

## The right to social security in international documents

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### **Abstract**

*Today, "right to social security" is directly related to responsible governments that have been highlighted in international documents. It is the responsibility of the government in international relations and they are required to provide this right to all its citizens. The issue of "right to social security" is considered more in the second generation of human rights. The authors of this article are believed, governments are responsible of toward the right to social security situate the exact study. The main hypothesis of this paper is that the right to social security in international documents as a principle of human rights and the second generation of human rights. Unlike the first generation, fundamental freedoms that governments are focusing on non-interference in the second generation of human rights, government is responsible for social security for all its citizens without any discrimination and committed to the international instruments, are accountable. The authors conclude that administration to avoid war, violence, social justice, reduce class conflict; poverty and human dignity, the right to social security as a human right recognized in international instruments and governments are responsible for social security for all citizens.*

**Keywords:** *right to social security, responsibility of governments, international relations, human rights.*

**JEL Classification:** K10, K33

### **1. Introduction**

The right to social security in international relations is one of the fundamental rights and the second generation of human rights aspects of economic and social rights has not been studied. The second generation focuses on government intervention for the realization of people's rights and governments are against those responsible for these rights, and the so-called "truth" has been proposed. The main objective of the rights of equality is social justice. Therefore, with the right to social security in international relations, the international responsibility towards the realization of this right to its citizens and foreign nationals in accordance with international instruments is arisen. International documents, the right to social security for all human beings are emphasized. This means that everyone, including promiscuity due to any human being, regardless of sex, color, race and religion must have the minimum facilities and the risk of social and government support, be the

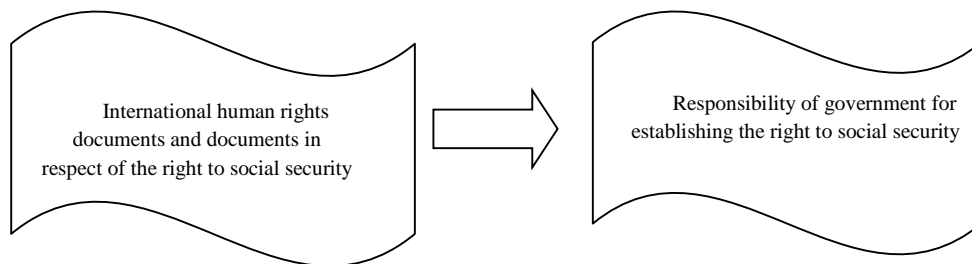
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case. In this context, the government-obliged documents of international relations do not only have the right to provide social welfare for its citizens and subjects. The key question now "how the right to social security does not only international human rights documents? What social responsibility does not only governments for the right way?". As hypothesis is the authors call, "social right does not only international documents as a principle of human rights that is the second generation of human rights, fundamental freedoms. Unlike the first generation of government intervention, insist that address the human rights of the second generation, governments have responsibility to provide social security for all its citizens without discrimination of any kind and governments committed to the international instruments, are accountable".

This article is the independent variable and the dependent variable of international instruments and documents human rights, the right to social responsibility is the responsibility of governments. International instruments commitment and social responsibility of the government is established. To explain the subjects, the paper is presented in four parts: the right to social security from the perspective of international relations theories is examined. Second, the right to social security is discussed from the perspective of different generations of human rights, the right to social security in other international instruments third checked. Finally, the fourth part is the responsibility of government to respect the right to social security.



## 2. Theoretical framework

The right to social security in international relations from the perspective of critical neo-Marxist theories of international relations is concerned. Critical theorists such as Marx's international relations and seek sources of inequality and the hegemonic global power relations that shape them with the intention of destroying their disclosure and critical analysis. Critical Theory following the liberation and emancipation of humanity from the chains that have brought them into the structure of international relations and seeks to change attitudes and practices of government's character is reflexive. Many critical theorists have sought to take advantage of knowledge for political purposes, thereby causing human emancipation from oppressive structures that dominated politics and the global economy is capitalist

powers, they<sup>3</sup>. In fact, critical theorists are for a political purpose to seek knowledge. The liberation of humanity from the oppressive structures world politics and the world economy by the capitalist great powers is especially America hegemonic control. They want to unveil the face of domination of the north rich over the south poor. Critical theorists of the International Marxist political economy for most of the researchers are not distinguishable<sup>4</sup>.

