The right to Social Security in European Constitutions

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International Labour Office  Geneva

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This study is part of a project launched by the International Labour Standards Department, in collaboration with professors and judges, concerning the right to social security in the National constitutions.

The project is inspired by and is aimed at developing the first study of this topic by the Committee of Experts on the Application of Conventions and Recommendations in its General Survey of 2011 concerning social security instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization, which contains a special Chapter on “Making social security a constitutional right”.

This project will lead to the publication of articles on the matter, organization of seminars and of a regional conference which may be held in September 2015. Similar activities will follow concerning the constitutions of the countries of Africa, Latin America, Asia and the Pacific.

This study is divided in two parts:
- A compendium of provisions of European Constitutions related to the right to social security, and
- Comparative tables of constitutional guarantees

Link to the workspace dedicated to the right to social security in the National constitutions of European States
I. **Compendium of provisions of European constitutions related to the right to social security**

This document has been prepared in October 2012 and revised in July 2015. It contains, for the constitutions of 48 European countries, a compendium of their provisions that affirm the right to social security, social protection, or social assistance; obligations of the State to protect individuals against specific social risks or to protect specific vulnerable groups of persons; or that have a promotional nature and determine the objectives of the State in matter of social security.
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Article 49
... 2. Employees have the right to social protection of labor.

Article 52
1. Everyone has the right to social security in old age or when he is unable to work, according to a system set by law.
2. Everyone, who is without work involuntarily, and has no other means of support, has the right to assistance under the conditions provided by law.

Article 53
1. Everyone has the right to marry and have a family.
2. Marriage and family enjoy special protection of the state.
...

Article 54
1. Children, the young, pregnant women and new mothers have the right to special protection by the state.
...

Article 55
1. Citizens enjoy in an equal manner the right to health care from the state.
2. Everyone has the right to health insurance in accordance with the procedure provided by law.

Chapter V - Social Objectives

Article 59
1. The state, within its constitutional powers and the means at its disposal, and to supplement private initiative and responsibility aims at:
...
"e) Care and help for the aged, orphans and persons with disabilities;"
...
2. Fulfilment of social objectives cannot be claimed directly in court. The law defines under what conditions and to what extent the realization of these objectives can be claimed.
Article 30
The right to health protection and to receive services relative to personal needs shall be respected. With that intent the State shall guarantee a system of Social Security.


From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

Article 35
The family is the natural and fundamental cell of society. Men and women of marriageable age have the right to marry and found a family according to their free will. They are entitled to equal rights as to marriage, during marriage and divorce. Dismissal for reasons connected with maternity is prohibited. Everyone woman-employee shall, in case of pregnancy and childbirth, have the right to paid maternity leave and parental leave following the birth or adoption of a child.

Article 37
Everyone shall have the right to social security during old age, disability, loss of bread-winner, unemployment and other cases prescribed by the law. The extent and forms of social security shall be prescribed by the law.

Article 38
Everyone shall have the right to benefit from medical aid and service under the conditions prescribed by the law. Everyone shall have the right to free of charge benefit from basic medical aid and services. The list and the procedure of the services shall be prescribed by the law.

Article 48
The basic tasks of the state in the economic, social and cultural spheres are:
1) to protect and patronage the family, the motherhood and the childhood;
...
4) to implement health care programs for the population and contribute to the effective and affordable medical service for the population;
...
12) to ensure decent living standard for old persons. The state shall, within the scope of its possibilities, be obliged to undertake necessary measures for the fulfilment of the purposes prescribed in this Article.

Article 89
The Government shall:
...
5) implement state policies in the areas of science, education, culture, health, social security and environmental protection;

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**AUSTRIA (1929 – AS AMENDED IN 2014)**

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

General Provisions [European Union]

Art. 10.
(1) The Federation has powers of legislation and execution in the following matters:

11. labour legislation in so far as it does not fall under art. 12; social and contractual insurance; nursing care allowance; social compensation legislation; chambers of labour with the exception of those relating to agriculture and forestry.

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**Article 12**

(1) In the following matters, legislation as regards principles is the business of the Federation, the issue of implementing laws and execution the business of the provinces:

1. social welfare; population policy in so far as it does not fall under Article 10; public social and welfare establishments; maternity, infant, and adolescent welfare; hospitals and nursing homes; requirements to be imposed for health reasons on health resorts, sanatoria, and health establishments; natural curative resources;

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**Article 102 [State-Governor]**

(2) The following matters can, within the framework of the constitutionally established sphere of competence, be directly performed by the federal authorities:

... labour legislation social and contractual insurance, nursing care allowance; social compensation legislation;... population policy in so far as it concerns the grant of children's allowances and the organization of burden equalization on behalf of families; ...

(3) The Federation remains entitled to delegate to the governor its executive power also in the matters enumerated in para. 2 above.

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From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

From the website of the World Intellectual Property Organization
http://www.wipo.int/wipolex/fr/details.jsp?id=9384

**Article 16 – Social development and state**
I. Azerbaijani state takes care about improvement of prosperity of all people and each citizen, their social protection and proper living conditions.

II. Azerbaijani state participates in development of culture, education, public health, science, arts, protects environment, historical, material and spiritual heritage of people.

**Article 17 – Family, Children and State**

I. Family as a basic element of society is under special protection of the state.

II. Parents must take care of their children and their education. The state controls implementation of this responsibility.

III. Children who do not have parents or guardians and are deprived of parental care are under the protection of the State.

... 

VI. The State implements children’s rights.

**Article 34. Right for marriage**

... 

III. Family and marriage are protected by state. Maternity, paternity and childhood are protected by the law. The state provides support to large families.

...

**Article 35 - Right to work**

... 

VII. Unemployed persons have the right to receive social allowances from the state.

...

**Article 38 - Right for social protection**

I. Everyone has the right for social protection.

II. Most vulnerable persons must get support, in the first place, from members of their families.

III. Everyone has the right for social protection on reaching specific age according to legislation, in case of illness, disability, loss of bread-winner in the family, due to unemployment and in other cases envisaged by legislation.

IV. Minimum sum of pensions and social allowances is specified by law.

V. The state creates possibilities for development of charitable activity, voluntary social insurance and other forms of social protection.

**Article 41 - Right for protection of health**

I. Everyone has the right for protection of his/her health and for medical care.

II. The state takes all necessary measures for development of all forms of health services based on various forms of property, guarantees sanitary-epidemiological safety, creates possibilities for various forms of medical insurance.

III. Officials concealing facts and cases dangerous for life and health of people will bear legal responsibility.

**Article 94 – General rules established by Milli Majlis of the Azerbaijan Republic**

I. Milli Majlis of the Azerbaijan Republic establishes general rules concerning the following matters:
1. use of rights and liberties of a person and citizen specified in the present Constitution, state guarantees of these rights and liberties;
...
16. labor relationships and social maintenance;
...

**Article 109. Competence of the President of the Azerbaijan Republic**
...
3. approves state economic and social programs;
...

**Article 119. Authority of Cabinet of Ministers of the Azerbaijan Republic**
Cabinet of Ministers of the Azerbaijan Republic:
provides implementation of state social programs;
...

**Article 144. Authority of municipalities**
I. The following questions are settled at the meetings of municipalities:
...
7. acceptance and implementation of local programs of social protection and social development;
...

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**BELARUS (1994 – AS AMENDED IN 2004 )**

From the website of the Republic of Belarus.

From the website legislation on line
[http://www.legislationline.org/documents/section/constitutions](http://www.legislationline.org/documents/section/constitutions)

**Article 32**
Marriage, the family, motherhood, fatherhood, and childhood shall be under the protection of the State.

**Article 41**
...
The State shall create conditions necessary for full employment of the population. Where a person is unemployed for reasons which are beyond one's control, he shall be guaranteed training in new specializations and an upgrading of his qualifications having regard to social needs, and to an unemployment benefit in accordance with the law.
...

**Article 45.**
Citizens of the Republic of Belarus shall be guaranteed the right to health care, including free treatment at state health-care establishments. The State shall make health care facilities accessible to all of its citizens. The right of citizens of the Republic of Belarus to health care shall also be secured by the development of
physical training and sport, measures to improve the environment, the opportunity to use fitness establishments and improvements in occupational safety.

Article 47
Citizens of the Republic of Belarus shall be guaranteed the right to social security in old age, in the event of illness, disability, loss of fitness for work and loss of a breadwinner and in other instances specified in law.
The State shall display particular concern for veterans of war and labour, as well as for those who lost their health in the defence of national and public interests.

Article 48
The State and local self-government shall grant housing free of charge or at available prices in accordance with the law to citizens who are in need of social protection. No one may be deprived of housing arbitrarily.

Article 97
The House of Representatives shall: 2) consider ... the basics of social security; the principles regulating labour and employment, marriage, the family, childhood, maternity, paternity, education, upbringing, culture and public health; ...

Article 107
The Government of the Republic of Belarus shall:
- ensure the execution of a uniform economic, financial, credit and monetary policy, and state policy in the field of science, culture, education, health care, ecology, social security and remuneration for labour;

BELGIUM (1994 - AS AMENDED IN 2014 )

From the website of the Constitutional Court of Belgium.
http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&table_name=loi&cn=1994021730

Article 23
Everyone has the right to lead a life in keeping with human dignity.
To this end, the laws federate laws and rules referred to in Article 134 guarantee economic, social and cultural rights, taking into account corresponding obligations, and determine the conditions for exercising them.
...
These rights include among others:
...
2° the right to social security, to health care and to social, medical and legal aid;
...
6° the right to family benefits.


