13 discussed the prioritization of social protection floors.

897. The Government members of Bangladesh, Canada, India, the Islamic Republic of Iran, Iraq, Morocco, Papua New Guinea, Tunisia, and Zimbabwe, on behalf of the Africa group, supported the amendment.

898. The amendment was adopted.

899. Paragraph 13(1)(b) was adopted as amended.

New clauses after Paragraph 13(1)(b)

900. The Worker Vice-Chairperson introduced an amendment to add a new clause as follows: “ensure access for all workers to social security, provide incentives to enrol in social security systems and design tailor-made mandatory and voluntary schemes suitable for all workers, including workers informally employed, workers in atypical forms of employment and own-account workers;”. The addition was needed because extension strategies should cover as many people as possible and should move people into formal employment. The wording referred to providing access for workers to social security schemes regardless of their situation, while making clear that it did not mean that they should not contribute.

901. The Employer Vice-Chairperson was concerned about the introduction of new concepts such as “enrol”, “tailor-made” and “voluntary schemes” and opposed the amendment. The proposed Recommendation should be inspirational and should not focus solely on workers but should cover everyone.

902. The Government members of Egypt, India, Iraq, Morocco, Norway, Denmark, on behalf of the EU Member States, and the United Arab Emirates opposed the amendment, agreeing with the Employers’ group that no new concepts should be added.

903. The Worker Vice-Chairperson proposed a subamendment to accommodate the concerns voiced while retaining the intent of the amendment: “ensure access for all to social security, provide incentives to participate in social security systems and design tailor-made

schemes suitable for all, including for workers in the informal economy.”. Systems should be built for everyone and provide incentives for those in the informal economy to participate. The amendment was about extension, access and participation while being flexible and inclusive in the design. That was missing from the extension part.

904. To help the discussion move forward, the Employer Vice-Chairperson proposed a further subamendment to limit the text of the amendment to “seek to provide incentives for people to enrol in social security systems”.

905. The Worker Vice-Chairperson questioned the fact that the subamendment no longer included the reference to “including for workers in the informal economy”. The Committee had agreed that social protection floors should facilitate formalization and that social security systems could only be sustainable if sufficient workers were employed in the formal economy.

906. The Employer Vice-Chairperson pointed out that the message was very similar to the one in Paragraph 13(1)(b) and reiterated that social security should be extended to other groups in society as well, not just workers; he withdrew the subamendment and suggested retaining the original text without the additional clause.

907. The Government members of Iraq, Jamaica and Tunisia agreed with the previous speaker.

908. The amendment was not adopted.

909. The Government member of Mexico, on behalf also of the Government members of Argentina, Brazil, Colombia and the Bolivarian Republic of Venezuela, introduced an amendment to add a new clause as follows: “seek to coordinate social security policies with other public policies;”. There should be coordination of social security policies with education, health, employment and economic policies. Coordination across various authorities was necessary to achieve the consolidation of social security systems.

910. The Employer Vice-Chairperson stressed that, although they were in favour of strong policy coordination and coherence, the issue had already been addressed in Paragraph 3 in Part I, on principles. Those principles applied to all Parts of the proposed Recommendation and therefore there was no need to repeat them.

911. The Worker Vice-Chairperson supported the amendment.

912. The Government member of Denmark, on behalf of the EU Member States, supported the amendment.

913. The Government member of the United States also supported the amendment. While recognizing that Part I and the preamble already mentioned policy coherence, coordination should also be referred to within Part III, which discussed national extension strategies. Coordination was one of the requirements for developing and implementing successful extension strategies. The “coordination” of policies and their implementation went beyond the concept of “coherence”, adopted as a principle in Paragraph 3.

914. The Government member of Zimbabwe, on behalf of the Africa group (with the exception of the Democratic Republic of the Congo), pointed out that Paragraph 13(2) also referred to the need for coherence, and he therefore did not support the amendment.

915. The Government members of the Democratic Republic of Congo, the Islamic Republic of Iran, Papua New Guinea, the Bolivarian Republic of Venezuela, and the United Arab Emirates, on behalf of the GCC countries, supported the amendment.

916. The Employer Vice-Chairperson reiterated that his group was in favour of coordination and coherence. The principle of coherence set out in Part I applied to the whole text of the proposed Recommendation and thus also to Part III, on extension strategies, but he conceded, in a spirit of consensus, to support the amendment.

917. The amendment was adopted.

Paragraph 13(2)

- 918.** The Worker Vice-Chairperson withdrew an amendment to delete in the second line, after “systems”, “coherent with national policy objectives”, as she intended to support the subsequent amendment instead.
- 919.** The Government member of Uruguay, on behalf also of the Government members of Argentina, Brazil, Colombia, Mexico and the Bolivarian Republic of Venezuela, introduced an amendment to add at the end of the subparagraph “and the principles contained in the Social Security (Minimum Standards) Convention, 1952 (No. 102)”. National policy objectives should be in accordance with that Convention.
- 920.** The Worker Vice-Chairperson supported the proposed amendment.
- 921.** The Employer Vice-Chairperson did not support the amendment. The reason for the work of the Committee on the proposed Recommendation was that Convention No. 102 was difficult to ratify for many countries. The proposed Recommendation already referred, in Paragraph 17 of Part III, to the role of Convention No. 102 in assisting countries to build comprehensive social security systems. If reference was again made in the Paragraph under discussion, it could constitute a barrier for countries to make use of the guidance provided in the proposed Recommendation, especially for those countries targeted by the proposed Recommendation.
- 922.** The Government members of Bangladesh, Chile, Egypt, India, Indonesia, Jamaica, Morocco, Thailand, Denmark, on behalf of the EU Member States, the United Arab Emirates, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group, did not support the amendment.
- 923.** The amendment was not adopted.
- 924.** An amendment submitted by the Employer members to add “and financial sustainability” after “objectives” was withdrawn.

925. The Government member of the United States, on behalf also of the Government member of the Republic of Korea, introduced an amendment to add “and resources” to the end of the sentence as the development of social security systems had to be determined both by objectives and available resources. He noted that he was referring to resources in the broad sense, not just financial resources. He gave the example of the resources needed to deliver basic health care to all, which would not only require financial resources but also administrative capacity and know-how, hospitals and other infrastructure as well as medical staff and other human resources.

926. The Worker Vice-Chairperson opposed the amendment and recalled that reference to constraints related to financial and economic capacity was already included in amended Paragraph 13(1)(b).

927. The Employer Vice-Chairperson also opposed the amendment, explaining that the notion of coherence already included the resources necessary to get there.

928. The Government members of Uruguay, the United Arab Emirates, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group, also opposed the amendment. The Government member of Uruguay added that resources were a tool for extending social security strategies, not an objective, and thus did not fit in Paragraph 13(2), which dealt with objectives of national policies.