An important purpose of critical studies, changing regulatory norms and the international system is established, so that the government will stop thinking and act on patterns of realism. So critical theorists, calling for the establishment of a system where justice and marginalized are taken into consideration<sup>5</sup>. From view as the most important critical theorists Cox, International hegemony is rooted in the hegemony of the dominant classes to figure it out. Then this hegemony extended over the peripheral countries affected. Peripheral countries as well as cultural and economic patterns - technological and political model of the country were without it they<sup>6</sup>. In general, what critical theorists consider as the possibility of international developments include: 1. Back to normative ethics in international relations, 2. Reduction of global inequalities 3. International justice 4. Respect for diversity, plurality and difference.

Mentioned cases indicate that critical theorists in the field of international relations transformation of the international system establish the necessary conditions are fair and following the release of human and unjust political and economic structures of the world that are under the control of hegemonic powers. They are trying to remove the mask from the face of the poor South to the rich North worn domination<sup>7</sup>. In fact, the task of critical theory is that we started and principles and values that give structure to our political society and the contradictions and inherent contradictions in how to organize society for the prosecution to disclose the value of its support. Interest liberating critical theory by providing freedom from the restrictions of unverified, community relations of domination and conditions and distorted understanding of human beings from achieving full capacity and awareness building their future through free will, deprive deal. Critical Theory is committed to organizing a rational, fair and democratic political life beyond the state level that is the whole of humanity extend to human rights in the light of such a situation can be provided<sup>8</sup>.

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<sup>3</sup> Ghavam, A., *International Relations: Theories and Approaches*, Tehran: the publisher, Sixth Edition 2011, p. 195.

<sup>4</sup> Jackson, Robert and Sorensen, Georg, *Introduction to International Relations*, translated by Mehdi Zakerian, Ahmad Taqi Zadeh and Hassan Saeed Kollahi et al, Tehran: Publication of, Fifth Edition, 2014, p. 299.

<sup>5</sup> Abdullah Khani, Ali, *Theories of Security: An Introduction to the national security doctrine projection*, Tehran: Institute of Contemporary Abrar International Studies, 2004, pp. 69-70.

<sup>6</sup> Moshirzade, Humira, *Developments in the theory of international relations*, Tehran: Publication, 2005, p. 232.

<sup>7</sup> Jackson and Sorenson, *op. cit.*, 2014, p. 299.

<sup>8</sup> Diotiak, Richard and Dardariyan, James, *Critical theory, postmodernism and virtual theory in international relations*, Hossein Salimi, Tehran: New Step, First Edition, 2001, p. 211-212.

Thus, according to assumptions of critical theory, to reduce class inequality, poverty eradication, to get text margins, social justice, the right does not only documents the international community has been highlighted, governments ensure that the second generation of human rights in international documents were implicated. Moreover, committed to reducing class conflict and contact social rights for all its citizens without any discrimination does not only have governments committed to the international instruments, are accountable.

### 3. The right to social security status of human rights in generations

In international instruments social rights do not only arise from the perspective of its relation to human rights. In this respect, the right to social security is the second generation of human rights. In explaining, the process of the development of human rights, for the first time classification scheme for Human Rights, in 1979 by Karl Wasak, was introduced. He divided the three slogans of the French Revolution: liberty, equality, fraternity, will follow. Human Rights on the subject, divided into three generations, three generations in some of the titles that the basic charter of the European Union.

A) The first generation of human rights aspects of the right to social security. This right has been recognized for the first time in the law. Johan Galtung first generation of human rights known to belong to the upper class and introduces its color blue. The link between a particular class of human beings created Civil and Political Rights<sup>9</sup>. According to Article 55 and 56 of the Charter of the United Nations Human Rights Commission in drafting the Universal Declaration of Human Rights was formed and officers, resulting in the adoption of the Universal Declaration of Human Rights in December 1948 by the General Assembly of the United Nations. In this regard, in accordance with the provisions of the Universal Declaration of Human Rights 2 to 21, Convention on Civil and Political Rights emerged from this generation is the most important international document. This generation of human rights in the nature of civil and political rights is such as the right to life, the right to a fair trial, the prohibition of torture, the right to freedom of conscience and religion, the right to marry and the most important of these rights emphasized the Convention on Civil and Political Rights, the Convention on the bow outward expression through all of the above in terms of "freedom" or "ban", it seems, the more rights has a negative concept so positive. Moreover, to protect the individual against government intervention and extremism are used<sup>10</sup>. To understand the fundamental principles of human rights, the Universal Declaration of Human Rights was inspired to be a matter, which declares, "All persons are born free and equal in dignity and rights, with reason and conscience and should act towards one another in a spirit of brotherhood". The attitude seems to be that the principles of social protection of

<sup>9</sup> Galtung, Johan, *Human Rights Western, Universal or both*, in; Human Quarterly, Johan Hopkins University Press, 2000, p. 737.

