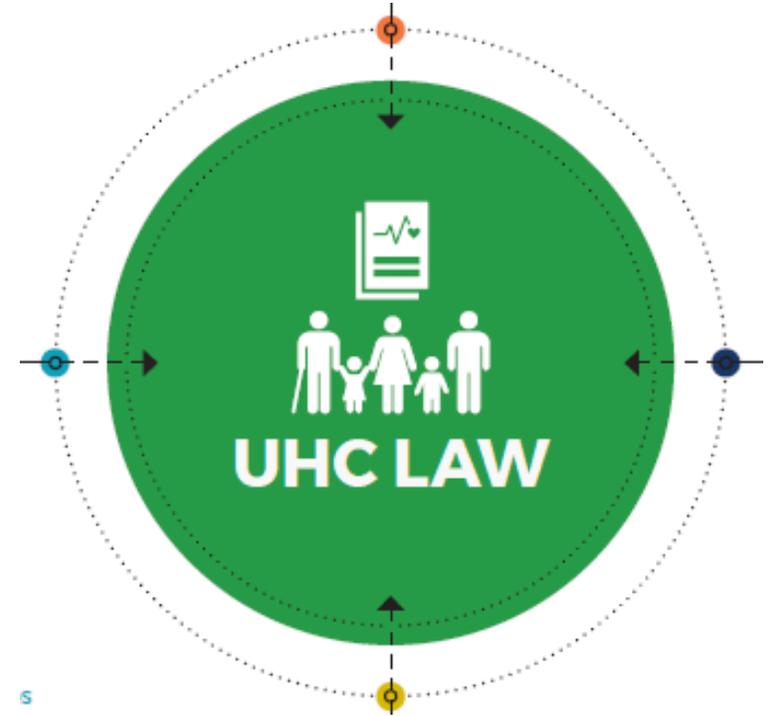




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Setting the scene, law and UHC

SDG 3.8 obliges governments to work towards achieving UHC by ensuring that all people have access to the quality care (essential health services, essential medicines and vaccines) they need without suffering financial hardship.

The law plays a key role in a country's progressive realisation of UHC. The quality of a country's health laws and legal practices significantly contributes to the efficient, effective and equitable use of the available health resources and, consequently, the attainment of a country's health system goals.

Therefore, creating an enabling legal environment for UHC is a critical investment to ensure implementation of UHC policies and programmes

The broader context

Governments are not only required to use the law to implement UHC, but also to achieve other related commitments:

Reduce inequalities (SDG 10), good governance and access to justice (SDG 16), and partnerships (SDG 17).

UHC law encompasses any legal rule existing and applicable within a country that regulates UHC: formal written laws such as statutory laws (enacted by a legislative body such as the parliament), regulatory and administrative laws (passed by administrative bodies of the government), contracts, case law (court rulings), and customary law