From the website legislation online
http://www.legislationline.org/documents/section/constitutions
No relevant provisions found


From the website legislation on line
http://www.legislationline.org/documents/section/constitutions
From the website of the Parliament of Bulgaria.
http://www.parliament.bg/en/const

**Article 14**
The family, motherhood and children shall enjoy the protection of the state and society.

**Article 47**
(1) The raising and upbringing of children until they come of age shall be a right and obligation of their parents and shall be assisted by the state.
(2) Mothers shall be the object of special protection on the part of the state and shall be guaranteed prenatal and postnatal maternity leave, free obstetric care, alleviated working conditions and other social assistance.
(3) Children born out of wedlock shall enjoy equal rights with those born in wedlock.
(4) Abandoned children shall enjoy the protection of the state and society.
(5) The conditions and procedure for the restriction or suspension of parental rights shall be established by law.

**Article 51**
(1) Citizens shall have the right to social insurance and welfare aid.
(2) The state shall provide social insurances to the temporarily unemployed in accordance with conditions and procedures established by law.
(3) The aged without relatives and unable to take care of themselves, as well as the disabled and the people in socially disadvantaged position shall receive special protection from the state and society.

**Article 52**
(1) Citizens shall have the right to health insurance guaranteeing them affordable medical care, and to free medical care in accordance with conditions and procedures established by law.
(2) Citizens' medical care shall be funded by the state budget, by employers, through private and collective health-insurance schemes, and from other sources in compliance with the law.
(3) The state shall protect the health of citizens and shall promote the development of sports and tourism.

...
3. Economic, social and cultural rights

Article 57
The right of employees and their family members to social security and social insurance shall be regulated by law and collective agreements. Rights related to child-birth, maternity and child care shall be regulated by law.

Article 58
The state shall ensure the right to assistance for weak, infirm or other persons unable to meet their basic subsistence needs as a result of their unemployment or incapacity for work.
The state shall devote special care to the protection of persons with disabilities and their inclusion in social life.
The state shall devote special care to the protection of Croatian war veterans and disabled Croatian war veterans, as well as the widows, parents and children of fallen Croatian war veterans.
Receiving humanitarian aid from abroad may not be forbidden.

Article 59
Everyone shall be guaranteed the right to health care, in conformity with law.

Article 62
The family shall enjoy special protection of the state.
Marriage and legal relations in marriage, common-law marriage and the family shall be regulated by law.

Article 63
The state shall protect maternity, children and youth, and shall create social, cultural, educational, material and other conditions promoting the achievement of the right to a suitable life.

Article 64
... Physically and mentally disabled and socially neglected children shall have the right to special care, education and welfare.
... The State shall take special care of parentless minors or parentally neglected children.

Article 65
Everyone shall have the duty to protect children and infirm persons.
...

Article 70
Everyone shall have the right to a healthy life.
The state shall ensure conditions for a healthy environment.
Everyone shall, within the scope of their powers and activities, accord particular attention to the protection of human health, nature and the human environment.

### Cyprus (1960 as amended in 2006)

From the website of the World Intellectual Property Organization

From the website of the Parliament of Cyprus (amendments)

**Article 9**

Every person has the right to a decent existence and to social security. A law shall provide for the protection of the workers, assistance to the poor and for a system of social insurance.

### Czech Republic (1992 – as amended in 2002)

- **Constitution**
  
  From the website of the Parliament
  
  From the website legislation on line
  [http://www.legislationline.org/documents/section/constitutions](http://www.legislationline.org/documents/section/constitutions)

- **Charter of fundamental rights and freedoms (1999)**

#### Constitution

No relevant provisions found

#### Charter of fundamental rights and freedoms

**Chapter four – Economic, Social and Cultural Rights**

**Article 26**

... (3) Everybody has the right to acquire the means of his or her livelihood by work. The State shall provide appropriate material security to those citizens who are unable without their fault to exercise this right; the respective conditions shall be set by law. ... 

**Article 29**

(1) Women, adolescents, and handicapped persons are entitled to increased protection of their health at work and to special working conditions.

(2) Adolescents and handicapped persons are entitled to special protection in labour relations and to assistance in vocational training.

(3) Detailed provisions in this respect shall be set by law.

**Article 30**
(1) Citizens are entitled to material security in old age and during incapacitation for work, as well as in the case of loss of their provider.
(2) Everybody who suffers from material need is entitled to such assistance as is essential for securing his or her basic living conditions.
(3) Detailed provisions in this respect shall be set by law.

**Article 31**
Everybody has the right to protection of his or her health. Citizens are entitled under public insurance to free medical care and to medical aids under conditions set by law.

**Article 32**
(1) Parenthood and the family are under protection of the law. Special protection of children and adolescents is guaranteed.
(2) During pregnancy women are guaranteed special care, protection in labour relations, and appropriate working conditions.
(3) Children born in as well as out of wedlock have equal rights.
(4) Care of children and their upbringing are the right of their parents; children are entitled to parental upbringing and care. Parental rights may be limited and minor children may be taken away from their parents against the latter's will only by judicial decision on the basis of law.
(5) Parents who are raising children are entitled to assistance from the State.
(6) Detailed provisions in this respect shall be set by law.

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**DENMARK (1953)**

From the website legislation on line http://www.legislationline.org/documents/section/constitutions

**Section 75**
Subsection 1. It should be an aim that every able-bodied citizen has the opportunity to work under conditions that safeguard his or her existence in order to promote the common good.
Subsection 2. A person who is unable to support himself or his dependants, and whom no one else is under an obligation to support, is entitled to assistance from the State, while accepting the obligations that the Act relating to such assistance imposes.

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**ESTONIA (1992 – AS AMENDED IN 2011)**

From the website legislation on line http://www.legislationline.org/documents/section/constitutions

**Article 27**
The family, which is fundamental to the preservation and growth of the nation and which constitutes the foundation of society, enjoys the protection of the government.
**Article 28**
Everyone is entitled to protection of his or her health. 
Every citizen of Estonia is entitled to government assistance in the case of old age, 
incapacity for work, loss of provider, or need. The categories and extent of the 
assistance, and the conditions and procedure for its allocation are provided by law. 
Unless otherwise provided by law, citizens of foreign states and stateless persons in 
Estonia enjoy this right equally with citizens of Estonia. 
The national government facilitates voluntary provision of welfare services and 
provision of welfare services by local authorities. 
Families with a large number of children as well as people with disabilities enjoy 
special care of the national government and of local authorities.

**FINLAND (1999 – AS AMENDED IN 2012)**

From the website legislation on line  
http://www.legislationline.org/documents/section/constitutions

**Section 19 - The right to social security**
Those who cannot obtain the means necessary for a life of dignity have the right to 
receive indispensable subsistence and care. 
Everyone shall be guaranteed by an Act the right to basic subsistence in the event of 
unemployment, illness, and disability and during old age as well as at the birth of a 
child or the loss of a provider. 
The public authorities shall guarantee for everyone, as provided in more detail by an 
Act, adequate social, health and medical services and promote the health of the 
population. Moreover, the public authorities shall support families and others 
responsible for providing for children so that they have the ability to ensure the 
wellbeing and personal development of the children. 
The public authorities shall promote the right of everyone to housing and the 
opportunity to arrange their own housing.

**FRANCE (1958 – AS REVISED IN 2008)**

From the website legislation on line  
http://www.legislationline.org/documents/section/constitutions

**Preamble**
The French people solemnly proclaim their attachment to the Rights of Man and the 
principles of national sovereignty as defined by the Declaration of 1789, confirmed 
and complemented by the Preamble to the Constitution of 1946, and to the rights 
and duties as defined in the Charter for the Environment of 2004. 

**Article 1**
France shall be an indivisible, secular, democratic and social Republic. It shall ensure 
the equality of all citizens before the law, without distinction of origin, race or 
religion. It shall respect all beliefs. It shall be organised on a decentralised basis. 
...
Article 30
...
4. The protection of labour rights, fair remuneration of labour and safe, healthy working conditions and the working conditions of minors and women shall be determined by the Organic Law.

Article 32
The state shall promote the unemployed citizen of Georgia to be employed. The conditions of the provision of a minimum standard of living and the status of the unemployed shall be determined by law.

Article 36
1. Marriage shall be based upon equality of rights and free will of spouses.  
2. The state shall promote the prosperity of the family.  
3. The rights of the mother and the child shall be protected by law.

Article 37
1. Everyone shall have the right to enjoy health insurance as a means of accessible medical aid. In the cases determined in accordance with a procedure prescribed by law, free medical aid shall be provided.  
2. The state shall control all institutions of health protection and the production and trade of medicines.  

Article 6 - Marriage – Family – Children
(1) Marriage and the family shall enjoy the special protection of the state.  
(2) The care and upbringing of children is the natural right of parents and a duty primarily incumbent upon them. The state shall watch over them in the performance of this duty.  

(4) Every mother shall be entitled to the protection and care of the community.  

VII – Federal legislation and legislative procedures  
Article 74 - Matters under concurrent legislative powers
(1) Concurrent legislative power shall extend to the following matters:

7. public welfare (except for the law on social care homes);

12. labour law, including the organisation of enterprises, occupational health and safety, and employment agencies, as well as social security, including unemployment insurance;

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**GREECE (1975 – AS AMENDED IN 2008)**

From the website of the Hellenic Parliament.  

**Article 5**

... 5. All persons are entitled to the protection of their health and of their genetic identity.

...  

**Article 21**

1. The family, being the cornerstone of the preservation and the advancement of the Nation, as well as marriage, motherhood and childhood, shall be under the protection of the State.

