

**Contribution of the UN Special Rapporteur on extreme poverty and human rights,
Olivier De Schutter, to the 2021 HLPF Thematic Review Expert Group Meeting**

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1. The eradication of poverty (SDG1) and the fight against inequalities (SDG10) call for the universalization of social protection floors, defined as basic social security guarantees covering, as a minimum, healthcare and basic income security throughout a person's life. Universal social protection floors must be grounded in the recognition that the right to social security is a human right. This requires moving away from *ad hoc* cash transfer systems, often improvised in times of crisis and perceived as depending on governmental charity and on the state of public finances, and towards rights-based entitlements that individuals may claim before independent bodies.

2. During the COVID-19 pandemic, the Special Rapporteur assessed the social protection responses of governments around the world.¹ He found that, while an impressive number of measures had been issued to cushion the shock, most of them were not in line with human rights standards, including deficient to non-existent transparency, accountability, and participation mechanisms, and measures that were maladapted, short-term, and inattentive to the realities of people in poverty. The Special Rapporteur called for recovery plans to prioritize the most vulnerable, protect societies from extreme inequality, and provide proactive and systemic responses to protect their populations.

3. Importantly, adopting a rights-based approach is an essential safeguard against corruption and discrimination, ensuring that all intended beneficiaries will be reached and will not be denied the support that is intended to help them. A rights-based approach to social protection, in turn, needs to rely on robust public institutions for the delivery of social services that the public may trust. In that sense, SDG16 can support SDG 1 and SDG10.

4. However, there are a number of obstacles to this potentially virtuous relationship between SDGs 16, 1, and 10.

5. First, data is lacking for a number of targets and indicators within SDG 16, making it difficult to properly assess progress with regard to its impacts on the effectiveness of social protection. For example, target 16.4 contains the pledge to "significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all

¹ UN Special Rapporteur on extreme poverty and human rights, Olivier De Schutter, *Looking back to look ahead: A rights-based approach to social protection in the post-COVID-19 economic recovery*, September 11, 2020. Available at: <https://www.ohchr.org/Documents/Issues/Poverty/Covid19.pdf>

forms of organized crime", and illicit financial flows are the subject of indicator no.1 associated with this target. Illicit financial flows have a direct impact on countries' budgets and therefore on their ability to fund social protection. Yet no data is currently available to track progress on this indicator.² Similarly, data is lacking for SDG target 16.6 ("Develop effective, accountable and transparent institutions ") in its indicator no. 2 (satisfaction with public services); for SDG target 16.7 ("Ensure responsible, inclusive, and representative decision-making ") in its indicators no. 1 (representation in public institutions) and 2 (inclusive decision-making); and for SDG indicator 16.B.1 (on public discrimination),³ all of which impact the quality of public service delivery, including social services. All of these targets, with their respective indicators, are critical for the effective delivery of social protection. Tracking progress for SDG targets and indicators must therefore be understood as a way of monitoring implementation of the right to social security, as part of States' obligations arising from international human rights law.

6. Second, national social protection systems, and social registries in particular, constitute a key part of public administrations; yet in many circumstances, including sudden crises such as the COVID-19 pandemic, they are not equipped to be scaled up rapidly enough to reach large numbers of additional beneficiaries.⁴ Social registries often have "fixed lists" of registrants and program beneficiaries containing outdated information and only partial population coverage.⁵ Registration at birth (SDG indicator 16.9.1) is an important solution to this challenge, and therefore for the realization of the right to social security. Population registries in many low-income countries have large gaps, and this constitutes a major obstacle for their ability to deliver social protection effectively to their populations.⁶ For example, while 70.6 per cent of children under 5 are registered globally, only 45.1 per cent of Sub-Saharan Africa children have had their births registered.⁷ Improving capacity in this area is essential for the assessment of needs, to ensure all potential beneficiaries are identified and made aware of their entitlements, and for the effective rolling out of social protection schemes.