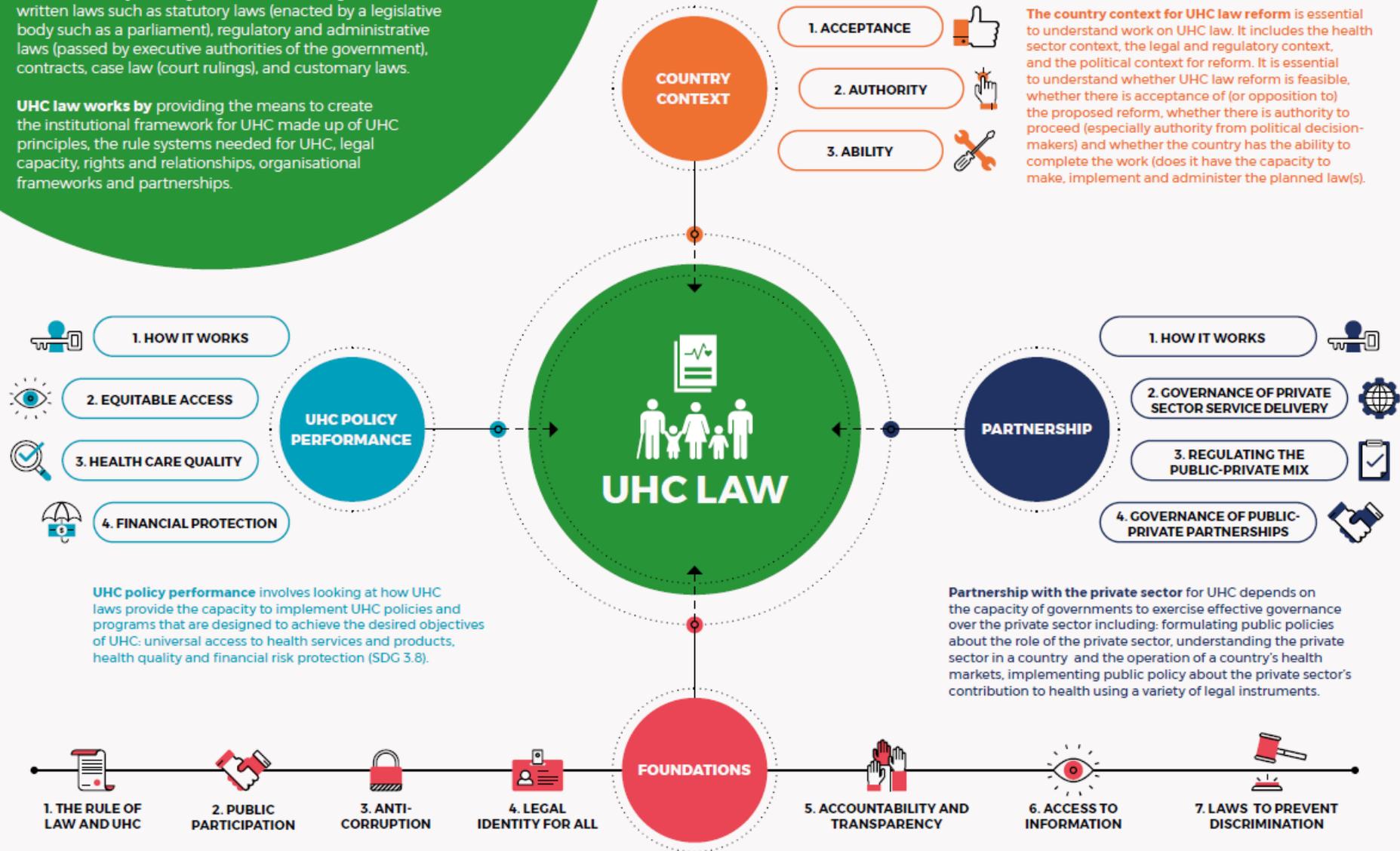
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UHC law works by providing the means to create the institutional framework for UHC made up of UHC principles, the rule systems needed for UHC, legal capacity, rights and relationships, organisational frameworks and partnerships.

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COUNTRY CONTEXT

1. ACCEPTANCE



2. AUTHORITY



3. ABILITY



The country context for UHC law reform is essential to understand work on UHC law: including the health sector context, the legal and regulatory context, and the political context for reform.

It is essential to understand whether UHC law reform is feasible, whether there is acceptance of (or opposition to) the proposed reform, whether there is authority to proceed (especially authority from political decision-makers) and whether the country has the ability to complete the work (does it have the capacity to make, implement and administer the planned law(s)).