2. Families with many children, disabled war and peace-time veterans, war victims, widows and orphans, as well as persons suffering from incurable bodily or mental ailments are entitled to the special care of the State.

3. The State shall care for the health of citizens and shall adopt special measures for the protection of youth, old age, disability and for the relief of the needy.

...  

6. People with disabilities are entitled to benefit from measures ensuring their self-sufficiency, professional integration and participation in the social, economic and political life of the Country.

**Article 22**

... 5. The State shall care for the social security of the working people, as specified by law.

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**HUNGARY (2011 – AS AMENDED IN 2013)**

From the website legislation on line  
[http://www.legislationline.org/documents/section/constitutions](http://www.legislationline.org/documents/section/constitutions)

**Article XVI**

1. Every child shall have the right to the protection and care required for his or her proper physical, mental and moral development.
2. Parents shall have the right to choose the type of upbringing they deem fit for their children.
3. Parents shall be obliged to look after their children. This obligation shall include the provision of schooling for their children.
4. Adult children shall be obliged to look after their parents if they are in need.

Article XIX
1. Hungary shall strive to provide social security to all of its citizens. Every Hungarian citizen shall be entitled to statutory subsidies for maternity, illness, disability, widowhood, orphanage and unemployment not caused by his or her own actions.
2. Hungary shall implement social security for the persons listed in Paragraph (1) and other people in need through a system of social institutions and measures.
3. The nature and extent of social measures may be determined by law in accordance with the usefulness to the community of the beneficiary’s activity.
4. Hungary shall promote the livelihood of the elderly by maintaining a general state pension system based on social solidarity and by allowing for the operation of voluntarily established social institutions. Eligibility for a state pension may include statutory criteria in consideration of the requirement for special protection to women.

Article XX
1. Every person shall have the right to physical and mental health.
2. Hungary shall promote the exercise of the right set out in Paragraph (1) by ensuring that its agriculture remains free from any genetically modified organism, by providing access to healthy food and drinking water, by managing industrial safety and healthcare, by supporting sports and regular physical exercise, and by ensuring environmental protection.

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Iceland (1944, as amended in 1999)

From the website of the Government of Iceland:
Full text
From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

Article 76
The law shall guarantee for everyone the necessary assistance in case of sickness, invalidity, infirmity by reason of old age, unemployment and similar circumstances. The law shall guarantee for everyone suitable general education and tuition. For children, the law shall guarantee the protection and care which is necessary for their well-being.

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Ireland (1937 – as amended in 2013)

From the website of the Office of the Attorney General
http://www.irishstatutebook.ie/en/constitution/
From the website legislation on line
The Family - Article 41

... 1(2°) The State, therefore, guarantees to protect the Family in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the Nation and the State.

... 2(2°) The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.

Directive Principles of Social Policy - Article 45

... 4(1°) The State pledges itself to safeguard with especial care the economic interests of the weaker sections of the community, and, where necessary, to contribute to the support of the infirm, the widow, the orphan, and the aged.

...
Disabled and handicapped persons are entitled to receive education and vocational training. Responsibilities under this article are entrusted to entities and institutions established by or supported by the State. Private-sector assistance may be freely provided.

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**Kosovo (2008)**

From the website kushtetutakosoves.  
[Full text](http://www.kosovo.com)

**Article 50 - Rights of Children**
1. Children enjoy the right to protection and care necessary for their wellbeing.

...  

**Article 51 - Health and Social Protection**
1. Healthcare and social insurance are regulated by law.  
2. Basic social insurance related to unemployment, disease, disability and old age shall be regulated by law.

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From the website of the Government of Latvia.  

**Article 109**
Everyone has the right to social security in old age, for work disability, for unemployment and in other cases as provided by law.

**Article 110**
The State shall protect and support marriage – a union between a man and a woman, the family, the rights of parents and rights of the child. The State shall provide special support to disabled children, children left without parental care or who have suffered from violence.

**Article 111**
The State shall protect human health and guarantee a basic level of medical assistance for everyone.

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**Liechtenstein (1921, as amended in 2003)**

From the website of the legal services of the Government of Liechtenstein  
[Full text](http://www.government-liechtenstein.com)

**Article 18**
The State shall be responsible for the public health system, assist institutions for the care of the sick, and seek by legislation to combat intemperance and to reform alcoholics and work-shy persons.

Article 20
1. To increase employment and to advance its economic interests, the State shall promote and assist agriculture, alpine farming, trade and industry. In particular, it shall promote insurance against damage and injuries to which workers and goods are exposed, and shall take measures to prevent such injuries and damage.

Article 25
Public poor relief shall be administered by the communes in conformity with specific laws. The State shall be responsible, however, for the supervision of such activities. It may grant appropriate assistance to the communes, especially for the proper care of orphans, the mentally handicapped, persons suffering from incurable diseases and the aged.

Article 26
The State shall support and promote health, old age, disability and fire insurance schemes.

LITHUANIA (1992 - AS AMENDED IN 2006)

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

Article 38
The family shall be the basis of society and the State. Family, motherhood, fatherhood and childhood shall be under the protection and care of the State.

... 

Article 39
The State shall take care of families that raise and bring up children at home, and shall render them support according to the procedure established by law. The law shall provide to working mothers a paid leave before and after childbirth as well as favourable working conditions and other concessions.

... 

Article 48
Each human being may freely choose a job or business, and shall have the right to have proper, safe and healthy conditions at work, to receive fair pay for work and social security in the event of unemployment.

... 

Article 52
The State shall guarantee to citizens the right to receive old age and disability pensions as well as social assistance in the event of unemployment, sickness, widowhood, loss of the breadwinner, and in other cases provided for by laws.

**Article 53**
The State shall take care of people’s health and shall guarantee medical aid and services for the human being in the event of sickness. The procedure for providing medical aid to citizens free of charge at State medical establishments shall be established by law.

**Chapter II: Public freedoms and fundamental rights**

**Article 11**

5) The law regulates as to their principles [social security, the protection of health, the rights of workers, [and] the struggle against poverty and social integration of citizens affected by a handicap.

**Article 23 - Education, Health**

(1) The State sees to the organization of primary education, which will be obligatory and free and to which access must be guaranteed to every person inhabiting the Grand Duchy. Medical and social assistance is regulated by the law.

**Article 94...**
The law also regulates the organization of the jurisdictions [in matters] of labor and the jurisdiction in matters of social security, their attributions, the mode of appointment of their members and the duration of their functions.


From the website of the World Intellectual Property Organization
From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

**Article 34**
Citizens have a right to social security and social insurance, determined by law and collective agreement.

**Article 35**
The Republic provides for the social protection and social security of citizens in accordance with the principle of social justice. The Republic guarantees the right of assistance to citizens who are infirm or unfit for work. The Republic provides particular protection for invalid persons, as well as conditions for their involvement in society.

**Article 36**
The Republic guarantees particular social security rights to veterans of the Anti-Fascist War and of all Macedonian national liberation wars, to war invalids, to those expelled and imprisoned for the ideas of the separate identity of the Macedonian people and of Macedonian statehood, as well as to member of their families without means of material and social subsistence. The particular rights are regulated by law.

**Article 39**
Every citizen is guaranteed the right to health care. Citizens have the right and duty to protect and promote their own health and the health of others.

**Article 40**
The Republic provides particular care and protection for the family, the legal relations in marriage, the family and cohabitation and regulated by law. Parents have the right and duty to provide for the nurturing and education of their children. Children are responsible for the care of their old and infirm parents. The Republic provides particular protection for parentless children without parental care.

**Article 42**
The Republic particularly protects mothers, children and minors. A person under 15 years of age cannot be employed. Minors and mothers have right to particular protection at work. Minors may not be employed in work which is detrimental to their health or mortality.

**MALTA (1964 – AS AMENDED IN 2007)**

From the website legislation on line
[http://www.legislationonline.org/documents/section/constitutions](http://www.legislationonline.org/documents/section/constitutions)

From the website of the Parliament of Malta

**Chapter II**
**Declaration of Principles**
**17. Social assistance and insurance**
(1) Every citizen incapable of work and unprovided with the resources necessary for subsistence is entitled to maintenance and social assistance.
(2) Workers are entitled to reasonable insurance on a contributory basis for their requirements in case of accident, illness, disability, old-age and involuntary unemployment.

(3) Disabled persons and persons incapable of work are entitled to education and vocational training.

**REPUBLIC OF MOLDOVA (1994 – AS AMENDED IN 2006)**

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

**Article 36 – Right to health protection**
(1) The right to health protection shall be guaranteed.
(2) The minimum health insurance provided by the State shall be free.
(3) The structure of the national system of medical assistance and the necessary means aimed at protecting the individual physical and mental health shall be provided for by organic law.

**Article 47 - Right to Social Assistance and Protection**
(1) The State shall be bound to take actions aimed at ensuring to every person and to his/her family a decent standard of living, health protection and welfare including food, clothing, shelter, medical care, and the necessary social services.
(2) All citizens shall have the right to be socially secured in case of: unemployment, disease, disability, widowhood, old age or other cases of loss of the subsistence means, due to certain circumstances beyond their control.

**Article 49 - Protection of Family and Orphaned Children**
(1) The State shall facilitate, by economic and other such actions, the formation of a family, and the fulfilment of its assigned obligations.
(2) The State shall protect the motherhood, children and young people, by fostering the development of the required institutions.
(3) All the concerns aimed at maintaining, upbringing and educating the orphaned children and those deprived of parental care shall be devolved to the State and society. The State shall promote and support the charitable activities for the benefit of these children.

