



# Workshop Programme

5 September 2023 | Zoom [link](#)

9:00–9:15

## Introduction

- Serena Natile, Warwick Law School

9:15–11:30

## Institutional arrangements

- **Setting the grounds:** we will start by revisiting the policy brief resulted from the [Feminist Recovery Plan project](#); and outlining **WIEGO's** [Joint Position Paper on Extending Social Protection to Informal Workers](#) (Laura Alfes, Director Social Protection Programme, WIEGO); **Nawi**, Afrifem Macroeconomics Collective's programme (Crystal Simeoni, Executive Director); **AWID's** ['Building Feminist Economies'](#) and [Feminist Bailout Manifesto](#)
- **Maya Stern Plaza**, Social Protection and Standards Office, **ILO** (10:00 Geneva)
- **Linda Cottone**, Research Officer, and **Phin Jasi**, Data and Research Specialist, **IOM**
- **Omolara Oriye**, [Liberation Alliance Africa](#)
- **Elise Klein**, HDR Director, ANU
- **Shelley Marshall**, RMIT University, **Ingrid Landau**, Monash University, [corporate accountability and the limits of mandatory human rights due diligence](#) (18:00 Melbourne)

11:45–13:30

## Digitalisation

- **Vitor Ido**, Programme Officer of the Health, Intellectual Property and Biodiversity Programme, [South Centre](#)
- **Jacqueline Mwangi**, Intern of the Health, Intellectual Property and Biodiversity Programme at South Centre and JSD candidate at Harvard Law School

- **Natasha Koshy**, [IT for Change](#) (16:00 in Bengaluru India)
- **Tony Roberts**, [Institute of Development Studies](#), [Digital Cluster](#)

## 14:00–16:30 Grassroots-inspired demands and practices

- **Vivi Restuviani** and **Shanti Upreti**, [IWRAP AP](#), based on consultations on social protection and agricultural workers (18:45 in Nepal, 20:00 in Jakarta)
- **Nash Tysmans**, [StreetNet International](#), Asia Regional Organizer for StreetNet International, insights on social security and street vendors
- **Phelisa Nkomo**, [Oxfam](#) (15:00 South Africa)
- **Silvana Tapia Tapia**, University of Birmingham and Universidad del Azuay, relationships between social security and incarceration, together with the collectives **Mujeres de Frente** (Quito) and the **Comité de Familiares por Justicia en Cárceles** (Guayaquil)
- **Johanna Del Pilar Cortes**, Universidad del Rosario (8:00 Colombia)
- **Hila Shamir**, Tel Aviv University and PI [TraffLab](#) (ERC), on welfare boards and tripartitism '[Transferability of Mathadi Boards' Project](#)' (9:00 MA US)

## 6 September 2023 | [Zoom link](#)

### 9:00–9:15 Recap of previous discussions

### 9:15–11:30 Economic Governance and International Taxation

- **Peter Lunenborg**, Senior Programme Officer of the Trade and Development Team, [South Centre](#)
- **Bhumika Muchhala**, Senior Advisor on Global Economic Governance and Justice, [Third World Network](#) (TWN) – TBC
- **Abdul Choudhary**, Senior Programme Officer of the Tax Initiative, [South Centre](#)
- **Liz Nelson**, Director, [Tax Justice Network](#)
- **Riska Koopman**, Global Policy Advocacy and Campaigns Coordinator, [Global Alliance for Tax Justice](#)

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### Project overview:

This research aims to provide a conceptual and regulatory framework for transnational social security law, paying critical attention to the recent digitalisation of social security programmes. The project considers transnational social security law, not as yet an established disciplinary field, as the global legal responsibility to guarantee decent living standards and access to essential resources and services for all people. The project interrogates whether the law can be used to address the increasing global inequality and maldistribution of wealth and power enabled by the international legal order and enhanced by the apparent inclusivity of digitalisation. The increasing reliance on private sector-provided digital technologies as a quick fix for social provisioning has moved attention away from international law's responsibility for redistributive interventions while creating new venues for value extraction via fees and data. The project uses feminist political economy to question the assumption that trade relations (economic production), together with finance and investments, should be regulated internationally while social security (the distribution of the wealth created) is the responsibility of states alone or should be provided via aid, charity, or corporate philanthropy. This regulatory mismatch results in an unequal distribution of benefits, risks and responsibilities, penalising countries and communities at the lower end of the power and income distribution. The transnational focus of the framework will allow to consider patters of maldistribution and

possibilities for redistribution beyond the nation-state and the accountability of non-state actors such as transnational corporations while giving voice to other non-state actors such as grassroots groups.

The project asks whether a grassroots-inspired framework for transnational social security law can disrupt the unjust mode of wealth distribution enabled by the international legal system and create new mechanisms for global accountability and redistribution. In doing so the project brings together grassroots and non-governmental organisations, researchers, international and intergovernmental organisations and other relevant stakeholders to define the field of transnational social security law while possibly reimagining a radically redistributive role for digital technology. In this first workshop we will discuss the content and aims of a transnational social security law framework, the institutional arrangements necessary for its implementation, the risks and benefits of digitalisation and the global redistributive mechanisms necessary to realise social security for All.