UHC POLICY PERFORMANCE



1. HOW IT WORKS



2. EQUITABLE ACCESS

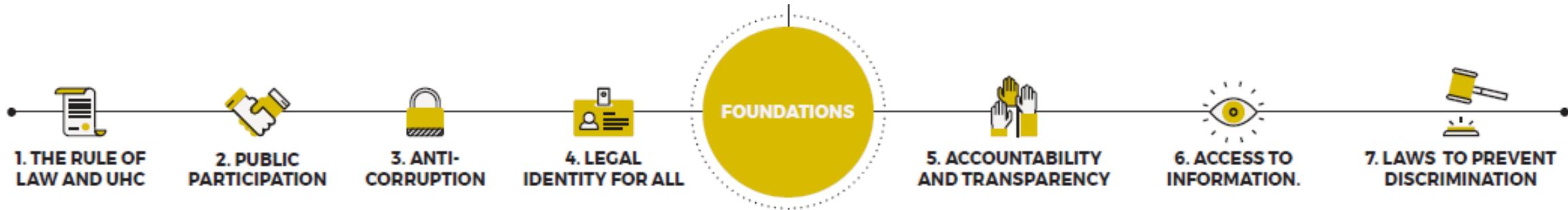


3. HEALTH CARE QUALITY



4. FINANCIAL PROTECTION

UHC policy performance involves looking at how UHC laws provide the capacity to implement UHC policies and programs that are designed to achieve the desired objectives of UHC: universal access to health services and products, health quality and financial risk protection (sdg#3.8).



PARTNERSHIP

1. HOW IT WORKS



2. GOVERNANCE OF PRIVATE SECTOR SERVICE DELIVERY



3. REGULATING THE PUBLIC-PRIVATE MIX



4. GOVERNANCE OF PUBLIC-PRIVATE PARTNERSHIPS



Partnership with the private sector for UHC depends on the capacity of governments to exercise effective governance over the private sector including: formulating public policies about the role of the private sector, understanding the private sector in a country and the operation of a country's health markets, implementing public policy about the private sector's contribution to health using a variety of legal instruments.



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▶ How to build rights-based social protection systems