**Article 50 - Protection of Mothers, Children and Young People**
(1) Mothers and children shall benefit by special assistance and protection. All the children, including those born out of wedlock, shall enjoy the same social protection.
(2) Children and young people shall enjoy a special form of assistance in the pursuit of their rights.
(3) The State shall grant the necessary allowances for children and benefits required for the care of sick or disabled children. Other forms of social assistance for children and young people shall be provided for by law.

...
Article 51 - Protection of Disabled Persons
(1) The disabled persons shall enjoy special protection from the whole of society. The State shall ensure normal conditions for medical treatment and rehabilitation, education, training and social integration of disabled persons.
(2) No one can be subdued to the forced medical treatment unless for the cases foreseen by law.

MONACO (1962, AS AMENDED IN 2002)

Original French version, from the website of the Government of Monaco:
Full text
English version from the website legislation on line
http://www.legislationline.org/documents/section/constitutions

Article 26.
Monegasques are entitled to state assistance in case of indigence, unemployment, sickness, disability, maternity and old age, under the conditions and manner prescribed by law.

MONTENEGRO (2007 – AS AMENDED IN 2013)

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

Article 67 - Social insurance
Social insurance of the employed shall be mandatory.
The state shall provide material security to the person that is unable to work and has no funds for life.

Article 68 - Protection of the persons with disability
Special protection of the persons with disability shall be guaranteed.

Article 69 - Health protection
Everyone shall have the right to health protection.
A child, a pregnant woman, an elderly person and a person with disability shall have the right to health protection from public revenues, if they do not exercise this right on some other grounds.

Article 72 - Family
Family shall enjoy special protection.
Parents shall be obliged to take care of their children, to bring them up and educate them.
Children shall take care of their own parents in need of assistance.
Children born out of wedlock shall have the same rights and responsibilities as children born in marriage.
**Article 73 - Protection of mother and child**
Mother and child shall enjoy special protection.
The state shall create the conditions that encourage childbirth.

**Article 74 - Rights of a child**
A child shall enjoy rights and freedoms appropriate to his age and maturity.
A child shall be guaranteed special protection from psychological, physical, economic and any other exploitation or abuse.

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**Netherlands (2008)**

From the website of the Government of the Netherlands.

**Article 20**
1. It shall be the concern of the authorities to secure the means of subsistence of the population and to achieve the distribution of wealth.
2. Rules concerning entitlement to social security shall be laid down by Act of Parliament.
3. Dutch nationals resident in the Netherlands who are unable to provide for themselves shall have a right, to be regulated by Act of Parliament, to aid from the authorities.

**Article 22**
1. The authorities shall take steps to promote the health of the population.
2. It shall be the concern of the authorities to provide sufficient living accommodation.
3. The authorities shall promote social and cultural development and leisure activities.

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**Norway (1814 – as amended in 2014)**

https://www.stortinget.no/en/In-English/About-the-Storting/The-Constitution/
From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

**Article 104**
Children have the right to respect for their human dignity. They have the right to be heard in questions that concern them, and due weight shall be attached to their views in accordance with their age and development.
For actions and decisions that affect children, the best interests of the child shall be a fundamental consideration.
Children have the right to protection of their personal integrity. The authorities of the state shall create conditions that facilitate the child’s development, including
ensuring that the child is provided with the necessary economic, social and health security, preferably within their own family.

**Article 110**
The authorities of the state shall create conditions under which every person capable of work is able to earn a living through their work or enterprise. Those who cannot themselves provide for their own subsistence have the right to support from the state.

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### POLAND (1997 – AS AMENDED IN 2009)

From the website of the Senate of Poland.
From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

**Article 18**
Marriage, being a union of a man and a woman, as well as the family, motherhood and parenthood, shall be placed under the protection and care of the Republic of Poland.

**Article 19**
The Republic of Poland shall take special care of veterans of the struggle for independence, particularly war invalids.

**Article 67**
1. A citizen shall have the right to social security whenever incapacitated for work by reason of sickness or invalidism as well as having attained retirement age. The scope and forms of social security shall be specified by statute.
2. A citizen who is involuntarily without work and has no other means of support, shall have the right to social security, the scope of which shall be specified by statute.

**Article 68**
1. Everyone shall have the right to have his health protected.
2. Equal access to health care services, financed from public funds, shall be ensured by public authorities to citizens, irrespective of their material situation. The conditions for, and scope of, the provision of services shall be established by statute.
3. Public authorities shall ensure special health care to children, pregnant women, handicapped people and persons of advanced age.

**Article 69**
Public authorities shall provide, in accordance with statute, aid to disabled persons to ensure their subsistence, adaptation to work and social communication.

**Article 71**
1. The State, in its social and economic policy, shall take into account the good of the family. Families, finding themselves in difficult material and social circumstances - particularly those with many children or a single parent - shall have the right to special assistance from public authorities.
2. A mother, before and after birth, shall have the right to special assistance from public authorities, to the extent specified by statute.

Article 72
1. The Republic of Poland shall ensure protection of the rights of the child. Everyone shall have the right to demand of organs of public authority that they defend children against violence, cruelty, exploitation and actions which undermine their moral sense.
2. A child deprived of parental care shall have the right to care and assistance provided by public authorities.
3. Organs of public authority and persons responsible for children, in the course of establishing the rights of a child, shall consider and, insofar as possible, give priority to the views of the child.
4. The competence and procedure for appointment of the Commissioner for Children's Rights shall be specified by statute.


From the website of the Parliament (original version)

From the website legislation on line (in English)
http://www.legislationline.org/documents/section/constitutions

Article 8 - International Law
1. The rules and principles of general or common international law shall form an integral part of Portuguese law.
2. The rules set out in duly ratified or passed international agreements shall come into force in Portuguese internal law once they have been officially published, and shall remain so for as long as they are internationally binding on the Portuguese state.
3. Rules issued by the competent bodies of international organisations to which Portugal belongs shall come directly into force in Portuguese internal law, on condition that this is laid down in the respective constituent treaties.
4. The provisions of the treaties that govern the European Union and the rules issued by its institutions in the exercise of their respective responsibilities shall apply in Portuguese internal law in accordance with Union law and with respect for the fundamental principles of a democratic state based on the rule of law.

Article 9 – Fundamental Tasks of the State
The fundamental tasks of the State shall be:

... 
d) To promote the people’s well-being and quality of life and real equality between the Portuguese, as well as the effective implementation of economic, social, cultural
and environmental rights by means of the transformation and modernisation of economic and social structures;

...  

**Article 59 - Rights of Workers**

1. Regardless of age, sex, race, citizenship, place of origin, religion and political and ideological convictions, every worker shall possess the right:

   a) To the remuneration of his work in accordance with its volume, nature and quality, with respect for the principle of equal pay for equal work and in such a way as to guarantee a proper living;

   b) That work be organised in keeping with social dignity and in such a way as to provide personal fulfilment and to make it possible to reconcile professional and family life;

   c) To work in conditions that are hygienic, safe and healthy;

   d) To rest and leisure time, a maximum limit on the working day, a weekly rest period and periodic paid holidays;

   e) To material assistance when he involuntarily finds himself unemployed;

   f) To assistance and fair reparation when he is the victim of a work-related accident or occupational illness.

**Chapter II Social Rights and Duties**

**Article 63 - Social Security and solidarity**

1. Everyone shall have the right to social security.

2. The state shall be charged with organising, coordinating and subsidising a unified and decentralised social security system, with the participation of the trade unions, other organisations that represent workers and associations that represent any other beneficiaries.

3. The social security system shall protect citizens in illness and old age and when they are disabled, widowed or orphaned, as well as when they are unemployed or in any other situation that entails a lack of or reduction in means of subsistence or ability to work.

4. All periods of work shall, as laid down by law, contribute to the calculation of old age and disability pensions, regardless of the sector of activity in which they were performed.

5. With a view to the pursuit of the social solidarity objectives that are particularly enshrined in this Article and in Articles 67(2)b, 69, 70(1)e, 71 and 72, the state shall, as laid down by law, support and inspect the activities and operation of private charitable institutions and other non-profit institutions that are recognised to be in the public interest.

**Article 64 – Health**

1. Everyone shall possess the right to health protection and the duty to defend and promote health.

2. The right to health protection shall be fulfilled:

   a) By means of a national health service that shall be universal and general and, with particular regard to the economic and social conditions of the citizens who use it, shall tend to be free of charge;
b) By creating economic, social, cultural and environmental conditions that particularly guarantee the protection of childhood, youth and old age; by systematically improving living and working conditions and also promoting physical fitness and sport at school and among the people; and by developing both the people’s health and hygiene education and healthy living practises.

3. In order to ensure enjoyment of the right to the protection of health, the state shall be under a primary duty:
   a) To guarantee access by every citizen, regardless of his economic situation, to preventive, curative and rehabilitative medical care;
   b) To guarantee a rational and efficient nationwide coverage in terms of healthcare units and human resources;
   c) To work towards the public funding of the costs of medical care and medicines;
   d) To regulate and inspect corporate and private forms of medicine and articulate them with the national health service, in such a way as to ensure adequate standards of efficiency and quality in both public and private healthcare institutions;
   e) To regulate and control the production, distribution, marketing, sale and use of chemical, biological and pharmaceutical products and other means of treatment and diagnosis;
   f) To establish policies for the prevention and treatment of drug abuse.

4. The National Health Service shall possess a decentralised and participatory management system.

Article 67 – Family
1. As a fundamental element in society, the family shall possess the right to protection by society and the state and to the effective implementation of all the conditions needed to enable family members to achieve personal fulfilment.