<sup>10</sup> Lucien Zahadi R, *The key concepts of human rights (Human Rights generations)*, Tehran, Second Edition, Fall 2009, p. 221.

individual human dignity revival and the life-giving principles underlying social equality.

**B)** The second generation of human rights and the right aspects to social security. This generation includes the social, economic and cultural that Article II of the French Revolution's slogan of "equality" is taken. Yuan Galtung these rights in your model red color scheme and welcome signs of the proletariat. Articles 22 to 27 of the Universal Declaration of Human Rights examined the legal status of these rights and the rights in the International Covenant on Economic, Social and Cultural Rights of the United Nations General Assembly<sup>11</sup>. In Article 9 of the Convention, does not only explicitly social right as a human right has been emphasized: "States Parties to the Convention on the rights of everyone to social security, including social insurance recognizes." The material terms of the treaty are to include two essential points. First, it's mentioned as the only true benefits of social security rights. Since it was stated at the time of ratification of the Convention, social insurance due to the heterogeneous infrastructure, legal, economic, social and cultural rights in many countries of the few occasions that all countries recognized it as a matter of social security and the traditional concept of social security compliance social insurance represents this point.

Therefore, the first objective of the universality of human rights instruments these rights help some evidences have agreed to greater convergence of global aid. Secondly, whereas social security cases based on each country's socioeconomic, cultural and political therefore, treaties with non-arrest cases social security, social insurance only as a basic example of social security cited examples of social security is still provided grounds for development. Protection of mothers on maternity leave and social security benefits during pregnancy is the second paragraph of Article 10 of the Convention, according to Education (Article 13). The benefit and enjoyment of the best physical and mental health, through improving health and the prevention and treatment of diseases create the right conditions for medical access and medical assistance to the public in the event of contracting the diseases listed in Article 12 as well as the right to work. Working conditions and workers in Articles 6 and 7 of the Convention, including those related to social security pays attention and the provision of the Convention has been emphasized.

Special attention is this generation's collective rights against the rights of a generation; this generation is more positive to the negative meaning<sup>12</sup>. The purpose of this category, the government is a majority government, because it allows the government and state responsibility for social, economic and cultural rights for all citizens without discrimination of any kind<sup>13</sup>. Thus forming the perfect backdrop for the third generation under the rights plan were solidarity and brotherhood.

**C)** The third generation of human rights and respect for human rights. The third generation of human rights, access to third principle of the French Revolution, a brother who Johan Galtung color scheme of this generation green and social

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<sup>11</sup> Galtung, *op. cit.*, 2000: 745.

<sup>12</sup> Lucien Zahadi R, *op. cit.*, 2009, p. 221.

<sup>13</sup> Favorev, Louis, *Droit des libertés fondamentales*, Dalloz, Paris, 2002, p. 45.

changes of the era and links with the masses. In fact, the formation of rights such as the right to development, right to peace, the right to a healthy environment, the rights of indigenous peoples and recognize the rights of brotherhood would have been also the period of time after the first generation and second in the late twentieth century<sup>14</sup>. The main components of third-generation rights, brotherhood of human beings involving all elements of civil society which leads to an increase in the level of public welfare so that in many progressive documents of international law stipulates. These documents include the Declaration of the United Nations Conference on the Human Environment (Stockholm, 1972), Declaration on Environment and Development (Rio 1992) and other rights of flexible (soft) is. The brother who rarely can be cited as a legal principle, in many national and international documents, whether the fundamental principle of independent, such as freedom and equality, or with the principles of peaceful coexistence and social solidarity is employed<sup>15</sup>. On the other hand, the right to social does not only rely on the comprehensive participation of People for Health, the welfare of all, this system is ideal logical and constructive relationship with the principles of solidarity, coexistence, unity and brotherhood seem quite understandable and in international instruments is considered.