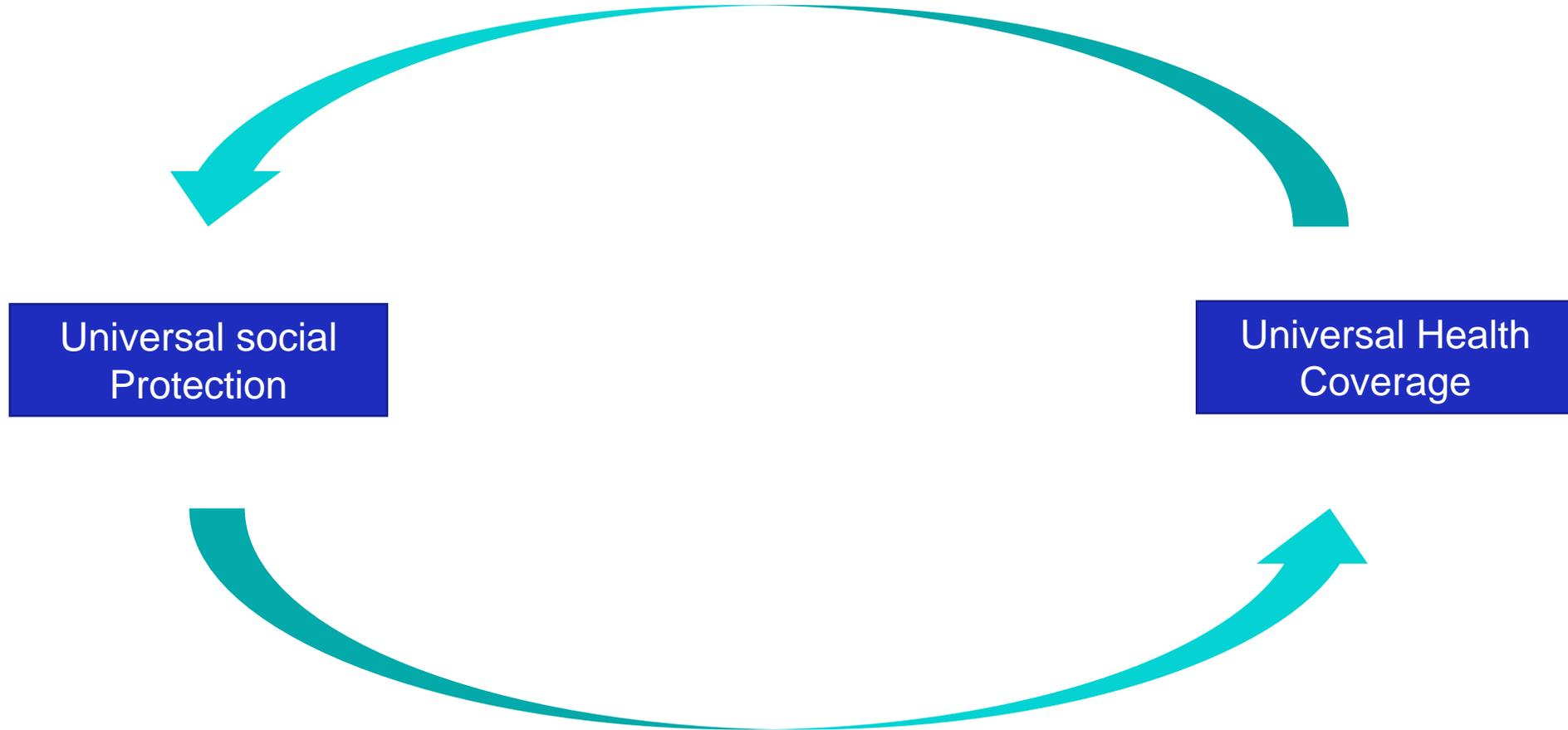
Date: Monday / 01 / October / 2019

Maya Stern Plaza
Social Protection Legal and Standards Officer
International Labour Organization

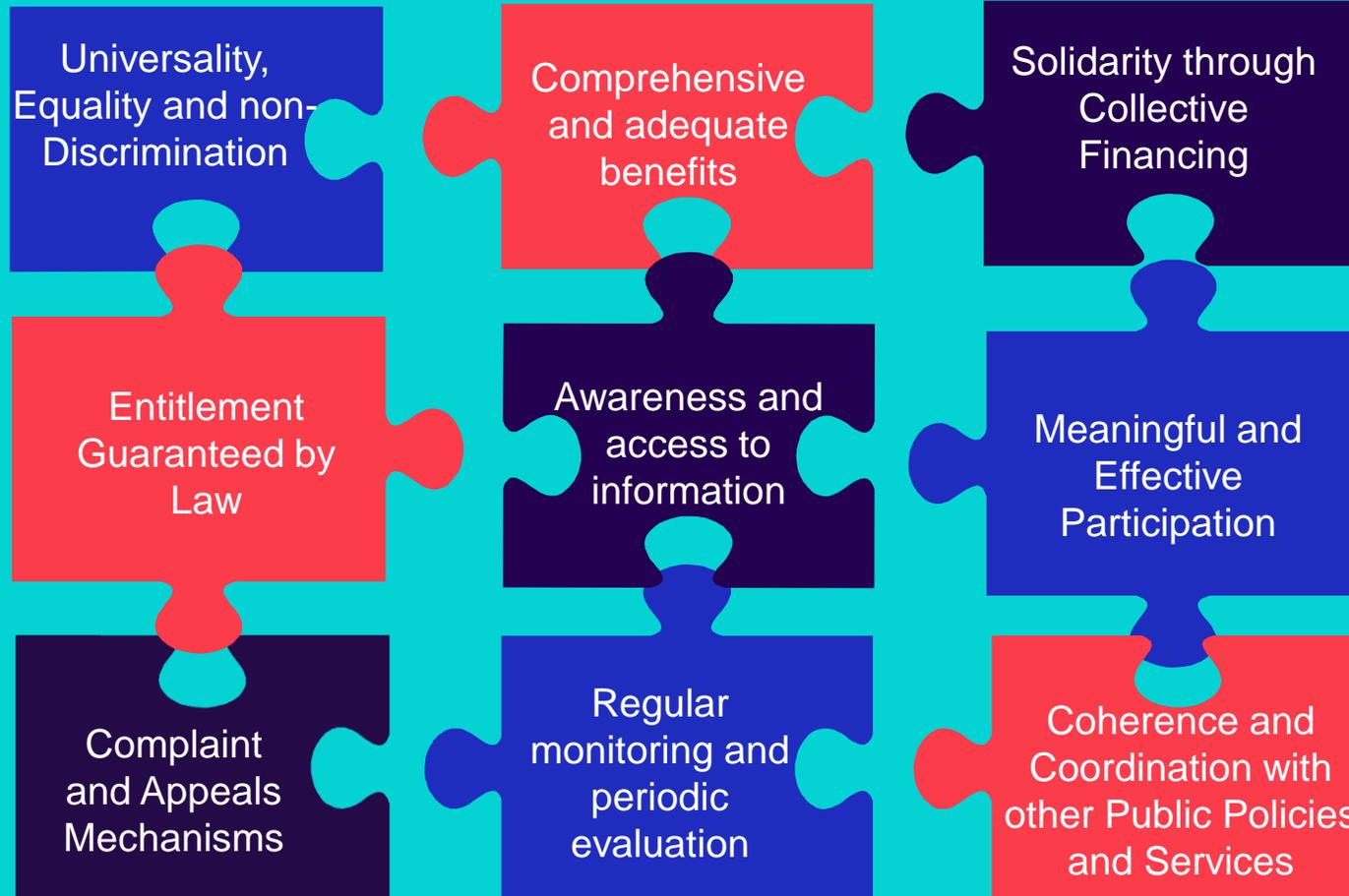
▶ Building Rights-Based Social Protection Systems