2. In order to protect the family, the state shall particularly be charged with:
   a) Promoting the social and economic independence of family units;
   b) Promoting the creation of, and guaranteeing access to, a national network of crèches and other social facilities designed to support the family, together with a policy for the elderly;
   c) Cooperating with parents in relation to their children’s education;
   d) With respect for individual freedom, guaranteeing the right to family planning by promoting the information and access to the methods and means required therefore, and organising such legal and technical arrangements as are needed for motherhood and fatherhood to be consciously planned;
   e) Regulating assisted conception in such a way as to safeguard the dignity of the human person;
   f) Regulating taxes and social benefits in line with family costs;
   g) After first consulting the associations that represent the family, drawing up and implementing a global and integrated family policy;
   h) By concerting the various sectorial policies, promoting the reconciliation of professional and family life.

Article 68 - Fatherhood and Motherhood
1. In performing their irreplaceable role in relation to their children, particularly as regards the children’s education, fathers and mothers shall possess the right to
protection by society and the state, together with the guarantee of their own professional fulfilment and participation in civic life.

2. Motherhood and fatherhood shall constitute eminent social values.

3. Women shall possess the right to special protection during pregnancy and following childbirth, and female workers shall also possess the right to an adequate period of leave from work without loss of remuneration or any privileges.

4. The law shall regulate the grant to mothers and fathers of an adequate period of leave from work, in accordance with the interests of the child and the needs of the family unit.

Article 69 – Childhood

1. With a view to their integral development, children shall possess the right to protection by society and the state, especially from all forms of abandonment, discrimination and oppression and from the abusive exercise of authority in the family or any other institution.

2. The state shall ensure special protection for children who are orphaned, abandoned or deprived of a normal family environment in any way.

3. Labour by minors of school age shall be prohibited as laid down by law.

Article 70 – Youth

1. In order to ensure the effective enjoyment of their economic, social and cultural rights, young people shall receive special protection, particularly:
   a) In education, vocational training and culture;
   b) In access to their first job, at work and in relation to social security;
   c) In access to housing;
   d) In physical education and sport;
   e) In the use of their free time.

2. The priority objectives of the youth policy shall be the development of young people’s personality, the creation of the conditions needed for their effective integration into the active life, a love of free creativity and a sense of community service.

3. Acting in cooperation with families, schools, businesses, residents’ organisations, cultural associations and foundations and cultural and recreational groups, the state shall foster and support youth organisations in the pursuit of the said objectives, as well as international youth exchanges.

Article 71 - Disabled Citizens

1. Citizens with physical or mental disabilities shall fully enjoy the rights and shall be subject to the duties enshrined in this Constitution, save the exercise or fulfilment of those for which their condition renders them unfit.

2. The state shall undertake a national policy for the prevention of disability and the treatment, rehabilitation and integration of disabled citizens and the provision of support to their families, shall educate society and make it aware of the duties of respect and solidarity towards such citizens, and shall ensure that they effectively enjoy their rights, without prejudice to the rights and duties of their parents or guardians.

3. The state shall support disabled citizens’ organisations.
Article 72 – The elderly
1. The elderly shall possess the right to economic security and to conditions in terms of housing and family and community life that respect their personal autonomy and avoid and overcome isolation or social marginalisation.
2. The policy for the elderly shall include measures of an economic, social and cultural nature that tend to provide elderly people with opportunities for personal fulfilment by means of an active participation in community life.

Article 81 – Primary Duties of the State
In the economic and social field the state shall be under a primary duty:

a) Within the overall framework of a sustainable development strategy, to promote an increase in people’s social and economic well-being and quality of life, especially those of the most disadvantaged persons;
b) To promote social justice, ensure equal opportunity and carry out the necessary corrections to inequalities in the distribution of wealth and income, particularly by means of the fiscal policy;

Romania (1991 - as revised in 2003)

From the website of the chamber of the deputies of Romania.

Full text

Article 34 - Right to protection of health
(1) The right to the protection of health is guaranteed.
(2) The State shall be bound to take measures to ensure public hygiene and health.
(3) The organization of the medical care and social security system in case of sickness, accidents, maternity and recovery, the control over the exercise of medical professions and paramedical activities, as well as other measures to protect physical and mental health of a person shall be established according to the law.

Article 41 - Labour and social protection of labour

(2) All employees have the right to measures of social protection. These concern employees’ safety and health, working conditions for women and young people, the setting up of a minimum gross salary per economy, weekends, paid rest leave, work performed under difficult and special conditions, as well as other specific conditions, as stipulated by the law.

Article 47 - Living standard
(1) The State shall be bound to take measures of economic development and social protection, of a nature to ensure a decent living standard for its citizens.
(2) Citizens have the right to pensions, paid maternity leave, medical care in public health centres, unemployment benefits, and other forms of public or private social securities, as stipulated by the law. Citizens have the right to social assistance, according to the law.
**Article 49 - Protection of children and young people**

(1) Children and young people shall enjoy special protection and assistance in the pursuit of their rights.

(2) The State shall grant allowances for children and benefits for the care of ill or disabled children. Other forms of social protection for children and young people shall be established by law.

... 

**Article 50 - Protection of disabled persons**

Disabled persons shall enjoy special protection. The State shall provide the accomplishment of a national policy of equal opportunities, disability prevention and treatment, so that disabled persons can effectively participate in community life, while observing the rights and duties of their parents or legal guardians.

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**RUSSIAN FEDERATION (1993 – AS AMENDED IN 2008)**

From the website on the Constitutions of the world

From the website of the World Intellectual Property Organization

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

**Article 7**

1. The Russian Federation is a social State whose policy is aimed at creating conditions for a worthy life and the unhindered development of man.
2. In the Russian Federation the labour and health of people shall be protected, guaranteed minimum wages and salaries shall be established, state support ensured for the family, maternity, paternity and childhood, for disabled persons and the elderly, a system of social services developed, state pensions, allowances and other social security guarantees shall be established.

**Article 39**

1. Everyone shall be guaranteed social security at the expense of the State in old age, in case of illness, disability, loss of the bread-winner, for bringing up children and in other cases established by law.
2. State pensions and social allowances shall be established by law.
3. Promotion shall be given to voluntary social insurance and the creation of additional forms of social security and charity.

**Article 41**

1. Everyone shall have the right to health protection and medical aid. Medical aid in state and municipal health establishments shall be rendered to individuals gratis, at the expense of the corresponding budget, insurance contributions and other proceeds.
2. In the Russian Federation federal programmes for protecting and improving the health of the population shall be financed by the State; measures shall be adopted to develop state, municipal and private health services; activities shall be promoted...
which facilitate the improvement of health, the development of physical culture and sport, ecological and sanitary epidemiological well-being.

3. The concealment by officials of facts and circumstances posing a threat to the life and health of people shall entail responsibility according to federal law.

Article 71
The jurisdiction of the Russian Federation includes:

... f) establishment of the principles of federal policy and federal programmes in the sphere of state, economic, ecological, social, cultural and national development of the Russian Federation;
... 

Article 72
1. The joint jurisdiction of the Russian Federation and the subjects of the Russian Federation includes:

... g) Coordination of issues of health care; protection of the family, maternity, paternity and childhood; social protection, including social security;

Article 114
1. The Government of the Russian Federation shall:

... c) Ensure the implementation in the Russian Federation of a single state policy in the sphere of culture, science, education, health protection, social security and ecology;
... 


From the website of the World Intellectual Property Organization

Article 9

... All citizens shall be entitled to social security

Article 12
The Republic shall protect the institution of the family, based on moral and legal equality of spouses. Mothers shall be entitled to assistance and protection by the community. Children born outside wedlock shall enjoy spiritual, legal and social protection and be treated on an equal footing as legitimate children.

SERBIA (2006)

From the website of the Government of Serbia
Article 66 - Special protection of the family, mother, single parent and child
Families, mothers, single parents and any child in the Republic of Serbia shall enjoy special protection in the Republic of Serbia in accordance with the law. Mothers shall be given special support and protection before and after childbirth. Special protection shall be provided for children without parental care and mentally or physically handicapped children...

Article 68 - Health care
Everyone shall have the right to protection of their mental and physical health. Health care for children, pregnant women, mothers on maternity leave, single parents with children under seven years of age and elderly persons shall be provided from public revenues unless it is provided in some other manner in accordance with the law. Health insurance, health care and establishing of health care funds shall be regulated by the law. The Republic of Serbia shall assist development of health and physical culture.

Article 69 - Social protection
Citizens and families that require welfare for the purpose of overcoming social and existential difficulties and creating conditions to provide subsistence, shall have the right to social protection the provision of which is based on social justice, humanity and respect of human dignity. Rights of the employees and their families to social protection and insurance shall be regulated by the law. The employees shall have the right to salary compensation in case of temporary inability to work, as well as the right to temporary unemployment benefit in accordance with the law. Disabled people, war veterans and victims of war shall be provided special protection in accordance with the law. Social insurance funds shall be established in accordance with the law.

Article 70 - Pension insurance
Pension insurance shall be regulated by the law. The Republic of Serbia shall see to economic security of the pensioners.


From the website of the Government of Slovakia
http://www.slovak-republic.org/constitution/
From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

Article 38
(1) Women, minors, and persons with impaired health are entitled to an enhanced protection of their health at work, as well as to special working conditions.
(2) Minors and persons with impaired health are entitled to special protection in labor relations as well as to assistance in professional training.
(3) Details concerning rights listed in paragraphs 1 and 2 shall be laid down by law.

