

EVENT

Social Security as a Human Right Imperative: Panel Session at the African Commission on Human and Peoples' Rights (30 April 2018)

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During the 62nd Ordinary Session of the African Commission on Human and Peoples' Rights, held in April in Nouakchott, Mauritania, the Dullah Omar Institute (DOI) convened a Panel Session on Social Security as a Human Right Imperative on 30 April 2018, an event organised in conjunction with the Initiative for Social and Economic Rights (ISER), the Global Coalition on Social Protection Floors, and the Working Group on Economic, Social and Cultural Rights of the African Commission (the Working Group).

The panel session aimed at raising awareness among states and other stakeholders on the human-rights importance of social protection measures; educate them on the relevance of International Labour Organisation (ILO) Recommendation 202 on social protection Floors in addressing poverty and inequality; and stimulate debate on the provisions of the Draft Protocol to the African Charter on the Right to Social Security/Protection.

The panel was moderated by Commissioner Jasmine King, the Chairperson of the Working Group. In her opening remarks on the relevance of social security and its protection as a human rights imperative in Africa, she emphasised the need for states to embrace a rights-based approach to social security in Africa, as the goals of Agenda 2063 could not be achieved without social protection.

Commissioner King noted that the ILO welcomed the draft Protocol on social security for the continent and looked forward to its implementation. She also

noted if that the Protocol is to make a difference to the people of Africa, states have to play a pivotal role in implementing and monitoring redress mechanisms. The political will to implement the Protocol was crucial to its successful impact on the livelihoods of many across the continent.

The first presentation, by Allana Kembabazi of ISER, was entitled 'Draft Protocol to the African Charter on Social Security and Protection: Lessons for Uganda', and explained why the Protocol was a welcome development in that country. In turn, the second presentation, by Oluwafunmilola Adeniyi, a joint representative of the DOI and Global Coalition for Social Protection Floors, dealt with the relevance of ILO Recommendation 202 on Social Protection Floors in addressing poverty and inequality on the continent.

The presentation discussed the ILO's approach to social protection floors, focusing on the basic principles of universality of protection; non-discrimination; adequacy and predictability of benefits; social inclusion; respect for the dignity of persons; progressive realisation; transparency and accountability; sustainability; diversity of methods and approaches; monitoring; and participation and consultation.

In its conclusion, Adeniyi's presentation noted that member states are obliged to report to the African Commission on their progress in realising human rights, including socio-economic rights. Taking into account that the majority of member states

are also members of the ILO, the implementation of national social protection floors under the ILO 202 recommendations is subject to other international obligations, among them the regional obligations in terms of the Protocol. It was therefore recommended that the Commission require that states, in meeting their reporting duties, use the ILO 202 recommendations as a basis for reporting on progress made in ensuring social protection for their residents.

In summary, the presentations emphasised the parameters of a rights-based approach to social security and how the draft Protocol entrenches this. They also highlighted the need for African states to move from a piecemeal, welfarist approach to social protection to a coordinated, rights-based one.

In response to the presentations, several state representatives foregrounded their efforts towards social protection for vulnerable groups, but a common thread was that coordination among these efforts seemed to be missing; likewise, in some instances the right-based approach appeared to be missing too.

More widely, participants questioned whether the draft Protocol contained funding mechanisms, including minimum budgetary allocations, that



Presentations highlighted the need for a rights-based approach

states could employ to ensure the sustenance of social protection measures they adopted. Participants also questioned whether the draft Protocol included provisions to combat corruption and the diversion of resources allocated for social protection.

The panel discussion was timely as it set the scene for further discussion among stakeholders, including civil society groups and state representatives, about the draft Protocol on Social Security and Protection. It is hoped that some of the issues raised in the discussion are taken into consideration when the Protocol is finalised.

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