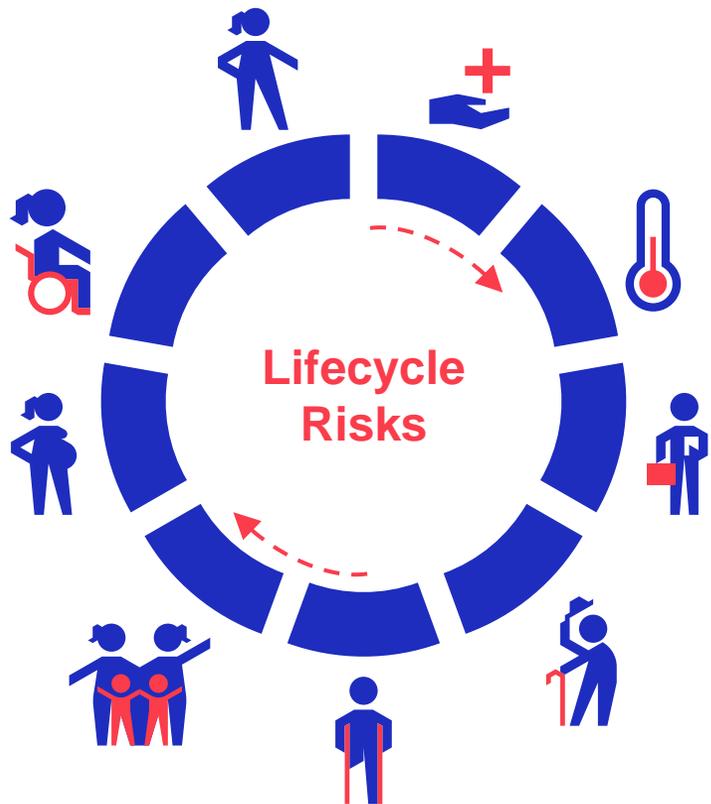
Virtuous cycle between health outcomes and social protection measures