929. In view of the previous statement, the Government member of the United States withdrew the amendment.

930. Paragraph 13(2) was adopted.

Paragraph 14

Chapeau

931. The chapeau was adopted.

Paragraph 14(a)

932. Paragraph 14(a) was adopted.

Paragraph 14(b)

933. The Employer Vice-Chairperson introduced an amendment to add “and potential barriers to sustainable employment” after “protection”. To ensure an efficient implementation process of social security extension strategies, it would be necessary not only to identify the gaps, but also to identify the potential barriers to sustainable employment.

934. The Worker Vice-Chairperson opposed the amendment, pointing out that Paragraph 14 was not the appropriate place to introduce the issue of employment barriers. Employment would be discussed under Paragraph 15 and Paragraph 14(c) would not make sense if the amendment was adopted.

935. In order to avoid further debate on employment, the Employer Vice-Chairperson proposed a subamendment to delete “to sustainable employment”, and rephrase the clause so that the text would read “identify gaps in and potential barriers to protection”.

936. The Worker members supported the subamendment.

937. The Government member of the United States asked for clarification as to what was meant by “potential barriers to protection”.

938. The Employer Vice-Chairperson replied that setting objectives and identifying gaps would sometimes not be sufficient to ensure the extension of social protection to specific target groups, as other barriers could block the process, for example the legal system of a country.

939. The Government member of Bangladesh shared the concern of the Government member of the United States and stated that the explanation did not fully clarify the intent of the subamendment.

940. The Government member of Zimbabwe, on behalf of the Africa group, and the Government member of Switzerland opposed the subamendment and preferred to retain the original text.

941. The Government member of Japan supported the subamendment and indicated that it would not be sufficient to identify gaps in protection as, in order to close a gap, it would be indispensable to know which barrier had created the gap in the objective.

942. Following that explanation, the Government member of the United States proposed a further subamendment, seconded by the Government member of Canada, to delete the word “potential”, which had created confusion.

943. The Employer and Worker members supported the subamendment.

944. The Government members of Argentina, Brazil, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, supported the subamendment.

945. The amendment was adopted as subamended.

946. Paragraph 14(b) was adopted as amended.

Paragraph 14(c)

947. The Government member of Brazil, on behalf also of Argentina, Colombia, Mexico, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to replace “contributory or non-contributory schemes” by “schemes, whether contributory, non-contributory or both” to be consistent with the rest of the text.

948. The Employer and Worker members supported the amendment.

949. The Government member of the Democratic Republic of Congo supported the amendment.

950. The Chairperson identified majority support for the amendment, which was adopted.

951. The Employer Vice-Chairperson introduced an amendment to delete “, including through the extension of existing contributory schemes to all concerned persons with contributory capacity”. He considered the text to be redundant, as that part was already fully reflected in the first part of the clause.

952. The Worker Vice-Chairperson opposed the amendment, indicating that the text was not redundant, as extending the protection offered by existing schemes to all concerned persons with contributory capacity was another possible extension strategy.

953. The Government members of the United States, and Denmark, on behalf of the EU Member States, opposed the amendment for the same reason as the Worker members.

954. The Government member of India opposed the amendment as the text to be deleted promoted the extension of social protection to the people in the informal economy but with contributory capacity, and thus should be retained.

955. The Government member of Zimbabwe, on behalf of the Africa group, opposed the amendment.

956. The Employer Vice-Chairperson withdrew the amendment.

957. Paragraph 14(c) was adopted as amended.

New clause after 14(c)

958. The Government member of Denmark, on behalf of the EU Member States, introduced an amendment, immediately subamended, to add a new clause after Paragraph 14(c) as follows: “associate social security with active labour market policies as well as high-quality vocational training or other measures, as appropriate; and”. She stated that social security had to be linked to active labour market policies as the best form of social security remained a decent job. That view had been recognized and welcomed in the discussion concerning the preamble, but had not been included.

959. The Worker Vice-Chairperson noted that Paragraph 14 focused on the extension of social protection strategies, not on employment policies. She therefore preferred not to add the new clause but, should it receive majority support, she suggested replacing “associate” by “complements” and to delete “and high-quality vocational training” as that concept was already covered by the notion of “labour market policies”.

960. The Employer Vice-Chairperson supported the EU proposal, noting that a similar amendment relating to Paragraph 14(d) would be introduced by his own group. He reiterated that capacity building was an important element of the extension of social protection. He proposed a further subamendment to replace “associate” by “complement” and “as well as” by “including”.

961. The Worker members supported the subamendment.

962. The Government member of India supported the subamendment but suggested deleting “high-quality”, which the Government member of Denmark, on behalf of the EU Member States, proceeded to propose as a subamendment.

963. The Employer and Worker members supported the subamendment.

964. The Government member of Argentina supported the subamendment.

965. The amendment was adopted as subamended.

966. The new clause after Paragraph 14(c) was adopted as amended.

Paragraph 14(d)

967. Paragraph 14(d) was adopted.

New clauses after Paragraph 14(d)

968. The Worker Vice-Chairperson introduced an amendment to add a new clause, immediately subamended, after Paragraph 14(d) as follows “raise awareness about the social protection

floors as well as about their extension strategies, and undertake information programmes, including through social dialogue, to ensure access to the guarantees of this Recommendation;”. She stated that education about access to social protection would serve to build more political space, and would help to raise awareness among the public about social protection floors and their extension.

969. The Employer Vice-Chairperson expressed support for the amendment, but added that Paragraph 14 focused on the steps required to achieve the social protection floor, not on the reasons why. The text should therefore end after “social dialogue”. He proposed a further subamendment to delete “to ensure access to the guarantees of this Recommendation;”.

970. The Worker members supported the subamendment.

971. The Government member of Zimbabwe, on behalf of the Africa group, expressed support for the subamendment.

972. The Government member of Denmark, on behalf of the EU Member States, also expressed support.

973. The amendment was adopted as subamended.

974. The new clause after Paragraph 14(d) was adopted as amended.

975. The Worker Vice-Chairperson introduced an amendment to add a new clause after Paragraph 14(d) as follows: “make full use of national and international expertise to strengthen policy coherence at national level and in their cooperation with international agencies to implement this Recommendation;”, subamending it to add “and international” after “national”. Policy coherence at national and international levels had been considered at length during the 2011 discussion. The international scope was essential, as an important

objective of establishing social protection floors was to reduce poverty worldwide and issues such as migration affected many countries.

976. As the amendment was of greater relevance to the Government members, the Employer Vice-Chairperson said he would support whatever the majority agreed upon.

977. The Government member of Denmark, on behalf of the EU Member States, opposed the subamendment. She expressed a preference for the original amendment without the addition of the international dimension, as social protection floors were nationally designed and implemented.

978. The Government member of Bangladesh opposed both the amendment and subamendment, explaining that the issue of policy coherence was better expressed in other Parts of the proposed Recommendation.

979. The Government member of India also did not support the amendment.

980. The Government member of Australia voiced support for the sentiment behind both the amendment and the subamendment, but appreciated the point made by the EU Member States, indicating that Paragraph 14 focused on national step-by-step strategies. She suggested either removing the subamendment which sought to introduce the international aspect, or introducing a new Paragraph.