**Article 39**
(1) Citizens have the right to adequate material provision in old age, in the event of work disability, as well as after losing their provider.
(2) Everyone who is in material need is entitled to assistance necessary to ensure basic living conditions.
(3) Details concerning rights listed in paragraphs 1 and 2 shall be laid down by law.

**Article 40**
Everyone has a right to the protection of health. Based on public insurance, citizens have the right to free health care and to medical supplies under conditions which shall be laid down by law.

**Article 41**
(1) Marriage, parenthood and the family are under the protection of the law. The special protection of children and minors is guaranteed.
(2) Special care, protection in labor relations, and adequate working conditions are guaranteed to a woman during the period of pregnancy.
(3) Children born in and out of wedlock enjoy equal rights.
(4) Child care and upbringing are the rights of parents; children have the right to parental care and upbringing. Parents’ rights can be restricted and minors can be separated from their parents against their will only by a court ruling on the basis of law.
(5) Parents caring for children are entitled to assistance from the state.
(6) Details concerning rights under paragraphs 1 to 5 shall be laid down by law.

**SLOVENIA (1991 – AS AMENDED IN 2013)**

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions

**Article 50 - Right to Social Security**
Citizens have the right to social security, including the right to a pension, under conditions provided by law.
The state shall regulate compulsory health, pension, disability and other social insurance, and shall ensure its proper functioning.
Special protection in accordance with the law shall be guaranteed to war veterans and victims of war.

**Article 51 - Right to Health Care**
Everyone has the right to health care under conditions provided by law.
The rights to health care from public funds shall be provided by law.
No one may be compelled to undergo medical treatment except in cases provided by law.

**Article 52 - Rights of Disabled Persons**

Disabled persons shall be guaranteed protection and work-training in accordance with the law. Physically or mentally handicapped children and other severely disabled persons have the right to education and training for an active life in society. The education and training referred to in the preceding paragraph shall be financed from public funds.

**Article 53 - Marriage and the Family**

... The state shall protect the family, motherhood, fatherhood, children and young people and shall create the necessary conditions for such protection.

**Article 56 - Rights of Children**

Children shall enjoy special protection and care. Children shall enjoy human rights and fundamental freedoms consistent with their age and maturity.

...


**Section 49**
The public authorities shall carry out a policy of preventive care, treatment, rehabilitation and integration of the physically, sensorially and mentally handicapped by giving them the specialized care they require, and affording them special protection for the enjoyment of the rights granted by this Part to all citizens.

**Section 50**
The public authorities shall guarantee, through adequate and periodically updated pensions, a sufficient income for citizens in old age. Likewise, and without prejudice to the obligations of the families, they shall promote their welfare through a system of social services that provides for their specific problems of health, housing, culture and leisure.

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**Sweden (1975 - as amended in 2012)**

From the website on the Constitutions of the world

**Article 2 (1)**
Public power shall be exercised with respect for the equal worth of all and the liberty and dignity of the individual. The personal, economic and cultural welfare of the individual shall be fundamental aims of public activity. In particular, the public institutions shall secure the right to employment, housing and education, and shall promote social care and social security, as well as favourable conditions for good health.

**Supplementary provision 4.2.1**
The Riksdag shall appoint the following fifteen committees no later than the eighth day following the first meeting of the Chamber in the electoral period of the Riksdag:

... 8. a Committee on Social Insurance

**Supplementary provision 4.6.8**
The Committee on Social Insurance shall prepare matters concerning:

1. national insurance;  
2. national pensions;  
3. occupational injury insurance;  
4. financial support for families with children;  
5. Swedish citizenship; and  
6. migration.

Matters concerning appropriations falling within expenditure areas 8 Migration; 10 Financial security for the sick and disabled; 11 Financial security for the elderly; and 12 Financial security for families and children are prepared by the Committee on Social Insurance.
Supplementary provision 4.6.9
The Committee on Health and Welfare shall prepare matters concerning:
1. Care and welfare services for children and young people insofar as these matters
do not fall to any other committee to prepare;
2. Care and welfare of the elderly and disabled;
3. Measures to combat drug and alcohol abuse, and other social services questions;
4. Alcohol policy measures;
5. Health and medical care; and
Matters concerning appropriations falling within expenditure area 9 Health and
medical care, social services are prepared by the Committee on Health and Welfare.

From the website of the Government of Switzerland.

Article 12 - Right to assistance when in need
Persons in need and unable to provide for themselves have the right to assistance
and care, and to the financial means required for a decent standard of living.

Title 2: Fundamental Rights, Citizenship and Social Goals
Chapter 3 - Social Objectives
Article 41
1. The Confederation and the Cantons shall, as a complement to personal
responsible and private initiative, endeavour to ensure that:
a. everyone has access to social security;
b. everyone has access to the health care that they require;
c. families are protected and encouraged as communities of adults and children;
d. everyone who is fit to work can earn their living by working under fair conditions;
e. anyone seeking accommodation for themselves and their family can find
suitable accommodation on reasonable terms;
f. children and young people as well as persons of employable age can obtain
an education and undergo basic and advanced training in accordance with their
abilities;
g. children and young people are encouraged to develop into independent and
socially responsible people and are supported in their social, cultural and political
integration.
2. The Confederation and Cantons shall endeavour to ensure that everyone is
protected against the economic consequences of old-age, invalidity, illness, accident,
unemployment, maternity, being orphaned and being widowed.
3. They shall endeavour to achieve these social objectives within the scope of their
constitutional powers and the resources available to them.
4. No direct right to state benefits may be established on the basis of these social
objectives.

Title 3 : Confederation, Cantons and Communes
Chapter 2: Powers
Section 8: Housing, Employment, Social Security and Health

Art. 111 - Old-age, survivors’ and invalidity pension provision

(1) The Confederation shall take measures to ensure adequate financial provision for the elderly, surviving spouses and children, and persons with disabilities. These shall be based on three pillars, namely the Federal Old-age, Survivors’ and Invalidity Insurance, the occupational pension scheme and private pension schemes.

(2) The Confederation shall ensure that the Federal Old-age, Survivors’ and Invalidity Insurance and the occupational pension scheme are able to fulfil their purpose at all times.

(3) It may require the Cantons to exempt institutions of the Federal Old-age, Survivors’ and Invalidity Insurance and the occupational pension scheme from liability to pay tax and to grant insured persons and their employers tax relief on contributions and reversionary rights.

(4) In cooperation with the Cantons, it shall encourage private pension schemes, in particular through measures relating to taxation policy and the policy of promoting property ownership.

Article 112 - Old age, Survivors’ and Disability Insurance

(1) The Federation adopts rules on the old age, survivors, and disability insurance.

(2) In doing so, it shall adhere to the following principles:

a. The insurance is compulsory.

b. it provides cash and non-cash benefits.

c. pensions must be sufficient to cover basic living expenses adequately.

d. The maximum pension must not be more than twice the minimum pension.

e. Pensions must as a minimum be adjusted in line with price trends.

(3) The insurance is funded:

a. through contributions from those insured, whereby employers must pay one half of the contributions payable by their employees;

b. through subsidies from the Confederation.

(4) The subsidies from the Confederation may not exceed one half of the disbursements made under the scheme.

(5) The subsidies from the Confederation shall in the first place be funded from the net proceeds of the tax on tobacco, the tax on distilled spirits and the tax on the revenues from gaming houses.

Art. 112a - Supplementary benefits

(1) Confederation and Cantons shall pay supplementary benefits to people whose basic living expenses are not covered by benefits under the Old-age, Survivors and Invalidity Insurance.

(2) The law determines the extent of the supplementary benefits as well as the tasks and responsibilities of the Confederation and Cantons.

Art. 112b - Promoting the rehabilitation of people eligible for invalidity benefits

(1) The Confederation shall encourage the rehabilitation of people eligible for invalidity benefits by providing cash and non-cash benefits. For this purpose, it may use resources from the Invalidity Insurance.
(2) The Cantons shall encourage the rehabilitation of people eligible for invalidity benefits, in particular through contributions to the construction and running of Institutions that provide accommodation and work.
(3) The law determines the goals of rehabilitation and the principles and criteria.

Art. 112c - Aid for elderly people and people with disabilities
(1) The Cantons shall provide for assistance and care in the home for elderly people and people with disabilities.
(2) The Confederation shall support national efforts for the benefit of elderly people and people with disabilities. For this purpose, it may use resources from the Old-age, Survivors and Invalidity Insurance.

Art. 113 - Occupational pension scheme
(1) The Confederation shall legislate for an occupational pension scheme.
(2) In doing so, it shall adhere to the following principles:
a. the occupational pension scheme, together with the Old-age, Survivors’ and Invalidity Insurance, enables the insured person to maintain his or her previous lifestyle in an appropriate manner.
b. the occupational pension scheme is compulsory for employees; the law may provide for exceptions.
c. employers shall insure their employees with a pension institution; if required, the Confederation shall make it possible for employees to be insured with a federal pension institution.
d. self-employed persons may insure themselves on a voluntary basis with a pension institution.
e. for specific groups of self-employed persons, the Confederation may declare the occupational pension scheme to be compulsory, either in general terms or for individual risks only.
(3) The occupation pension scheme is funded from the contributions of those insured, whereby one half of the contributions of employees shall be paid by their employers.
(4) Pension schemes must satisfy the minimum requirements under federal law; the Confederation may provide for national measures to resolve particular difficulties.