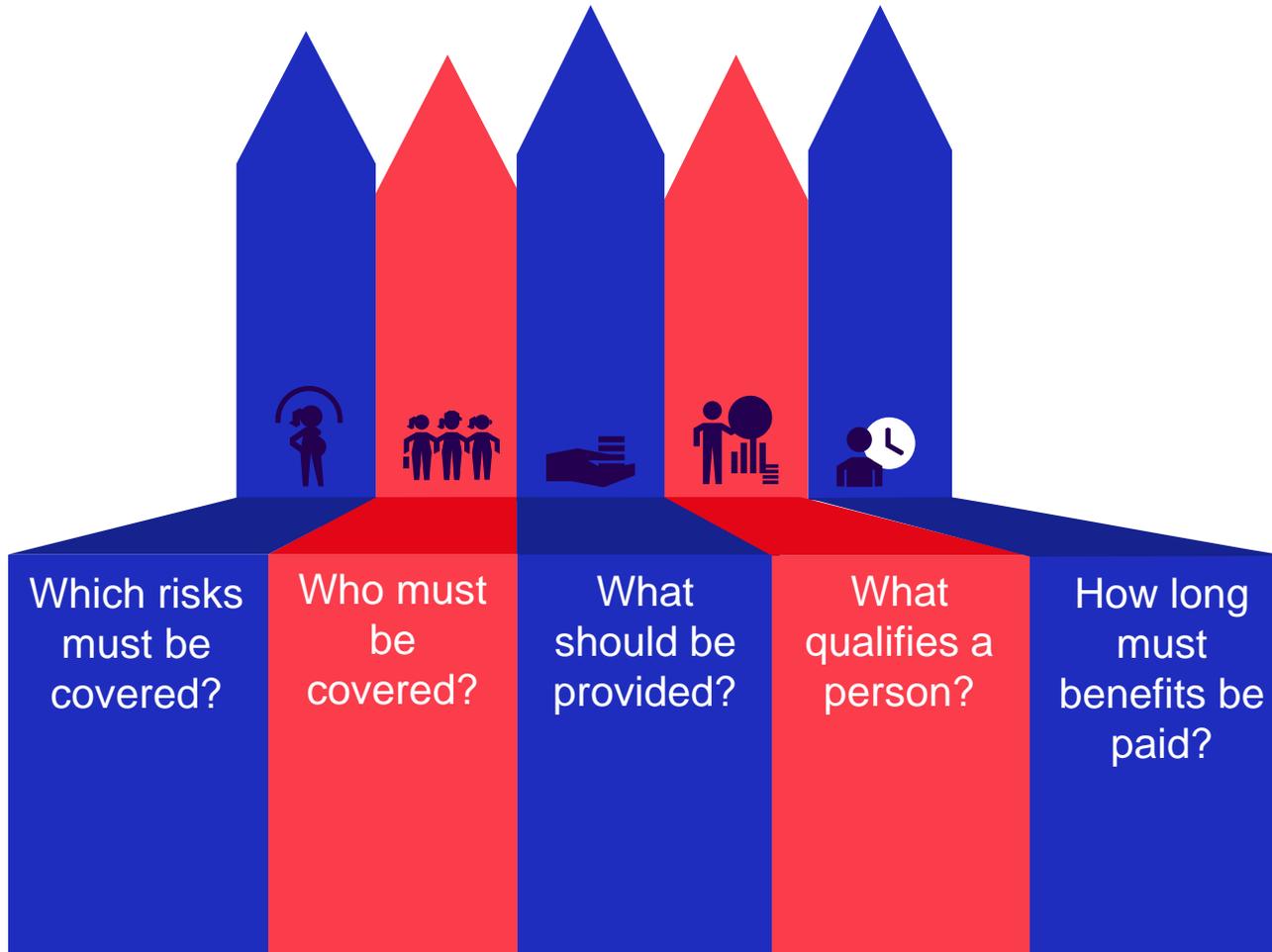
Overall and Primary Responsibility of the State



International Social Security Standards



- Provision of income security and comprehensive medical care
- Comprehensive and life-cycle approach
 - Access to health care without hardship
 - Income security in the face of 8 life cycle risk
- Adequate protection in terms of benefit levels



Qualitative and quantitative benchmarks which together determine the minimum standards of social protection

- ▶ Definition of contingency
- ▶ Persons protected
- ▶ Type and level of benefits
- ▶ Entitlement conditions, including qualifying period
- ▶ Duration of benefit and waiting period

Building strong legal frameworks

WHY?

- Ensures social protection is a right vs charity
- Ensures program stability and a long-term strategy
- Contributes to predictability and sustainability
- Recognise who are the right holders and who are the duty bearers
- Allows to uphold rights and acts as a safeguard against arbitrary governance
- Allows for more effective supervision by the State
- Offer greater guarantees of broader social and public dialogue, due process and financing

HOW?

- ESCR should be integrated into national constitutions
- National legal frameworks should:
 - transpose the guiding principles
 - specify the range, qualifying conditions and levels of benefits
 - set out the role, responsibilities and rights of all parties concerned
- Integrating the linkages between various components of social protection systems and other public policies
- Accompanied by accessible complaint and appeal mechanisms
- Include participation and information channels