981. The Government members of Japan and the United States supported the amendment but not the subamendment.

982. The Employer Vice-Chairperson opposed the subamendment as there was no majority support from the Government members for it.

983. The subamendment was not accepted.

-
- 984.** The Government member of Bangladesh noted that the international dimension and policy coherence touched on the problematic issue of conditionality. He therefore proposed a subamendment, seconded by the Government member of India, to delete the text following “at national level”.
- 985.** The Worker Vice-Chairperson did not support the subamendment, although she acknowledged the concern of the previous speaker regarding conditionality. She explained that the intent of the amendment was to ensure that the demands and conditionalities of other international agencies did not undermine the proposed Recommendation.
- 986.** The Employer Vice-Chairperson reiterated that he would follow the majority on that issue.
- 987.** The Government member of Bangladesh questioned the logical sense of the amendment. The focus had to be on “make full use” of national and international expertise.
- 988.** The Government member of Denmark, on behalf of the EU Member States, supported the subamendment of the Government member of Bangladesh.
- 989.** The Government member of Brazil stated that she did not understand the intent of the amendment. She questioned why countries would need international expertise to strengthen policy coherence at the national level. She therefore opposed the amendment and subamendment.
- 990.** The Government members of China, the Islamic Republic of Iran and the United Arab Emirates, on behalf of the GCC countries, supported the subamendment.
- 991.** The Government members of Chad and Ethiopia did not support the subamendment.
- 992.** The Government member of Tunisia supported the arguments put forward by the Government member of Brazil and preferred not to add the new clause.

993. The Worker Vice-Chairperson said that, if the subamendment was accepted, the amendment would no longer contribute anything to the text since it would remove the concepts that the Worker members had sought to add when they introduced the amendment. She would prefer to withdraw the amendment.

994. The Government member of Bangladesh withdrew the subamendment.

995. The Worker Vice-Chairperson withdrew the amendment.

996. The Employer members withdrew an amendment to add a new clause “aim to ensure that social security systems incentivize employment and entrepreneurship”.

997. Paragraph 14 was adopted as amended.

Paragraph 15

998. The Government member of Zimbabwe, on behalf of the Africa group, introduced an amendment to insert after “should” in the first line “apply to both formal and informal employment and ” so as to make clear that social security extension strategies should also apply to the informal economy.

999. Given the number of Government members who had co-sponsored the amendment, the Employer Vice-Chairperson gave his support, although there was no suggestion in the text that those extension strategies did not apply to the informal economy.

1000. The Worker Vice-Chairperson agreed with the intent of the amendment but proposed a subamendment to make it consistent with ILO terminology by changing the wording to “apply to persons both in the formal and informal economy”.

1001. The Employer members supported the subamendment.

1002. The Government member of India supported the subamendment as it was important to mention the informal economy explicitly, in view of the fact that it was, and would remain

in the future, an integral part of many economies. In India, for example, 94 per cent of the workforce worked in the informal economy.

- 1003.** The amendment and subamendment were supported by the majority and were thus adopted.
- 1004.** An amendment submitted by the Government members of Bangladesh, India and Nepal to delete in the first line “formal” was withdrawn.
- 1005.** The Government member of Argentina, on behalf also of the Government members of Brazil, Colombia, Mexico, Uruguay and the Bolivarian Republic of Venezuela, introduced an amendment to insert “and the reduction of informality” after “formal employment”. It was important to refer to the reduction of informality as well as to the growth of formal employment.
- 1006.** The Worker Vice-Chairperson supported the amendment as it made sense to make explicit mention of the effect growing formal employment had on informality.
- 1007.** The Employer Vice-Chairperson preferred the positive wording “support the growth of formal employment” but supported the reference to the reduction of informality.
- 1008.** The Government member of Zimbabwe, on behalf of the Africa group (with the exception of Senegal), opposed the amendment as growth in formal employment did not always lead to a reduction in informality, and some countries did not have the conditions and means to reduce the informal economy.
- 1009.** The Government members of Bangladesh, Egypt and India opposed the amendment.
- 1010.** The Government member of the Islamic Republic of Iran supported the amendment.
- 1011.** The Government member of Uruguay noted that the discussion was about what was, or should be, expected of social security systems. He stated that the Recommendation should

go beyond the objective of promoting formal employment; it should reflect the aspiration to reduce informality, given that decent work implied formal employment.

1012. The Government member of Senegal supported the amendment.

1013. The Employer Vice-Chairperson supported the amendment although he was sensitive to the points made by the Government members of Bangladesh, India, and Zimbabwe, on behalf of the Africa group. He recalled that the need to reduce informality and to formalize the informal economy had already been discussed and agreed upon at the ILC in 2002.

1014. The Chairperson identified majority support for the amendment, which was adopted.

1015. An amendment submitted by the Employer members to insert in the first line after “employment” “, and incentivize work and entrepreneurship,” was withdrawn in view of earlier discussion.

1016. The Worker Vice-Chairperson introduced an amendment to replace “social and economic” by “social, economic and environmental”, as it was important to recognize the importance of development policies.

1017. The Employer Vice-Chairperson opposed the amendment, pointing out that, although environmental policies were important for development, the focus had to be on social and economic policies. There was also no reference to environmental policies in the preamble.

1018. The Government member of Brazil supported the amendment. She noted that the “Rio+20” Conference would soon take place, where the concept of sustainable development and its three interdependent and mutually reinforcing pillars, namely social, economic and environmental development, would be discussed. Social protection floors were an important component of the social dimension of sustainable development.

-
- 1019.** The Government member of Bangladesh opposed the amendment. He noted that the “Rio+20” discussions were ongoing so the concept of sustainable development containing the three pillars could not be used as a reference in the Recommendation.
- 1020.** The Government member of the United States supported the amendment, although the word “environmental” might not be the right word. He recognized that the discussions on “Rio+20” were ongoing and should be reflected in the Recommendation to make it a forward-looking instrument.
- 1021.** The Government members of the United Arab Emirates, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, supported the amendment.
- 1022.** The Government members of Chile, China and India preferred the original text.
- 1023.** The Employer Vice-Chairperson did not oppose the concept of sustainable development and its three pillars. However, he preferred the focus of the Paragraph to be the link between social security extension strategies and social and economic development plans. Moreover, the amendment weakened the focus of the text on the informal economy.
- 1024.** The Worker Vice-Chairperson reiterated that it was important to refer to all three pillars of sustainable development to ensure cohesion in policies. Environmental plans needed to be an integral part of development plans.
- 1025.** The Government member of Switzerland opposed the amendment for reasons of consistency as Paragraph 10 did not include a reference to environmental development plans.
- 1026.** The Chairperson identified majority support for the amendment, which was adopted.
- 1027.** Paragraph 15 was adopted as amended.