Article 114 - Unemployment Insurance
(1) The Confederation shall legislate on unemployment insurance.
(2) In doing so, it shall adhere to the following principles:
a. the insurance guarantees appropriate compensation for loss of earnings and supports measures to prevent and combat unemployment.
b. the insurance is compulsory for employees; the law may provide for exceptions.
c. self-employed persons may insure themselves voluntarily.
(3) The insurance is funded by the contributions from those insured, whereby one half of the contributions of employees shall be paid by their employers.
(4) Confederation and Cantons shall provide subsidies in extraordinary circumstances.
(5) The Confederation may enact regulations on social assistance for the unemployed.
**Article 115 – Support for persons in need**

Persons in need shall be supported by their Canton of residence. The Confederation regulates exceptions and powers.

**Article 116 – Child Allocations and Maternity Insurance**

(1) In the fulfilment of its duties, the Confederation shall take account of the needs of families. It may support measures for the protection of families.

(2) It may issue regulations on child allowances and operate a federal family allowances compensation fund.

(3) It shall establish a maternity insurance scheme. It may also require persons who cannot benefit from that insurance to make contributions.

(4) The Confederation may declare participation in a family allowances compensation fund and the maternity insurance scheme to be compulsory, either in general terms or for individual sections of the population, and make its subsidies dependent on appropriate subsidies being made by the Cantons.

**Article 117 - Health and Accident Insurance**

(1) The Confederation shall legislate on health and accident insurance.

(2) It may declare health and the accident insurance to be compulsory, either in general terms or for individual sections of the population.

**Art. 117a - Primary medical care**

(1) The Confederation and the Cantons shall within the scope of their powers ensure the adequate provision of high quality primary medical care that is accessible to all. They shall recognise and promote family medicine as an essential component of primary care.

(2) The Confederation shall legislate on:
   a. basic and continuing education and training for family medicine professions and the requirements for practising these professions;
   b. appropriate remuneration for family medicine services.

**Art. 118 - Health protection**

(1) The Confederation shall, within the limits of its powers, take measures for the protection of health.

(2) It shall legislate on:
   a. the use of foodstuffs as well as therapeutic products, narcotics, organisms, chemicals and items that may be dangerous to health;
   b. the combating of communicable, widespread or particularly dangerous human and animal diseases;
   c. protection against ionising radiation.

**Art. 118a - Complementary medicine**

The Confederation and the Cantons shall within the scope of their powers ensure that consideration is given to complementary medicine.
Chapter 3 – Social and Economic rights and duties

1. Protection of the Family and Children’s Rights

Article 41
The family is the foundation of the Turkish society and based on the equality between the spouses. The state shall take the necessary measures and establish the necessary organisation to ensure the peace and welfare of the family, especially where the protection of the mother and children is involved, and recognizing the need for education in the practical application of family planning.

5. Provisions relating to Labour
A. Right and Duty to Work

Article 49
Everyone has the right and duty to work.
The State shall take the necessary measures to raise the standard of living of workers, and to protect workers and the unemployed in order to improve the general conditions of labour, to promote labour, to create suitable economic conditions for prevention of unemployment and to secure labour peace.

8. Health, the Environment and Housing
A. Health services and Conservation of the Environment

Article 56
Everyone has the right to live in a healthy, balanced environment. It is the duty of the state and citizens to improve the natural environment, and to prevent environmental pollution. To ensure that everyone leads their lives in conditions of physical and mental health and to secure cooperation in terms of human and material resources through economy and increased productivity, the state shall regulate central planning and functioning of the health services. The state shall fulfil this task by utilizing and supervising the health and social assistance institutions, in both the public and private sectors. In order to establish widespread health services general health insurance may be introduced by law.

10. Social Security Rights
A. Right to social security

Article 60
Everyone has the right to social security. The state shall take the necessary measures and establish the organisation for the provision of social security.

B. Persons requiring Special Protection in the Field of Social Security

From the website legislation on line
http://www.legislationline.org/documents/section/constitutions
**Article 61**
The state shall protect the widows and orphans of those killed in war and in the line of duty, together with the disabled and war veterans, and ensure that they enjoy a decent standard of living.
The state shall take measures to protect the disabled and secure their integration into community life.
The aged shall be protected by the state. State assistance to the aged, and other rights and benefits shall be regulated by law.
The state shall take all kinds of measures for social resettlement of children in need of protection.
To achieve these aims the state shall establish the necessary organisations or facilities, or arrange for their establishment by other bodies.

**UKRAINE (1996 – AS AMENDED IN 2014)**

From the website legislation on line
http://www.legislationonline.org/documents/section/constitutions

**Article 17**
...
The State ensures the social protection of citizens of Ukraine who serve in the Armed Forces of Ukraine and in other military formations as well as of members of their families.
...

**Chapter II - Human and Citizens' Rights, Freedoms and Duties**

**Article 24.**
Citizens shall have equal constitutional rights and freedoms and shall be equal before the law.
There shall be no privileges or restrictions based on race, skin colour, political, religious, and other beliefs, gender, ethnic and social origin, property status, place of residence, linguistic or other characteristics.
Equality of the rights of women and men shall be ensured by providing women with opportunities equal to those of men in public, political and cultural activities, in obtaining education and in professional training, in work and remuneration for it; by taking special measures for the protection of work and health of women; by establishing pension privileges; by creating conditions that make it possible for women to combine work and motherhood; by adopting legal protection, material and moral support of motherhood and childhood, including the provision of paid leave and other privileges to pregnant women and mothers.

**Article 46**
Citizens shall have the right to social protection including the right to financial security in cases of complete, partial, or temporary disability, loss of the principal wage-earner, unemployment due to circumstances beyond their control, old age, and in other cases determined by law.
This right shall be guaranteed by the mandatory state social insurance based on insurance payments made by citizens, enterprises, institutions, and organisations, as
well as by budgetary and other sources of social security; and by establishing a network of state, communal, and private institutions caring for incapacitated persons.
Pensions and other types of social payments and assistance that are the principal sources of subsistence shall ensure a standard of living not lower than the minimum living standard established by law.

**Article 49**
Everyone shall have the right to health protection, medical care and medical insurance.
Health protection is ensured through state funding of the relevant socio-economic, medical and sanitary, health improvement and prophylactic programmes.
The State creates conditions for effective medical service accessible to all citizens. State and communal health protection institutions provide medical care free of charge; the existing network of such institutions shall not be reduced. The State promotes the development of medical institutions of all forms of ownership. The State provides for the development of physical culture and sports, and ensures sanitary-epidemic welfare.

**Article 51**

... The family, childhood, motherhood, and fatherhood are under the protection of the State.

**Article 52**
Children shall be equal in their rights regardless of their origin and whether they are born in or out of wedlock.
Any violence against a child or his exploitation shall be prosecuted by law. The subsistence and upbringing of orphans and children deprived of parental care shall be entrusted to the State. The State shall encourage and support charitable activity in regard to children.
COMPARATIVE TABLES OF CONSTITUTIONAL GUARANTEES

The tables below have been prepared in October 2012 and revised in July 2015 on the basis of the compendium of provisions contained in the previous section. They make a synthesis of constitutional guarantees related to social security that are enshrined in the constitutions of 48 European countries. Unlike the compendium, these tables do not contain exact quotations of the constitutional provisions. In addition to provisions directly concerning social security, this document also considers provisions attributing competence for constitutional review and defining the status of international law in relation to domestic law.
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Azerbaijan (1995)

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<td>apply directly in Bosnia and Herzegovina and shall have priority over all other law [Art. II(2)]</td>
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<td>Ratified international instruments constitute part of national law and take precedence over it (Art. 5)</td>
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| Croatia (1990) Full text | Social State principle (Art. 1) | Art. 56 | Employees and members of their family | Social security and social insurance | Constitutional right
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| | Social justice is among the highest values of the constitutional order (Art. 3) | Art. 57 | Child birth, maternity |  | Regulation by law |
| | Constitutional review by the Constitutional Court (Art. 129) | Art. 58 | The weak, helpless and other persons unable to meet their basic needs owing to unemployment or incapacity to work. | Assistance | Constitutional right
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| | International agreements take precedence over national law but not over the Constitution (Art. 141) | Art. 58 | The disabled, Croatian war veterans and disabled Croatian war veterans | Special care | State duty |
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<td>(Charter for fundamental rights and basic freedoms: Full text)</td>
<td>Art. 26</td>
<td>Citizens who are unable without their fault to acquire the means of his or her livelihood by work Different rules may be set by law for foreign citizens.</td>
<td>Material security</td>
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<td><strong>Constitutional right</strong> State duty Regulation by law: provided that the beneficiary complies with the obligations imposed by statute in such respect</td>
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<td>ratified or approved shall, upon publication, take precedence over Acts of Parliament, subject, with respect to each agreement or treaty, to its application by the other party. (Art. 55).</td>
<td>Art. 32</td>
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| Legislation but not over the Constitution (Art. 6). | Article 36 | The mother and the child | Protection of their rights | Regulation by law |
| The law making power is competent to regulate the status of the unemployed (Art. 32). | Article 37 | Everyone | Health insurance as a means of accessible medical aid
Control of the institutions of health protection | Constitutional right |
| The Public Defender is competent to defend human rights (Art. 43). | | | | |
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<td>Public welfare, social security and unemployment insurance are under the concurrent legislative power of the Lander and of the Federal State (Art. 74)</td>
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Full text: International customary law and ratified international treaties law shall be an integral part of domestic Greek law and shall take precedence over any contrary provision of the law (Art. 28).
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|              | Art. XIX     | - Every Hungarian citizen  
- Old age, maternity, illness, disability, widowhood, orphanage and unemployment without no fault of their own | Social security, through a social security system and the system of social institutions | *Constitutional right*  
*State Duty* |
|              | Art. XX      | Everyone living in the territory of Hungary                                               | Institutions of labour safety and healthcare, opportunities for regular physical activity and protection of the environment | *Constitutional right*  
*State duty* |
<p>| Iceland (1944) | Art. 76      | Everyone, in case of Sickness, invalidity, infirmity by reason of old age, unemployment and similar circumstances | Assistance                                               | <em>Regulation by law: the law shall guarantee</em> |</p>
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<td>The social security budget is approved by the Parliament separately from the national budget (Art. 131)</td>
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<td>(2007)</td>
<td>International customary and treaty law shall be part of the national legal order and shall take precedence over national legislation (Art. 9)</td>
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<td>Social position of the employed shall be adjusted in the Social council, which consists of the representatives of the trade union, the employers and the Government</td>
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<td>Health protection from public revenues if they do not exercise this right on some other grounds</td>
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<td>Dutch nationals resident in the Netherlands who are unable to provide for themselves</td>
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<td>State duty: equal access to health care services, financed from public funds, shall be ensured by public authorities.</td>
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<td>promote an increase in people’s social and economic well-being and quality of life, especially those of the most disadvantaged persons; promote social justice (Art. 81) Constitutional review by the Constitutional Court (Art. 225)</td>
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<td>disabled, widowed or orphaned, as well as when they are unemployed or in any other situation that entails a lack of or reduction in means of subsistence or ability to work.</td>
<td>security system; Social solidarity by private charitable institutions and other non-profit institutions that are recognised to be in the public interest.</td>
<td>entitled to… State duty to organize, coordinate and subsidize the social security system</td>
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<td>Health protection to be met by a universal and general national health service that, taking into account the economic and social conditions of the citizens, tending to be free of charge; creation of economic, social, and cultural conditions securing the protection of children, the young, and the old.</td>
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<td>International treaties constitute part of national law but shall not take precedence over the Constitution (Art. 11). Human rights treaties take precedence over national laws unless the Constitution or national laws comprise more favourable provisions. (Art. 20) Social protection shall be regulated</td>
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**Regulation by law:** the right to social assistance and other forms of social security shall be
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| **San Marino (1974)** | The Republic of San Marino | Art. 9 | All citizens | Social security | Constitutional right |


