

Right to social security (Article 9)

Article 9 of the Covenant requires the State to recognise everyone's right to social security including payments based on social insurance contributions.

General Comment No.19 of CESCR on the right to social security is clear that the State must demonstrate that it has taken the necessary steps to realise of the right to social security within their maximum available resources. It must also ensure that there is no discrimination between men and women in accessing this right.

Components of the right to social security



Discussion points on the right to social security:*

- Impact of cuts on social welfare payments – which groups have been most impacted;
- Impact of cuts to household benefits packages to older people and persons with disabilities;
- Impact of cuts to Child Benefit and Back to School Clothing and Footwear Allowance;
- Impact of activation measures;
- Impact of reduction to jobseekers payments for young people under 26 years;
- The operation of the social welfare appeals system including high percentage of successful appeals, transparency in the process, independence of the office and delays;
- Public servants awareness of the social security rights of EU and non-EU nationals;
- Impact of the introduction the Habitual Residence Condition (HRC) on different groups;
- Direct provision allowance and lack of access of people seeking protection to mainstream social welfare payments.

*This is not an exhaustive list but these issues have arisen through other consultations or through desk research.

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Accessing the Right and Available Remedies

- Is information available on how you can access the right?
- Are there any government or state bodies or supports available to help you access the right?
- Do you feel that the process or procedure for you to assert the right is transparent?
- Do you feel that all of the different elements of the right are respected, protected and fulfilled in the way intended by the Committee?
- If you feel that the right is not being respected, do you know if there is a remedy available to you or who to contact?

Vulnerable Groups

- Are there any particular groups of people who face specific discrimination when trying to access a particular right or who are more likely to be affected by the lack of access to the right?
- If so, please give a short outline of the group and describe the nature of the discrimination they face and how this impacts on them.

Government Action

- What steps has the Government taken to progress this right?

In law:

- Have any specific laws been introduced to support better enjoyment of this right?
- Have any specific laws been introduced which impact negatively on the enjoyment of this right?

In policy:

- Has the Government introduced any policy which supports or promotes the better enjoyment of this right?
- Has the Government introduced any policy which negatively impacts on the enjoyment of this right? Please give details.

In budgetary decision-making:

- Has the Government introduced any budgetary measures to support, promote or improve the enjoyment of this right?
- Has the Government introduced any budgetary measures which negatively impact on the enjoyment of this right?
- Has there been any change, positive or negative, in how this right is enjoyed since the economic downturn?
- Do you feel these changes have been reasonable?

Additional information

Do you have any other information or issues that you wish to raise which have not been covered already?