Paragraph 16

- 1028.** The Employer Vice-Chairperson introduced an amendment to delete “specifically” as disadvantaged groups and people with special needs should be covered under social security extension strategies but not necessarily under specific programmes.
- 1029.** The Worker Vice-Chairperson proposed a subamendment to replace “specifically support” by “ensure support for”, in order to ensure that disadvantaged groups and people with special needs were considered in the design of social security extension strategies.
- 1030.** The Employer Vice-Chairperson supported the subamendment.
- 1031.** The amendment was adopted as subamended.
- 1032.** The Government member of the Islamic Republic of Iran introduced an amendment, seconded by the Government member of Brazil, to insert “, children” after “groups”, in order to emphasize the importance of including children in social security extension strategies.
- 1033.** The Worker Vice-Chairperson supported the amendment, noting that notions of “disadvantaged groups” and “people with special needs” did not necessarily include all children, and that the needs of children were often overlooked in social security extension strategies.
- 1034.** Although the Employer Vice-Chairperson fully supported the focus on the needs of children in social security extension strategies, he opposed the amendment for reasons of consistency and to avoid a non-exhaustive list of groups that should be covered.
- 1035.** The Government members of Argentina, Bangladesh, the Democratic Republic of the Congo, Egypt, India and Papua New Guinea supported the amendment.

-
- 1036.** The Government members of Ethiopia, Senegal, Denmark, on behalf of the EU Member States, and the United Arab Emirates, on behalf of the GCC countries, voiced the same concerns as the Employer Vice-Chairperson and opposed the amendment.
- 1037.** The Government member of Egypt, seconded by the Government member of Chile, proposed a subamendment, to replace “disadvantaged” by “vulnerable”, and to delete “, children”.
- 1038.** The Government member of the Islamic Republic of Iran stated that children were not just one of the groups of people with special needs. There were many international conventions specifically on the rights of children.
- 1039.** The Government member of Brazil expressed a strong preference for paying special attention to children and fully supported the Government member of the Islamic Republic of Iran. Children were the future of society and were future productive workers. While vulnerable groups did include children, it made sense to mention them specifically. She did not support the subamendment proposed by the Government member of Egypt.
- 1040.** The Worker Vice-Chairperson also opposed the subamendment as the term “vulnerable” did not necessarily cover all disadvantaged people, as women could be disadvantaged while not being vulnerable.
- 1041.** The Employer Vice-Chairperson observed that, within the ILO, the term “vulnerable” was used more often than “disadvantaged”. However, he reiterated that he preferred the original text.
- 1042.** The Chairperson concluded that the subamendment was not adopted, given the lack of majority support for it.

-
- 1043.** Since there were opposing views on the amendment, the Chairperson invited the Government members to indicate their preference by a show of hands. A majority of Government members were not in favour of the amendment.
- 1044.** The amendment was not accepted.
- 1045.** In view of earlier discussion, an amendment submitted by the Government members of Argentina, Brazil, Colombia, Mexico, Uruguay and the Bolivarian Republic of Venezuela to insert “, disabilities and” after “with” was withdrawn.
- 1046.** The Government member of the Bolivarian Republic of Venezuela, on behalf also of the Government members of Argentina, Brazil, Colombia, Mexico and Uruguay, introduced an amendment to insert “, with a view to applying the principle of universality” at the end of the Paragraph, after “needs”. He noted that the principle of universality was already mentioned in Paragraph 3, within Part I, with respect to scope, but it would be useful to mention it again within Part III, on national extension strategies.
- 1047.** The Worker Vice-Chairperson supported the amendment.
- 1048.** The Employer Vice-Chairperson opposed the amendment, indicating that, by including the notion of universality as a principle in Part I, it consequently affected the extension strategies discussed in Part III. Part III described what Members should do, while Part I described why it should be done. As the “why” had already been explained, they did not want to reiterate that notion within Part III.
- 1049.** The Government members of Canada, Egypt, Norway, the United States, Denmark, on behalf of the EU Member States, the United Arab Emirates, on behalf of the GCC countries, and Zimbabwe, on behalf of the Africa group, opposed the amendment.
- 1050.** The Government member of the Islamic Republic of Iran supported the amendment.
- 1051.** The Chairperson declared that the amendment lacked majority and was thus not accepted.

1052. Paragraph 16 was adopted as amended.

New Paragraph after Paragraph 16

1053. An amendment, submitted by the Worker members, to add the following new Paragraph “Social security systems should recognize care work and provide rights and incentives for more gender-equal sharing of care responsibilities.” was withdrawn.

Paragraph 17

1054. The Government member of India, on behalf also of the Government members of Bangladesh and Nepal, introduced an amendment to replace after “set out” the rest of the sentence by “in ILO social security Conventions and Recommendations”. He argued that a more generic reference to ILO Conventions and Recommendations was more appropriate as many countries had not ratified the Social Security (Minimum Standards) Convention, 1952 (No. 102).

1055. The Worker Vice-Chairperson strongly opposed the amendment arguing that Convention No. 102 was the core Convention on social protection of the ILO and should be referred to in the Recommendation. Moreover, the Paragraph was in accordance with the 2011 Conclusions.

1056. The Employer Vice-Chairperson opposed the amendment, referring to the consensus position reached on the issue in the 2011 Conclusions.

1057. The Government members of Argentina, Brazil, Norway, Uruguay, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, opposed the amendment.

1058. The Government members of Chile and the Islamic Republic of Iran supported the amendment.

1059. The Chairperson declared that the amendment lacked majority and was thus not accepted.

1060. An amendment, submitted by the Worker members, to replace in the fourth line “or” by “and” was withdrawn.

1061. Paragraph 17 was adopted.

Paragraph 18

1062. An amendment, submitted by the Worker members, to replace in the first line “consider ratifying, as early as national circumstances allow,” by “pursue the ratification, as early as national circumstances allow, of” was withdrawn.

1063. The Government member of Chile introduced, on behalf also of the Government members of Colombia, Costa Rica, Ecuador, Mexico, Panama, Peru and Trinidad and Tobago, an amendment to replace “as early as national circumstances allow” by “in accordance with national circumstances” to better reflect the flexibility that should be provided in view of national circumstances.

1064. The Employer and Worker members opposed the amendment.

1065. The Government members of Switzerland, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group (with the exception of Tunisia), opposed the amendment.

1066. The Government member of Tunisia, and the United Arab Emirates, on behalf of the GCC countries, supported the amendment.

1067. The Chairperson declared that the amendment lacked majority and was thus not accepted.

1068. An amendment submitted by the Government members of Argentina, Brazil, Trinidad and Tobago and Uruguay, to delete in the third line “, as applicable,” was withdrawn.

1069. Paragraph 18 was adopted.

1070. Part III was adopted as amended.

Part IV. Monitoring

Title

1071. The title was adopted.

Paragraph 19

1072. The Worker Vice-Chairperson introduced an amendment to replace “involving representative organizations of employers and workers and, as appropriate, representatives of other organizations and persons concerned” by “, including the tripartite participation of representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned”. The Committee had previously agreed on that wording for two other Paragraphs in the proposed Recommendation, with regard to the forms of tripartite consultation and participation of other groups, and the amendment ensured consistency with those other Paragraphs.