In the third generation of human rights, the responsibility has changed, the initial charge and first and second-generation human rights, the state, but in the third generation, the primary responsibility of government, but feature the participation of these generations has blurred the responsibility of the government. Thus, the second generation of human rights as a birthright as human rights and demands, rights, demands, no one alone cannot meet. Some of the requirements, particularly the right to social security does not only require that government officials and social institutions capable of taking these institutions to meet these needs. Therefore, unlike the first generation of human rights, economic rights, social and cultural (second generation) require serious intervention involved in public service, along with financing, legal, organizational, administrative state.

#### **4. The right to social security in international documents**

The United Nations Charter, international relations of the most important document related to the right to social security. According to Article 55 of the Charter of the United Nations mission has been to improve the standard of living, full employment, economic development and social progress and to obtain their efforts. Accordingly, organization in 1942 in Santiago Chilean capital held International Conference on Social Welfare and recommendations for the extension of social security is provided. Committee on Economic, Social, and Cultural contact for the right to social security, to create a comprehensive system is needed in each country. UN Economic and Social Council with the Committee on Economic, Social and Cultural the welfare and social security responsibilities. Therefore, the Committee

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<sup>14</sup> Galtung, *op. cit.*, 2000: 749.

<sup>15</sup> Hashemi, Syed M., *Human rights and fundamental freedoms*, Tehran, First Edition, Hashemi, 2005, p. 77.

believes that, through redistributive social security plays an important role in poverty reduction. Social Security does not only prevent social exclusion and promote social participation and social rights for the people of the necessity are known.

Other international instruments as the convention on the elimination of all forms of racial discrimination, rights of the child and the elimination of discrimination against women noted that the right to benefit from social security, including social insurance, medical care for all people, especially children and women without any discrimination as the government's commitment is recognized. For example, the head of household, maternity, health care needs differ from men, so that women in all aspects of the planning and social security physician. The Convention on the Rights of the Child, 1959 in Article 2 states demanded, "The child shall enjoy special protection and facilities and necessary equipment for physical education, intellectual, moral or social him the way he is a healthy and natural law ..." and in Article 4 of the Declaration adds, "child should benefit from social security, nurtured and healthy environment. Therefore, special care should be her child before and after birth benefit" as well as the CRC in 1989 also addressed in Article 26 stipulates that member states: the governments of the Parties to the Convention on the right to social security. It's including social insurance for all children recognized and take appropriate measures to ensure the full realization of this right in accordance with national laws take and in Article 27 of this Convention states parties commit that the right of every child to a standard of living adequate for physical, mental, moral, social and legal recognition. If necessary, their parents or those who are responsible for child care, helps in nutrition, clothing and housing.

So, in other international documents, social security can be noted, Declaration of Philadelphia (1944), ILO, human beings recognized that the right to social security for all. ILO Declaration of Philadelphia was replaced as the primary statute. With the issuance of this announcement, the ILO's responsibility was important. Because it was the duty, of acting that, social policy is important in the first stage and welfare and social security are priorities<sup>16</sup>. Therefore, ILO Convention 102, to be issued in 1952 that is known to minimum standards of social security, indicators of social security, known as "minimum standards of social security" most of all the attention. To ensure that support nine forth in this Convention are: medical care, compensation, sick, unemployment benefit, old age pension, work injury, family assistance Mandy compensation during pregnancy, etc., the Convention is a general sense and textured in different ways, includes all the people of the country have the duty to reform domestic law and its implementation<sup>17</sup>.

Convention on Migrant Workers' Rights, other international documents relating to social security, the Constitution of the International Labor Organization, trying to defend the interests of workers employed in foreign countries the organization has given to issues such as; "Regulated to the placement, bringing migrant workers and their employment, provided detailed information about their

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<sup>16</sup> Iraqi, Seyed Izatullah R., *Proceedings of views on the rights of Social Security (Social Security on human rights and fundamental rights)*, Scientific and cultural publications, Tehran, 2005, p. 118.

<sup>17</sup> Hashemi, Syed M, *op. cit.*, 2005, p. 86.

immigration embed. The minimum conditions for migrants during the journey and when they should benefit from them, the dynamics for employment policy as well as international cooperation in these fields and with regard to the migration of workers from the formal labor market conditions should be under the responsibility of the machine employment. And bilateral and multilateral agreements to be made, especially agreements that allow workers to freely sweep and with this in mind that came and went because of the illegal and hidden labor"<sup>18</sup>.