## **Aims of the sessions:**

### **Session1 – Institutional arrangements**

This session aims to engage with two questions: what should be included in a legal framework for transnational social security? And what are the institutional arrangements necessary to implement such framework? To address these questions we will start by quickly revisiting existing debates on creating a universal social security system – demands for international social security can be traced back to the postcolonial campaigns of the 1970s, they have been reclaimed and reshaped over the years by grassroots activists and tend to gain visibility in times of crisis, see for instance the [Feminist Recovery Plans](#) that followed Covid-19. However, these demands are never translated into concrete options on the international law reform table (which explains why this project adopts a [prefigurative approach](#) to conceptualise such framework). We will reflect on the institutional arrangements necessary to implement those demands. The ILO is the international organisation that has been most committed to international social security since its start, however measures in this field tend to be soft law recommendations and require implementation by states (which have different resources for social security, related to historical external debt and asymmetrical power in the global economy). These soft law measures do not target the global maldistribution of wealth and power and do not create accountability mechanisms for non-state actors such as transnational corporations (TNCs) who tend to adopt often ineffective self-regulatory codes of conduct. Some discussions on transnational social security have been linked to the protection of migrant workers within the jurisdiction of a foreign state, however there is no discussion of the accountability of richer Western states to contribute to social security for foreign workers who sustain their global chains of production and profits from abroad. In terms of social protection, partnerships with institutions like IMF and World Bank are questionable in terms of pursuing redistributive justice, and measures such as the UN SDGs are objectives rather than rights.

### **Session 2 – Digitalisation**

This session aims to discuss the limits and potential of the digitalisation of social security programmes. Over the last decade digitalisation has been advocated by development institutions, international organisations, governments, and the private sector as a quick fix to increase efficiency and transparency in managing social protection programmes. The Covid-19 pandemic added the element of ‘safety’, i.e. minimising physical contact, which contributed to accelerate the digitalisation agenda, although amplifying structural inequalities and creating new profits for providers. Digitalisation is not a neutral process but it is embedded in long-term maldistribution and power relations legitimised by the international legal system (I trace some of them in [this chapter](#)), and as digital platforms are privately owned this can encourage new forms of exploitation and value extraction, as demonstrated by cases such as Net1 in South Africa. Even the UN Rapporteur on Extreme Poverty and Human Rights back in 2019 published the report [‘Digital Welfare States and Human Rights’](#), pointing out how companies involved in designing and operating digital social protection schemes act outside accountability frameworks and people in need are often obliged to

give up their autonomy and dignity, deepening their vulnerability, and this exacerbates inequality rather than reducing it through efficiency, predictability, traceability, fraud detection, cost savings, and market value. The report suggests that the starting point for regulating the digitalisation of social security should be ‘how welfare budgets could be transformed through technology to ensure a higher standard of living for the vulnerable and disadvantaged.’ In other words, a digitalisation strategy without transnational legal interventions for accountability and redistribution risks to create more inequalities.

### **Session 3 – Grassroots-inspired demands and practices**

This session aims to address the question of how a grassroots-inspired framework for transnational social security law would look like? Grassroots and community groups/organisations, often in continuity with campaigns started in the postcolonial time, have consistently been arguing for the need to ensure social security for all people worldwide with particular attention to those with no/little means, who are pushed at the margins of the global economy. In addition to intervening at the local level, they have been claiming how macroeconomic policies and international law has an impact on the lived experience of people in accessing key resources and services, and how localised interventions might be helpful but won't address major structural issues, therefore transnational interventions are needed. These demands and claims become more visible during crises, when the disadvantage and vulnerability of those already marginalised is amplified and made more visible with effects on entire countries. However, as seen for the Covid-19 pandemic, these demands are not translated into real change for various political-economic-legal reasons. The aim of this session is to bring together different grassroots voices to understand what the key priorities of a transnational framework for social security should be.

### **Session 4 – Economic governance and international taxation**

The aim of this session is to ask how we can enable the global redistribution necessary to realise a binding framework for transnational social security law, focusing in particular on changes to the regulation of international trade/global supply chains and taxation. International trade law is important because the legal framework for the internationalisation and liberalisation of trade developed in the postcolonial time has created an advantage for richer Western states and TNCs who have been able to benefit from the international economy without having to contribute to social security beyond their nation state (affecting people at the lower end of the global income distribution and creating inequality in the entitlement to access social security). This, together with other asymmetrical legal frameworks for investments, finance (including external debt), intellectual property and technology, has increased the global maldistribution of wealth and power, a maldistribution that can be intensified by digitalisation. Demands for a fair regulation of trade and global redistribution via taxation date back to the dismissed postcolonial demands of the Non-Aligned Movement and NIEO, but attempts to reform have been relegated to soft law recommendations and individualised complaints. The same recent discussion on the adoption of an international taxation convention is debated in isolation from other related issues, including how international taxation could contribute to transnational social security.

**About the image:** the image on the programme has been realised for this project by Polish artist Paweł Kuczyński. It is inspired by the famous 1932 photograph ‘Lunch atop a Skyscraper’ portraying migrant iron workers building the Rockefeller complex in the US. Kuczyński's drawing replaces the physical infrastructure of the skyscraper with the less visually impactful but more pervasive digital infrastructure, and adds colours and diversity ‘atop a’ capitalist legal landscape that enables the global maldistribution of wealth and power.

Please register on Eventbrite [here](#)