1073. The Employer Vice-Chairperson supported the amendment.

1074. The Government members of Brazil, the Bolivarian Republic of Venezuela, and Zimbabwe, on behalf of the Africa group, supported the amendment.

1075. The amendment was adopted.

1076. As a result, an amendment submitted by the Government members of the Plurinational State of Bolivia, Brazil and the Bolivarian Republic of Venezuela, to delete “, as appropriate” fell.

1077. The Worker Vice-Chairperson introduced an amendment to add a new sentence at the end of the Paragraph: “Member States should regularly convene national consultations to assess progress and discuss policies to strengthen the further horizontal and vertical extension of social security.” The wording was consistent with Paragraphs 19 and 20, which said that Members should monitor progress and collect data and use standard

statistical collection methods to exchange information. There should be a regular mechanism for consultations, not only to assess progress made but also to discuss the horizontal and vertical extension of social security.

1078. The Employer Vice-Chairperson felt that the new sentence was not related to monitoring as such but he acknowledged the importance of regular consultations. He suggested a subamendment to replace “to strengthen” by “for”.

1079. The Worker Vice-Chairperson agreed with the subamendment.

1080. The Government member of Zimbabwe, on behalf of the Africa group, agreed with the subamendment, but suggested that the Committee Drafting Committee look into where the sentence should be included, so that the chronology of data collection, analysis and discussion referred to in the Paragraphs of Part IV would be respected.

1081. The question relating to the order of the sentences was referred to the Committee Drafting Committee.

1082. The amendment was adopted as subamended.

1083. Paragraph 19 was adopted as amended.

Paragraph 20

1084. The Government member of the Islamic Republic of Iran introduced an amendment, seconded by the Government member of Brazil, to insert “, analyse” after “compile” to highlight the need for data analysis in monitoring social protection floors. Dealing with raw data was insufficient; it was the insights gained from data analysis which were important for informing the decision-making processes.

1085. The Worker and Employer Vice-Chairpersons supported the amendment, as did the Government member of Egypt.

1086. The amendment was adopted.

1087. The Government member of Denmark introduced, on behalf of the EU Member States, an amendment to replace “a complete range of social security data, statistics and indicators” by “an appropriate range of social security data, and national and international data, statistics and indicators”. The new wording was more realistic since it might be problematic to collect “complete” data.

1088. The Worker and the Employer Vice-Chairpersons supported the amendment.

1089. The Government member of the United States supported the idea of changing “complete” to “appropriate” but wondered why countries should collect “international” data. International statistics were not published in the national social security statistics of the United States.

1090. The Worker Vice-Chairperson proposed a subamendment to delete “, and national and international”.

1091. The Employer Vice-Chairperson supported the subamendment.

1092. The Government members of Bangladesh and India also supported the subamendment.

1093. The Government member of Tunisia said there was a redundancy in the wording of the original amendment in listing “data, statistics and indicators”. He introduced a further subamendment to change the wording to “range of social security statistical data and indicators”. The subamendment was not seconded and therefore was not discussed.

1094. The Government members of Canada, and Zimbabwe, on behalf of the Africa group, supported the subamendment introduced by the Worker members.

1095. The amendment was adopted as subamended.

-
- 1096.** As a result, an amendment submitted by the Government members of Bangladesh, India and Nepal, to delete “a complete range of”, fell.
- 1097.** The Worker Vice-Chairperson introduced an amendment to add at the end of the Paragraph “disaggregated by gender”. The issue had been extensively discussed and it was widely recognized, including through other UN instruments, that it was important to be able to identify the status of women and to analyse whether social protection provisions were reaching women.
- 1098.** The Employer Vice-Chairperson supported the amendment, as did the Government member of Mexico.
- 1099.** The Government member of the United States expressed his support for the amendment and introduced a subamendment, seconded by the Government member of Australia, to include a reference to disaggregate data collection also by disadvantaged groups, by adding “and considering their international obligations to present the statistics of certain groups”. There was a need to disaggregate data but not just by gender. The exact groups had been agreed upon by governments in other conventions and international bodies and the discussion did not need to be repeated here. However, social security should be extended to excluded groups in particular and it was necessary to collect the related data to monitor whether or not that was being achieved. It would also be consistent with other Paragraphs of the proposed Recommendation where the Committee had wished to make a more inclusive reference to disadvantaged groups, such as persons with disabilities.
- 1100.** The Worker Vice-Chairperson agreed in principle and suggested a further subamendment to replace “of certain groups” by “on other particular groups”, which in her view would fit better with the disaggregation of data.
- 1101.** The Employer Vice-Chairperson agreed but expressed interest in listening to the views of Government members.

-
- 1102.** The Government member of India was not aware of any international obligations regarding such disaggregation and felt the Committee was going into unnecessary detail as governments would in any case undertake analysis and disaggregation by gender, age or other groups as required in their national context.
- 1103.** The Government member of Bangladesh concurred with the previous speaker.
- 1104.** The Government member of Denmark, on behalf of the EU Member States, supported the subamendment.
- 1105.** The Government member of Brazil strongly endorsed the disaggregation of data by gender and the addition of further areas for disaggregation, such as race, age or region. However, she disagreed with the wording suggested by the Government member of the United States. Data disaggregation was important not as an international obligation but as a means of providing countries with information necessary for monitoring and adjusting their social protection systems. She invited the Committee to find a better formulation.
- 1106.** The Employer Vice-Chairperson highlighted that Paragraph 21 of the proposed Recommendation already dealt with the guidance of the ILO and other international organizations on producing statistics; he therefore felt it was not necessary to include an additional reference to international obligations in Paragraph 20.
- 1107.** The Worker Vice-Chairperson withdrew the subamendment.
- 1108.** The Government member of the United States observed that countries that did not adopt the related UN Conventions indeed did not have an international obligation to collect data disaggregated by specific groups. Recalling the wording used elsewhere in the proposed Recommendation, he suggested a further subamendment, seconded by the Government member of Ghana, to add “and by disadvantaged groups” after “disaggregated by gender”. Without that data, monitoring was impossible and the Committee had agreed on the key importance of monitoring progress in the implementation of social protection floors.

-
- 1109.** The Worker Vice-Chairperson supported the subamendment.
- 1110.** The Employer Vice-Chairperson expressed concern that the Paragraph was losing clarity as it was not clear what “disadvantaged groups” referred to.
- 1111.** The Government member of Iraq noted that social security extension was not just about gender and disadvantaged groups but related to other population groups as well.
- 1112.** The Government member of Argentina proposed a further subamendment, seconded by the Government member of Brazil, to replace “by disadvantaged groups” with “and by specific groups, as appropriate”.
- 1113.** The Employer Vice-Chairperson remarked that, after the previous subamendment, the Paragraph read “collect appropriate data ... as appropriate”, in which case he preferred the original wording.
- 1114.** The Government member of the United Arab Emirates, on behalf of the GCC countries, supported the original text. Statistics should concern all groups, not just disadvantaged groups. Therefore, the Paragraph should not include a long list.
- 1115.** The Government members of South Sudan and Tunisia supported the original amendment, which highlighted the importance of gender disaggregation; they did not agree with the mentioning of other groups.
- 1116.** The Government member of Papua New Guinea supported the subamendment as she considered it important to disaggregate data by different target groups.
- 1117.** The Government member of Namibia preferred to retain the original text. Countries had their own standards for the collection, compilation and publication of data, including disaggregation by gender and specific groups as necessary. There was no need for further specification in the proposed Recommendation.