The 1949 Convention relating to migrant workers from any Member State that joined it wants, to its treatment of migrants who are lawfully within the territory he does not discriminate and to consider new benchmarks in areas such as social security, to promote equality of opportunity and fair treatment of migrant workers have equal treatment. Member States are committed the fundamental human rights of all migrant workers comply. In the second part of the legal equality of opportunity and treatment for migrant workers in the field of social security, trade union rights, cultural, individual and collective freedom, educational programs, such as dependents of migrant workers and urges the member states that have joined the convention, you must apply the laws of their country.

Thus, according to documents related to the social security of international relations, undoubtedly, governments must contact the social security and domestic and international cooperation with all the facilities for women, children, immigrants and other citizens. Moreover, governments have a responsibility to the international instruments have been committed. However, according to international instruments mentioned key principles related to the right to social security, international social security derived from these documents, governments must establish the right to social security for citizens and immigrants to apply, the following are checked.

**A)** equality of treatment (non-discrimination); the Social Security program, without any discrimination such as; race, sex, religion, political opinions, national or social origin, birth or provide income for all citizens. In a series of international human rights, the principle of equality under the title of "non-discrimination" is used<sup>19</sup>.

**B)** Common, all people who need Social Security, should have access to it. The concept of social security, the distribution or called the right person, in this context, the needs of an individual based on his or eliminate the need for a natural solidarity between people is in question, based on Article 22 of the universal declaration of human rights. Thus, the issue of income distribution according to need (at least) have also been proposed as is common under the concept of compensatory. The idea is the social insurance mechanism matches. Social security rights, the employment relationship is insured. In other words, everyone will do something for society, has the right to support from the community.

**C)** comprehensive (inclusive); the social security system should provide

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<sup>18</sup> Sepehri M, et al., *International Labour Conventions 1919-2014*, Tehran: Institute of Labour and Social Security, Second Edition, 2013, p. 926.

<sup>19</sup> Peterz, Denny, *Social Security: An Introduction to the Basic Principles*, Publications International Law, 2006, p. 45.



comprehensive coverage against all social risks and circumstances of life and the ability of people to earn a decent standard of living threatened, move<sup>20</sup>.

D) The adequacy and appropriateness of the level of benefits provided must be sufficient and proportionate. Although the specific benefits depend on the type of social security system and its regulations, but should be based on a "need" to be established and to ensure that a minimum level of life to not degrade the poverty line, also, the type of benefits provided to the circumstances in which the individual is faced with, as may be appropriate.

E) The rules and procedures governing the rights of social security programs, and should, be fair and reasonable and the aggrieved parties of a legal rule or administrative decision detrimental, effective legal remedies and should determine their rights, have access<sup>21</sup>.

So, the basic principles and international standards' Social Security are based on international instruments, governments to prevent war and violence, social security in international documents as a right for all without any discrimination to social justice and the fight against poverty have because poverty is a threat to international peace and security. International instruments social justice is a prerequisite for lasting peace have been considered. For this purpose, the right to social security in the United Nations charter, the universal declaration of human rights, ILO Conventions and other international instruments has been emphasized. If the right to social security for all human beings fully realized, social welfare will be achieved without a doubt in this regard, if the aim is social welfare, social insurance and social security is seen, as a means of achieving this goal will be to achieve it. No doubt, at all international instruments and governments must contact the responsible social security for women, children and their citizens. The following is a discussion that can be raised, the responsibility of governments towards the international instruments establishing social security for citizens and meet the international documents. Accordingly, continue to examine the government's responsibility.

### 5. Responsibility of states the right to social security

Responsibility means the moral obligation, law or contract against others, including God, humans, animals and objects. Today, in the realm of responsibility whenever the term is used, "In order to meet the duty of the agent causing harm, to the detriment of the court and undertake civil works, criminal law. Whether such a duty to the injured party or community"<sup>22</sup>. The responsibility of states to citizens, according to the legal concept of responsibility, compensation due to adverse actions taken by the government, is considered. State responsibility requires that a person's state of conscious and free that can be violated by legal norm depreciation and when

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<sup>20</sup> Peterz, Denny, *op. cit.*, 2006, p. 55.

<sup>21</sup> Frans.Penning, *Introduction to European Social Security Law*, Kluwer Law publishers, Netherlands, 1999, p. 23.

