



▶ The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102)

▶ The relevance of C102 for trade unions

- ▶ Two ideas are behind the Social Security (Minimum Standards) Convention, 1952 (No. 102):
 - C102 is the **only international instrument that establishes worldwide-agreed qualitative and quantitative minimum standards for all nine branches of social security**. The Convention establishes also common rules of collective organization, financing and management of social security systems, as well as principles of good governance of the systems, including the representation of workers' representatives, under the general responsibility of the State. C102, together with R202, plays a **central role for the achievement of Sustainable Development Goals (SDG) 1 and 3**.
 - **Effective social dialogue enables the representative participation in the policy-making process of the people most directly concerned**. The involvement of the social partners helps ensuring that social protection policies are legitimate, fair and adapted to the real needs and priorities of workers and employers. C102 contributes to building a culture of social dialogue particularly useful in periods of crisis.
- ▶ For these two reasons, it is crucial that workers' organisations are involved in crafting crisis responses: the impact of the COVID-19 pandemic goes at the very heart of their *raison d'être*, and their involvement will ensure societies that are, in the future, better adjusted to their needs and demands.
- ▶ C102 is an international treaty. Where ratified, governments are legally bound by its provisions, which contributes to prevent back-sliding. Workers' organisations should thus promote the ratification of the Convention.¹ In countries where it is not ratified, it should act as a guiding framework for governments when developing social security policies and legislation. In this regard, workers' organisations may rely on the Convention to remind member States of the commitment they took at the ILC when they adopted C102. The Convention was adopted with a large majority of all – governments, employers and workers. They can thus request that it is taken into account.

▶ The relevance of the C102 in times of the COVID-19 crisis

The COVID-19 pandemic, which originated as a public health crisis, has developed into a global social and economic crisis, with severe and potentially lasting impacts on economies, employment and livelihoods. Hundreds of thousands of jobs are now in peril. The crisis will likely inflict a tremendous human cost and in the absence of adequate social protection systems, it will exacerbate poverty and inequality, affecting even more those who are already the vulnerable.

Social security systems have proven to be **powerful mechanisms to mitigate the negative impact of crises and beyond**. Social security protects and empowers people, increases resilience, while at the same time it contributes to boosting economic demand and accelerating recovery. It plays a crucial role in furthering social cohesion and inclusion, equality and social justice, as well as sustainable social and economic development.

¹ <https://www.social-protection.org/gimi/RessourcePDF.action?ressource.ressourceId=55196>.

To mitigate the worst direct impact of this crisis, governments are expanding access to health care, as well as to emergency sickness and unemployment benefits. However, this should be just a first step. Governments must use the momentum created by the current crisis to make rapid progress toward collectively financed, comprehensive, and universal social-protection systems.²

C102 is globally recognized as a key reference for the design of rights-based, sound and sustainable social protection systems. It sets a framework of common social security principles on which any social security system should be based. It provides guidance to countries on how to ensure effective access to health care coverage, and sets minimum standards for the nine social security branches, which include sickness benefits and unemployment protection. In addition, it allows for the step-by-step extension of social security coverage by ratifying countries.

► The content of C102 in a nutshell³

► C102 covers all nine branches of social security, which are:

- medical care;
- sickness benefit;
- unemployment benefit;
- old-age benefit;
- employment injury benefit;
- family benefit;
- maternity benefit;
- invalidity benefit; and
- survivors' benefit.

► While C102 makes provision for each of these branches, **it requires that only three of them be ratified by member States**, which allows for the step-by-step extension of social security coverage by ratifying countries.

► **The minimum objectives of the Convention** relate, for all the nine branches, to the percentage of the population protected by social security schemes, the level of the minimum benefit to be secured to protected persons, as well as to the conditions for entitlement and period of entitlement to benefits.

► **Convention No. 102 does not prescribe how to reach these objectives but leaves certain flexibility to the member State.** They can be reached through:

- universal schemes;
- social insurance schemes with earnings related or flat rate components or both;
- social assistance schemes.

► The principles anchored in Convention No. 102 are:

- guarantee of defined benefits;
- participation of workers and employers in the administration of the schemes;
- general responsibility of the state for the due provision of the benefits and the proper administration of the institutions;
- collective financing of the benefits by way of insurance contributions or taxation.

► C102 also requires regular actuarial valuations to be carried out, to ensure the long-term sustainability of the schemes.

► C102 has a strong social dialogue component as it lays down that social security schemes be administered on a representative basis, which aims at **ensuring that workers' needs are taken into account in the decision making process**. It also aims at strengthening social dialogue between Governments, workers and employers, making it even more relevant to workers and their representatives.

► If C102 has been ratified by a country, national workers' organisations are to comment on the regular government's report on the implementation of the Convention (Art. 23 of the ILO Constitution).⁴ Workers play thus a central role in supplying first-hand information for the legal evaluation and correction of cases of non-compliance.

2 https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_739678/lang--en/index.htm.

3 https://www.ilo.org/secsoc/areas-of-work/legal-advice/WCMS_205340/lang--en/index.htm, and for further reading see *General Survey concerning social security instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization*, ILO 2011, https://www.ilo.org/wcmsp5/groups/public/-ed_norm/---relconf/documents/meetingdocument/wcms_152602.pdf.

4 https://www.ilo.org/wcmsp5/groups/public/-ed_norm/---normes/documents/publication/wcms_697949.pdf