-
- 1118.** The Government members of Egypt, and Denmark, on behalf of the EU Member States, pointed out that the main target groups were referred to in other Paragraphs and that it was unnecessary to repeat them in Paragraph 20. They supported the reference to disaggregation by gender, as proposed in the Worker members' original amendment.
- 1119.** The Government member of the United States explained that Paragraph 20 addressed monitoring. Countries would not be able to monitor whether or not their social security schemes supported the target groups as outlined in Paragraph 16 unless they had the related disaggregated data available. It was thus not redundant to include that reference also in Paragraph 20. Many countries did not provide sufficiently disaggregated data on their social security schemes, even if they had ratified conventions on statistics.
- 1120.** The Government member of Canada strongly supported both the original amendment and the subamendment.
- 1121.** The Government member of Bangladesh, on behalf also of the Government member of India, agreed with the reference to "appropriate range of data" because it allowed for the type of data disaggregation that was needed. Where other Paragraphs included references to people with special needs, it was understood that the statistics should be disaggregated accordingly. He supported the amendment to disaggregate data by gender.
- 1122.** The representative of the Secretary-General suggested the following: "... Members should regularly collect, compile, analyse and publish an appropriate range of appropriately disaggregated social security data, statistics and indicators, inter alia, by gender."
- 1123.** The Worker and Employer Vice-Chairpersons agreed with the text proposed by the representative of the Secretary-General.
- 1124.** The Government member of Brazil highlighted that the wording of the proposal still included the word "appropriate" twice, a concern expressed earlier by the Employer

Vice-Chairperson. More importantly, rather than highlighting the importance of gender, the wording now downgraded it to being only one aspect among others to be considered.

- 1125.** The Worker Vice-Chairperson proposed another subamendment, which would address both issues raised by the Government member of Brazil, to replace the last part of the text, after “compile, analyse and publish”, with “appropriately disaggregated range of social security data, statistics and indicators, including by gender”.
- 1126.** The Employer Vice-Chairperson conceded that he had agreed too quickly to the previous proposal. He wished first to hear from Government members.
- 1127.** The Government member of Iraq stated that, if “gender” were to be included, other groups should also be included, such as persons with disabilities and the elderly, among others.
- 1128.** The Government member of Japan pointed out that the word “appropriate”, mentioned twice, did not refer to the same part of the text. In the first instance, it referred to “the range” and in the second to “groups”. Both were needed. He supported the proposal put forward by the secretariat.
- 1129.** The Worker Vice-Chairperson agreed that the word “appropriate” could be used twice. As long as gender-disaggregated data were included, the Worker members could support any wording agreed by the Committee.
- 1130.** The Government member of Switzerland supported the original amendment submitted by the Worker members. The wording of the latest subamendment raised a syntactical issue in that statistics and data could be disaggregated but not the range of the data compiled, published and analysed. She suggested a further subamendment for the end of the sentence to read “... Members should regularly collect, compile, analyse and publish an appropriate range of social security data, statistics and indicators, disaggregated, in particular, by gender”.

1131. The Government member of Denmark, on behalf of the EU Member States, supported the original amendment submitted by the Worker members.

1132. The Worker and Employer Vice-Chairpersons supported the new subamendment.

1133. The Government member of the United States observed that the words “in particular” were not necessary as the subamendment only referred to one group. Part IV, on monitoring, was a vital part of the proposed Recommendation and it was crucial to provide the related necessary data. The wording “appropriately disaggregated data” was an elegant way of referring to the groups identified in other parts of the text.

1134. The Government member of Spain questioned the Spanish use of the word “género”. In their view, the word “sexo” would be a better word to express what was intended.

1135. The amendment was adopted as subamended.

1136. Paragraph 20 was adopted as amended.

New Paragraph after Paragraph 20

1137. The Government member of the United States introduced, on behalf also of the Government members of Canada and the Republic of Korea, an amendment to add the following new Paragraph: “Members should establish a legal framework to secure and protect the private individual information contained in their social security data systems.” He explained that the amendment referred to the nature of the individual data collected to administer a system, which was often sensitive and had to be protected. He provided the example of data collected in health-care systems, containing information on the medical condition of individuals. Such personal data needed to be protected, not only to ensure people’s confidence to participate in the system but also to protect sensitive data of enterprises, such as data on their wage structure, which may be considered as trade secrets. He added that the amendment did not refer to aggregate data, but rather to personal, individualized information.

1138. The Employer and Worker members supported the amendment.

1139. The Government members of Japan, Thailand, and Zimbabwe, on behalf of the Africa group, voiced support for the amendment.

1140. The amendment was adopted.

Paragraph 21

1141. The Government member of Bangladesh, on behalf also of the Government members of India and Nepal, withdrew an amendment which had sought to insert “, as appropriate,” after “in particular” and to delete “, and, as appropriate, by other international organizations”.

1142. The Worker Vice-Chairperson reintroduced the amendment as she considered it more appropriate than a subsequent amendment her group had intended to introduce. The phrase “as appropriate” was necessary, and it was not limiting as it referred to how to collect data.

1143. The Employer members supported the amendment.

1144. The Chairperson identified majority support for the amendment, which was adopted.

1145. Consequently, an amendment submitted by the Worker members to add “as suggested by the ILO” at the end of the Paragraph, was withdrawn.

1146. The Government member of the Islamic Republic of Iran, seconded by the Government member of Zimbabwe, on behalf of the Africa group, introduced an amendment to move Paragraph 21 to before Paragraph 20, indicating that the suggested order was more logical since guidelines related to data collection naturally came before actual data collection.

1147. The amendment was referred to the Committee Drafting Committee.

1148. Paragraph 21 was adopted as amended.

Paragraph 22

- 1149.** The Government member of Canada introduced, on behalf also of the Government member of the United States, an amendment to replace “should” by “may” to reflect more accurately the intent of Part IV. The aim of Part IV was for the information collected to be provided to the ILO and shared with other international organizations.
- 1150.** The Worker Vice-Chairperson proposed a subamendment to replace “may” by “are encouraged to”.
- 1151.** The Employer Vice-Chairperson asserted that the Paragraph should focus not only on data collection as such, but also on the sharing of the collected information and expertise. Therefore, the Employer members opposed the original amendment and supported the subamendment proposed by the Worker members.
- 1152.** The Government members of Tunisia, Denmark, on behalf of the EU Member States, and Zimbabwe, on behalf of the Africa group, voiced support for the subamendment proposed by the Worker members.
- 1153.** The Government member of the United Arab Emirates, on behalf of the GCC countries, supported both the amendment and subamendment.
- 1154.** The Chairperson identified majority support for the subamendment, which was adopted.
- 1155.** The Government member of Denmark introduced, on behalf of the EU Member States, an amendment to insert “(1)” after “22.”, and, at the end of the Paragraph, to add a new subparagraph as follows: “(2) Members may seek technical assistance from the International Labour Office and other relevant international organizations, in accordance with their respective mandates, in the implementation of this Recommendation.” She explained that technical assistance from the ILO and other international organizations was essential to implement social protection floors.