<sup>22</sup> Badini, H., *The social security rights in the legal system*, „Social Security Quarterly”, 2007, Year IX, No. 30, p. 28.

the violation is attributable to him be in charge. Traditionally error of law or fault is defined, "No error is not practical unless the mind (intention desire) is in error"<sup>23</sup>. As a result, if the organization or provide a service to a group or an individual, unusual costs or special damage had been done to remedy it, conditional upon the causal relationship between the organization and provide the service and incurred damage. Based on the rule of law, state in their relationship with citizens bound by the imperatives of legal order is predetermined. Renewing the authority of the government, protect the rights of citizens. On the other hand, implicitly expressed the same qualifications as a phenomenon legislative authority and government efficiency and states it acts in some cases lead to the limitation of rights and freedoms of citizens.

However, state responsibility into the responsibility legal rights and responsibilities will be split apart. Legal responsibility is civil liability, criminal and disciplinary. Nonlegal factors responsible for the moral, social and political responsibility that civil liability brief mention of the charges. The concept of civil liability, the legal term civil liability both general and specific sense has prevailed among lawyers. In a general sense, responsible person (whether natural or legal) based on any commitment that he puts the law to compensate the damage to another, whether it is contractual liability roots, or non-contractual, contractual and non-contractual. Therefore, on the basis of a civil liability can be divided into two branches. Civil liability in the proper sense, the only non-contractual liability, equivalent to the meaning in the common law "rights error", and the definition of civil liability in particular means that different opinions are presented. In common law, in this connection, he states: Civil liability arising from the breach of an obligation that was originally specified by law, such a duty to the public and its violation pursuant to sue for compensatory damages is not the calendar<sup>24</sup>. In other words, in Islamic law as well as civil liability compulsory liability rose including the expansion of the circle, but it is more than certain sense because other titles such as liability that is beyond our discussion circle<sup>25</sup>.

Therefore, civil liability compensation for damages sustained emphasis compensation will not be the function of civil liability, but also other objectives such as deterrence, to maintain order in society, and other economic and social objectives also included. Social responsibility does not only state on the right, with two major issues related to fundamental human rights and good governance refer to it and continue on Responsibility of States for international conventions here.

A) The responsibility of the state and fundamental human rights. Social rights based approach does not only right - the foundation of fundamental human rights and all citizens under the protection of the law. Any violation of these rights can be forced to compensate the government. On the other hand, according to the

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<sup>23</sup> Idem, p. 29.

<sup>24</sup> Pour Hoomayon, A., Governance and tenure, Legal collections, Issue 28, 2003, p. 28.

<sup>25</sup> Mousavi, Seyed Fazlullah, *Proceedings of views on the rights of Social Security (Social Security in Islam)*, Cultural and Scientific Publications, First Edition, 2005, p. 228.

definition of the concept of fault they violate previous commitments<sup>26</sup>. You can blame the government from the principles of responsibility and it must be understood that this commitment to legal technical meaning it is not the obligation of the social contract, it may be the fault committed by someone who has not been pre-contract basis. This definition is broader in the sense of commitment and purpose of the assignment, in fact, the fault, neglect and violation of a pre-established rule<sup>27</sup>. According to this view of the definition of fault, in fact, this is the fault was committed and has failed in performing their duties. Thus, Social Security as a principle of human rights in national constitutions, the notorious, the right for the government to task through legislation, comprehensive policy and development facilities provide establishment of social justice and equality.

**B) The responsibility of the state and good governance.** Good governance concept, including the criteria and standards, procedures and principles of governance that the government through its public affairs to conduct, manage public resources and guarantee human rights, good governance and the principle of transparency, responsibility, accountability, participation, consensus formation, effectiveness and efficiency, the rule of law and equal rights named<sup>28</sup>. Governance process that is said to organizations, public institutions and government conducts public affairs, public resources are managed and to ensure the realization of human rights. Good governance goals through negation abuse and political and administrative corruption and researcher makes observing the rule of law, good governance, rule or method by which the value and UN targets achieved and the guarantee of human rights can be considered a measure of good governance. According to contemporary human rights, their political system and the more effectively the human rights and defend its citizens against aggression and oppression and effective mechanisms and political rights of citizens are put at the disposal of the executive and accountable than they know and the same amount to good governance, appropriate or desirable to be closer<sup>29</sup>.

Accordingly, the rule of law, good governance is a fundamental principle of equal treatment accordingly and of all citizens before the law without discrimination and fundamental decisions and real support for the fundamental rights of citizens, it is essential supplies a legal system more predictable and efficient judicial institutions effectively.