² See <https://sdg-tracker.org/peace-justice#targets>

³ SDG Tracker, Sustainable Development Goal 16: Promote just, peaceful and inclusive societies. Available at: <https://sdg-tracker.org/peace-justice#targets>

⁴ See the upcoming thematic report of the Special Rapporteur on extreme poverty and human rights, on the establishment of a Global Fund for Social Protection, UN Doc. A/HRC/47/36, paras. 45-52.

⁵ The World Bank, *Adaptive Social Protection: Building Resilience to Shocks*, 2020, p.18.

⁶ See the upcoming thematic report of the Special Rapporteur on extreme poverty and human rights to the 47th session of the Human Rights Council, on the establishment of a Global Fund for Social Protection, UN doc. A/HRC/47/36, para. 8.

⁷ World Bank, World Development Indicators, Completeness of birth registration (%), values for 2017 (latest). Available at: <https://databank.worldbank.org/reports.aspx?source=world-development-indicators>

7. Third, petty corruption (part of SDG 16.5) can act as a regressive tax: poor households tend to pay a larger share of their income on bribes to access public services.⁸ Although it typically only involves small amounts of money, petty corruption leads the poorest households and smallest businesses to bear additional costs for a proper access to public services; it biases government spending away from important social investments such as education or healthcare; and it tends to increase public spending on capital-intensive investments such as defense contracts, in turn lowering the quality of infrastructure and public service delivery.⁹ Tackling these and other forms of corruption should be seen as part of the efforts to implement the right to social security.

8. Lastly, democratic and inclusive political systems are key for poverty and inequality eradication. As UNCTAD identified, rising market concentration and corporate rentierism are major drivers of income inequality: the surplus profits of the top 1 per cent of firms in 56 countries represents 55 per cent of recorded operating profits.¹⁰ Progressive taxation regimes, with a strong redistributive impact, can help reverse this trend.¹¹ Yet political systems captured by economic elites have used state power in order to pursue their own interests, which has been found to lead to regressive fiscal policies that do not reduce poverty or inequality.¹² In line with SDGs 1 and 10, but also with ILO Recommendation (No.202) on Social Protection Floors,¹³ social protection must be designed on the basis of such forms of equitable financing. Only democratic and inclusive political systems —as opposed to captured political systems— can ensure that fiscal reforms serve low-income groups and thus effectively contribute to the fight against poverty.

⁸ Esteban Ortiz-Ospina & Max Roser, “Corruption,” 2016. Available at: <https://ourworldindata.org/corruption#how-does-petty-corruption-affect-the-income-of-the-poor>

⁹ World Bank, *World Development Report 2000/2001: Attacking Poverty*, 2001, p. 102. Available at: <https://openknowledge.worldbank.org/handle/10986/11856>

¹⁰ United Nations Conference on Trade and Development (UNCTAD), *Corporate Rent-Seeking, Market Power, and Inequality: Time for a Multilateral Trust Buster?*, Policy Brief No. 66, May 2018. Available at: https://unctad.org/system/files/official-document/presspb2018d3_en.pdf

¹¹ See Report of the UN Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, on taxation and human rights, 2014, UN Doc. A/HRC/26/28

¹² See Oxfam *et al.*, *Captured Democracy: Government for the Few. How elites capture fiscal policy, and its impacts on inequality in Latin America and the Caribbean (1990-2017)*. Available at:

<https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620600/rr-captured-democracies-161118-summ-en.pdf> (executive summary); and Oxfam, *Working for the Few: Political capture and economic inequality*, 178 Oxfam Briefing Paper, January 20, 2014. Available at:

<https://oxfamilibrary.openrepository.com/bitstream/handle/10546/311312/bp-working-for-few-political-capture-economic-inequality-200114-en.pdf;jsessionid=2CB24A99BECCBAF7002E202DB410EC1E?sequence=19>

¹³ International Labour Organization, R202 - Social Protection Floors Recommendation, 2012 (No. 202). Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3065524