1156. The Worker Vice-Chairperson supported the amendment.

1157. The Employer Vice-Chairperson found the point somewhat self-evident, and inquired what precisely was meant by “in accordance with their respective mandates,”. It was not clear whether it referred to the mandates of the ILO and other international organizations, or to those of the Members.

1158. The Government member of Denmark, on behalf of the EU Member States, replied that the intended meaning was the mandates of the international organizations.

1159. The Government member of Bangladesh voiced support for the amendment. He mentioned that he had recently attended the thirteenth session of the United Nations Conference on Trade and Development (UNCTAD XIII), at which UNCTAD had been given the mandate to work on social protection floors in line with ILO initiatives. He therefore recognized the relevance of the proposed amendment.

1160. The Worker Vice-Chairperson proposed a subamendment to delete “in accordance with their respective mandates,” to avoid confusion about whose mandates were being referred to.

1161. The Employer Vice-Chairperson supported the subamendment as it made the text much clearer.

1162. The Government member of the United States did not support the subamendment and preferred to retain the text proposed by the EU Member States, as there was a need to be clear about international organizations and their mandates.

1163. The Government member of Bangladesh stated that deleting the reference could create problems; for example, there had been debate at UNCTAD XIII on how to incorporate the work on social protection floors in their mandate, and the balance that had been achieved had been delicate.

1164. The Worker Vice-Chairperson withdrew the subamendment.

1165. The Employer Vice-Chairperson noted that, while the French wording was correct, the English wording could be confusing. He therefore proposed a subamendment to replace “in accordance with their respective mandates,” by “in accordance with the respective mandates of those organizations,” to make it clear that the mandates referred to the international organizations.

1166. It was agreed to refer the matter to the Committee Drafting Committee.

1167. The amendment was adopted as subamended.

1168. Paragraph 22 was adopted as amended.

1169. Part IV was adopted as amended.

1170. Since all Paragraphs of the proposed Recommendation had been adopted, the entire proposed Recommendation, subject to any changes made by the Committee Drafting Committee, was adopted.

Adoption of a draft resolution concerning efforts to make social protection floors a national reality worldwide

1171. The Government member of Zimbabwe, on behalf of the Africa group, invited the Committee to consider a draft resolution, the intention of which was to facilitate and promote the implementation of social protection floors. After a number of Committee members had submitted written comments, a revised text was presented to the Committee by the secretariat.

1172. After a brief discussion of the three revisions proposed, the draft resolution was adopted.

Proposed Recommendation concerning national floors of social protection

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 101st Session on 30 May 2012, and

Reaffirming that the right to social security is a human right, and

Acknowledging that the right to social security is, along with promoting employment, an economic and social necessity for development and progress, and

Recognizing that social security is an important tool to prevent and reduce poverty, inequality, social exclusion and social insecurity, to promote equal opportunity and gender and racial equality, and to support the transition from informal to formal employment, and

Considering that social security is an investment in people that empowers them to adjust to changes in the economy and in the labour market, and that social security systems act as automatic social and economic stabilizers, help stimulate aggregate demand in times of crisis and beyond, and help support a transition to a more sustainable economy, and

Considering that the prioritization of policies aimed at sustainable long-term growth associated with social inclusion helps overcome extreme poverty and reduces social inequalities and differences within and among regions, and

Recognizing that the transition to formal employment and the establishment of sustainable social security systems are mutually supportive, and

Recalling that the Declaration of Philadelphia recognizes the solemn obligation of the International Labour Organization 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”, and

Considering the Universal Declaration of Human Rights, in particular Articles 22 and 25, and the International Covenant on Economic, Social and Cultural Rights, in particular Articles 9, 11 and 12, and

Considering also ILO social security standards, in particular the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Income Security Recommendation, 1944 (No. 67), and the Medical Care Recommendation, 1944 (No. 69), and noting that these standards are of continuing relevance and continue to be important references for social security systems, and

Recalling that the ILO Declaration on Social Justice for a Fair Globalization recognizes that “the commitments and efforts of Members and the Organization to implement the ILO’s constitutional mandate, including through international labour standards, and to place full and productive employment and decent work at the centre of economic and social policies, should be based on ... (ii) developing and enhancing measures of social protection ... which are sustainable and adapted to national circumstances, including ... the extension of social security to all”, and

Considering the resolution and Conclusions concerning the recurrent discussion on social protection (social security) adopted by the International Labour Conference at its 100th Session (2011), which recognize the need for a Recommendation complementing existing ILO social security standards and providing guidance to Members in building social protection floors tailored to

national circumstances and levels of development, as part of comprehensive social security systems, and

Having decided upon the adoption of certain proposals with regard to social protection floors, which are the subject of the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation;

adopts this ... day of June of the year two thousand and twelve the following Recommendation, which may be cited as the Social Protection Floors Recommendation, 2012.

I. OBJECTIVES, SCOPE AND PRINCIPLES

1. This Recommendation provides guidance to Members to:

- (a) establish and maintain, as applicable, social protection floors as a fundamental element of their national social security systems; and
- (b) 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.

2. For the purpose of this Recommendation, social protection floors are nationally defined sets of basic social security guarantees which secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion.

3. Recognizing the overall and primary responsibility of the State in giving effect to this Recommendation, Members should apply the following principles:

-
- (a) universality of protection, based on social solidarity;
 - (b) entitlement to benefits prescribed by national law;
 - (c) adequacy and predictability of benefits;
 - (d) non-discrimination, gender equality and responsiveness to special needs;
 - (e) social inclusion, including of persons in the informal economy;
 - (f) respect for the rights and dignity of people covered by the social security guarantees;
 - (g) progressive realization, including by setting targets and time frames;
 - (h) solidarity in financing while seeking to achieve an optimal balance between the responsibilities and interests among those who finance and benefit from social security schemes;
 - (i) consideration of diversity of methods and approaches, including of financing mechanisms and delivery systems;
 - (j) transparent, accountable and sound financial management and administration;
 - (k) financial, fiscal and economic sustainability with due regard to social justice and equity;
 - (l) coherence with social, economic and employment policies;
 - (m) coherence across institutions responsible for delivery of social protection;
 - (n) high-quality public services that enhance the delivery of social security systems;
 - (o) efficiency and accessibility of complaint and appeal procedures;
 - (p) regular monitoring of implementation, and periodic evaluation;

-
- (q) full respect for collective bargaining and freedom of association for all workers; and
 - (r) tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned.

II. NATIONAL SOCIAL PROTECTION FLOORS

4. Members should, in accordance with national circumstances, establish as quickly as possible and maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level.