As you can see whether the concept of substantive institutional and procedural measures, good governance identified a set of rights that are entitled to the fundamental rights of citizens is in question, is considered. In addition, there are mechanisms appropriate guarantees, for legal sanctions in maintaining the desired fundamental rights. Moreover, the state overall responsibility for the correct

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<sup>26</sup> Zhordon, Patrice, *The principles of civil liability*, translator Majid Adib, Tehran, second edition, 2006, p. 74.

<sup>27</sup> Idem, p. 75.

<sup>28</sup> Kaufmann D. Kraay A, *Governance Matters, Policy Research Working Paper*, Washington DC: World Bank, 1999, No. 2196, p. 18.

<sup>29</sup> Graham John, *Principle for Good Governance in the 21 Century*, „Policy Brief”, no.15, 2003, p. 35.

implementation of the right to social security schemes in relation to its and it is the responsibility of governments and governance institutions.

C) The responsibility of states to international conventions related to the right to social security. The issue of state responsibility in connection with the ILO conventions related to the social security review. State responsibility and guarantee implementation of the provisions of international conventions to come. For example, from the perspective of ILO Convention No. 102 and has overall responsibility for organizing the establishment in each country and administer the social security system is one of the important rules PUS document for governance of social security systems in a way that is intended, whatever the (independent organization, part of a ministry, etc.). However, the government has overall responsibility for the correct implementation of social security schemes and administration of the government institutions is located. Social Security is a necessity in government programs gone and the level of responsibility of governments to provide decent living standards to the citizens. It is an undeniable responsibility cannot be delegated, but also in the areas of fiscal and monetary appropriate, monitoring of public and private institutions, creating a transparent organizational structure and responsible and advisory organizations, government has a key role, but that does not mean that the government must manage the whole process of social support. Determine the boundary between direct responsibility and indirect responsibility is important and differs considerably among countries.

The process in some countries to limit the role of government is essential to the tasks and goals, interaction of executive and legislative affairs and then creates a framework of conditions to flourish under the protection of the law that provides for individual responsibility and competitiveness of the private sector, is changing. In developed democracies, influential groups, it is able to influence government policy, laws and actions related to the formulation of social security schemes to monitor their financial, in some countries the government is not directly responsible for the implementation of these initiatives, governments will be held accountable. Therefore, the government has overall responsibility to institutions and devices that are responsible for this task, support provided by the Convention properly comply and establish appropriate social security to protégés guarantee, convention No. 168 came on the field, "states the overall responsibility of social security institutions and establish it for their own citizens. In case of transfer of these institutions to the private sector, governments are always accountable for the truth<sup>30</sup>. The remarkable thing is that if the government ILO members not to join some conventions, ILO and countries cannot litigate against the offending country, the argument is that since countries agreed to the Convention adopted the Statute of responsibility and the right to monitor the ILO reserved. ILO supervisory tools assessing governments in the implementation of international labor standards and social security uses.

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<sup>30</sup> Iraqi, Seyed Izatullah R., *op. cit.*, p. 88.

## 6. Conclusion

After World War II governments in international documents and human rights instruments, to avoid war, reduce class conflict, poverty and social justice, social security as a universal right recognized for all human beings. Poverty is a threat to international peace and security. International instruments on human rights, social justice and a necessary condition for lasting peace have known and to achieve social justice, development of social security for all citizens is necessary. Because Social Security is preventing exclusion and promoting social participation and the authors of this paper seeks to answer the key questions that does not only social rights in the international instruments of human rights was the responsibility of governments for the right to social does not only how it is? The authors of the documents on the grounds the international community does not only fall within the framework of the second generation of human rights. Unlike the first generation of the fundamental freedoms, which are affirmed, address the government's interference in the second generation of human rights, government's social responsibility for all its citizens without discrimination of any kind are governments committed to the international instruments, are accountable. The right to social security in the second generation of human rights on state intervention has stressed that the positive rights. Unlike the first generation of human rights ruled that a liberal approach and the lack of government intervention, the second generation is more socialist approach focuses on government intervention. Therefore, state governments are responsible for establishing the right rules and goals that can document human rights in international relations were stressed, to ensure for its citizens, are considered part of good governance. Even if the responsibility of the institutions has been privatized. Finally, accountability is the responsibility of governments. If the government has failed to establish the right to social security, fault committed and must be held accountable for committed Conventions.

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