5. The social protection floors referred to in Paragraph 4 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.

6. Subject to their existing international obligations, Members should provide the basic social security guarantees referred to in this Recommendation to at least all residents and children, as defined in national laws and regulations.

7. Basic social security guarantees should be established by law. National laws and regulations should specify the range, qualifying conditions and levels of the benefits giving effect to these guarantees. Impartial, transparent, effective, simple, rapid, accessible and inexpensive complaint and appeal procedures should also be specified. Access to complaint and appeal procedures should be free of charge to the applicant. Systems should be in place that enhance compliance with national legal frameworks.

8. When defining the basic social security guarantees, Members should give due consideration to the following:

- (a) persons in need of health care should not face hardship and an increased risk of poverty due to the financial consequences of accessing essential health care. Free prenatal and postnatal medical care for the most vulnerable should also be considered;
- (b) basic income security should allow life in dignity. Nationally defined minimum levels of income may correspond to the monetary value of a set of necessary goods and services, national poverty lines, income thresholds for social assistance or other comparable thresholds established by national law or practice, and may take into account regional differences;
- (c) the levels of basic social security guarantees should be regularly reviewed through a transparent procedure that is established by national laws, regulations or practice, as appropriate; and
- (d) in regard to the establishment and review of the levels of these guarantees, tripartite participation with representative organizations of employers and workers, as well as

consultation with other relevant and representative organizations of persons concerned, should be ensured.

9. (1) In providing the basic social security guarantees, Members should consider different approaches with a view to implementing the most effective and efficient combination of benefits and schemes in the national context.

(2) Benefits may include child and family benefits, sickness and health-care benefits, maternity benefits, disability benefits, old-age benefits, survivors' benefits, unemployment benefits and employment guarantees, and employment injury benefits as well as any other social benefits in cash or in kind.

(3) Schemes providing such benefits may include universal benefit schemes, social insurance schemes, social assistance schemes, negative income tax schemes, public employment schemes and employment support schemes.

10. In designing and implementing national social protection floors, Members should:

- (a) combine preventive, promotional and active measures, benefits and social services;
- (b) promote productive economic activity and formal employment through considering policies that include public procurement, government credit provisions, labour inspection, labour market policies and tax incentives, and that promote education, vocational training, productive skills and employability; and
- (c) ensure coordination with other policies that enhance formal employment, income generation, education, literacy, vocational training, skills and employability, that reduce precariousness, and that promote secure work, entrepreneurship and sustainable enterprises within a decent work framework.

11. (1) 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.

(2) In applying such methods, Members should consider the need to implement measures to prevent fraud, tax evasion and non-payment of contributions.

12. National social protection floors should be financed by national resources. Members whose economic and fiscal capacities are insufficient to implement the guarantees may seek international cooperation and support that complement their own efforts.

III. NATIONAL STRATEGIES FOR THE EXTENSION OF SOCIAL SECURITY

13. (1) Members should formulate and implement national social security extension strategies, based on national consultations through effective social dialogue and social participation. 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.

(2) For this purpose, Members should progressively build and maintain comprehensive and adequate social security systems coherent with national policy objectives and seek to coordinate social security policies with other public policies.

14. When formulating and implementing national social security extension strategies, Members should:

- (a) set objectives reflecting national priorities;
- (b) identify gaps in, and barriers to, protection;
- (c) seek to close gaps in protection through appropriate and effectively coordinated schemes, whether contributory or non-contributory, or both, including through the extension of existing contributory schemes to all concerned persons with contributory capacity;
- (d) complement social security with active labour market policies, including vocational training or other measures, as appropriate;
- (e) specify financial requirements and resources as well as the time frame and sequencing for the progressive achievement of the objectives; and
- (f) raise awareness about their social protection floors and their extension strategies, and undertake information programmes, including through social dialogue.

15. Social security extension strategies should apply to persons both in the formal and informal economy and support the growth of formal employment and the reduction of informality, and should be consistent with, and conducive to, the implementation of the social, economic and environmental development plans of Members.

16. Social security extension strategies should ensure support for disadvantaged groups and people with special needs.

17. When building comprehensive social security systems reflecting national objectives, priorities and economic and fiscal capacities, Members should aim to achieve the range and levels of benefits set out in the Social Security (Minimum Standards)

Convention, 1952 (No. 102), or in other ILO social security Conventions and Recommendations setting out more advanced standards.

18. Members should consider ratifying, as early as national circumstances allow, the Social Security (Minimum Standards) Convention, 1952 (No. 102). Furthermore, Members should consider ratifying, or giving effect to, as applicable, other ILO social security Conventions and Recommendations setting out more advanced standards.

IV. MONITORING

19. Members should monitor progress in implementing social protection floors and achieving other objectives of national social security extension strategies through appropriate nationally defined mechanisms, including tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned.

20. Members should regularly convene national consultations to assess progress and discuss policies for the further horizontal and vertical extension of social security.

21. For the purpose of Paragraph 19, Members should regularly collect, compile, analyse and publish an appropriate range of social security data, statistics and indicators, disaggregated, in particular, by gender.

22. In developing or revising the concepts, definitions and methodology used in the production of social security data, statistics and indicators, Members should take into consideration relevant guidance provided by the International Labour Organization, in particular, as appropriate, the resolution concerning the development of social security statistics adopted by the Ninth International Conference of Labour Statisticians.

23. Members should establish a legal framework to secure and protect private individual information contained in their social security data systems.

24. (1) Members are encouraged to exchange information, experiences and expertise on social security strategies, policies and practices among themselves and with the International Labour Office.

(2) In implementing this Recommendation, Members may seek technical assistance from the International Labour Organization and other relevant international organizations in accordance with their respective mandates.

DRAFT

Annex

Resolution concerning efforts to make social protection floors a national reality worldwide

The General Conference of the International Labour Organization, meeting at its 101st Session, 2012,

Having adopted the Social Protection Floors Recommendation, 2012,

Recognizing the crucial role of social protection in social and economic development and notably in combating poverty, vulnerability, social exclusion and realizing decent work for all,

1. Invites governments, employers and workers jointly to give full effect to the Social Protection Floors Recommendation as soon as national circumstances permit;

2. Invites the Governing Body of the International Labour Office to request the Director-General to implement, subject to the availability of resources, cost-effective measures aimed at:

- (a) promoting, through appropriate awareness-raising initiatives, the widespread implementation of the Recommendation;
- (b) building the capacity of governments and employers' and workers' organizations to enable them to design, implement, monitor and evaluate national social protection floor policies and programmes;
- (c) supporting governments and employers' and workers' organizations in their efforts to implement national social protection floors through:
 - the facilitation of sharing of knowledge, information and good practices on social protection among Members; and
 - technical cooperation and advice;
- (d) supporting national dialogue processes on the design and implementation of national social protection floors; and
- (e) intensifying cooperation and coordination of support to Members with other relevant international organizations and employers' and workers' organizations, as well as with other relevant and representative organizations of persons concerned, for the development of national social protection strategies.