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<tr>
<td>Art. 68</td>
<td>Children, pregnant women, mothers on maternity leave, single parents with children under seven years of age and elderly persons.</td>
<td>Medical care provided from public revenues unless it is provided in some other manner in accordance with the law.</td>
<td>Source of financing</td>
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</tr>
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<td>Art. 69</td>
<td>Citizens and families that require welfare for the Social protection the provision of which is based on social justice,</td>
<td></td>
<td>Constitutional right</td>
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<td></td>
<td>Regulation by law</td>
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<tr>
<td>General Provisions</td>
<td>Article</td>
<td>Persons and Risks Covered</td>
<td>Means and Methods of Protection</td>
<td>Type of Guarantee</td>
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<td>and ratified international treaties are part of national law and take precedence over it but not over the Constitution (Art. 194).</td>
<td>Art. 69</td>
<td>Disabled people and war veterans.</td>
<td>Special protection</td>
<td>Regulation by law: shall be provided social protection in accordance with the law</td>
</tr>
<tr>
<td></td>
<td>Art. 69</td>
<td>Employees and their families</td>
<td>Social protection and social insurance</td>
<td>Regulation by law: rights of the employees and their families to social protection and insurance shall be regulated by the law</td>
</tr>
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<td>Employees in case of temporary inability to work</td>
<td>Salary compensation</td>
<td>Constitutional right</td>
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<td>Employees in case of unemployment</td>
<td>Unemployment benefit</td>
<td>Constitutional right</td>
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<td></td>
<td>Art. 70</td>
<td>Pensioners</td>
<td>Pension insurance</td>
<td>Regulation by law</td>
</tr>
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<td>Economic security</td>
<td>State duty: the Republic shall see to economic security of pensioners</td>
</tr>
<tr>
<td>Slovakia (1992)</td>
<td>Constitutional review by the</td>
<td>Women, minors, and persons with impaired health.</td>
<td>Extensive health care and special working conditions</td>
<td>Constitutional right: are entitled Regulation by law: further</td>
</tr>
<tr>
<td>General Provisions</td>
<td>Article</td>
<td>Persons and Risks Covered</td>
<td>Means and Methods of Protection</td>
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<tr>
<td>Full text</td>
<td>Constitutional Court (Art. 125)</td>
<td>Citizens during old age, in case of disability or in case of death of the family’s principal provider.</td>
<td>Material security</td>
<td>details shall be provided by law.</td>
</tr>
<tr>
<td></td>
<td>Art. 39</td>
<td>Everyone in material need</td>
<td>Such assistance as may be necessary to secure his or her basic living conditions</td>
<td>Constitutional right</td>
</tr>
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<td></td>
<td>Art. 40</td>
<td>Every person</td>
<td>Health protection Through public insurance, free health care and medical supplies under conditions to be laid by law.</td>
<td>Constitutional right</td>
</tr>
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<td>Art. 41</td>
<td>The family, children and young persons</td>
<td>Special protection</td>
<td>Regulation by law: further details shall be set by law.</td>
</tr>
<tr>
<td></td>
<td>Art. 41</td>
<td>Pregnant women</td>
<td>Special treatment</td>
<td></td>
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<td>GENERAL PROVISIONS</td>
<td>ARTICLE</td>
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<td>Regulation by law: Further details shall be set by law.</td>
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<td>Assistance</td>
<td>State duty</td>
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<td>Constitutional right</td>
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<td>Regulation by law: further details shall be set by law.</td>
</tr>
<tr>
<td><strong>Slovenia (1991)</strong></td>
<td><strong>Art. 41</strong></td>
<td>Parents taking care of their children</td>
<td></td>
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<td></td>
<td><strong>Social State principle (Art. 2)</strong></td>
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<td></td>
<td>Laws must be in conformity with generally accepted principles of international law and with valid treaties ratified by the National Assembly, whereas</td>
<td>Art. 50</td>
<td>Citizens</td>
<td>Social security; compulsory health, pension, disability and other social insurance</td>
</tr>
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<td></td>
<td><strong>Art. 50</strong></td>
<td>War veterans</td>
<td>Special protection</td>
<td>State duty: the State shall regulate social insurance and ensure is proper functioning</td>
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<td>State duty: special protection in accordance with the law shall be guaranteed to war veterans and victims of war.</td>
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<td><strong>GENERAL PROVISIONS</strong></td>
<td><strong>ARTICLE</strong></td>
<td><strong>PERSONS AND RISKS COVERED</strong></td>
<td><strong>MEANS AND METHODS OF PROTECTION</strong></td>
<td><strong>TYPE OF GUARANTEE</strong></td>
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<td>regulations and other general legal acts must also be in conformity with other ratified treaties (Art. 153)</td>
<td>Art. 51</td>
<td>Everyone</td>
<td>Medical care from public funds</td>
<td><em>Constitutional right</em></td>
</tr>
<tr>
<td>Constitutional review by the Constitutional Court (Art. 160)</td>
<td>Art. 52</td>
<td>Disabled persons</td>
<td>Protection</td>
<td><em>Regulation by law</em></td>
</tr>
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<td></td>
<td>Art. 53</td>
<td>The family, children and young people</td>
<td>Protection</td>
<td><em>State duty</em></td>
</tr>
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<td></td>
<td>Art. 53</td>
<td>Motherhood, fatherhood</td>
<td>Protection</td>
<td><em>State duty</em></td>
</tr>
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<td></td>
<td>Art. 56</td>
<td>Children</td>
<td>Special protection and care</td>
<td><em>Constitutional right</em>: shall enjoy</td>
</tr>
<tr>
<td><strong>Spain (1978)</strong></td>
<td>Art. 39</td>
<td>Families and children</td>
<td>Protection</td>
<td><em>State duty</em>: the public authorities ensure</td>
</tr>
<tr>
<td><strong>Full text</strong></td>
<td>Art. 41</td>
<td>Citizens, in situations of hardship, especially on case of unemployment</td>
<td>A social security system guaranteeing adequate social assistance and benefits</td>
<td><em>State duty</em>: the public authorities shall maintain a public Social Security system for all citizens</td>
</tr>
<tr>
<td>General provisions</td>
<td>Article</td>
<td>Persons and risks covered</td>
<td>Means and methods of protection</td>
<td>Type of guarantee</td>
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<td>Require prior constitutional amendment (Art. 95).</td>
<td>Art. 43</td>
<td>Everyone</td>
<td>Health protection</td>
<td>Constitutional right</td>
</tr>
<tr>
<td>Validly concluded international treaties shall be part of the national legal system. Their provisions may only be repealed, amended or suspended in the manner provided for in the treaties themselves or in accordance with the general rules of international law. (Art. 96)</td>
<td>Art. 49</td>
<td>Physically, sensorially and mentally handicapped</td>
<td>Preventive care, Specialized care and special protection</td>
<td>Policy objective: the public authorities shall carry out a policy</td>
</tr>
<tr>
<td>Constitutional review by the Constitutional</td>
<td>Art. 50</td>
<td>Citizens in old age</td>
<td>Sufficient income, guaranteed through adequate and periodically updated pensions and a system of social services</td>
<td>State duty: duty of the public authorities</td>
</tr>
<tr>
<td><strong>COUNTRY</strong></td>
<td><strong>GENERAL PROVISIONS</strong></td>
<td><strong>ARTICLE</strong></td>
<td><strong>PERSONS AND RISKS COVERED</strong></td>
<td><strong>MEANS AND METHODS OF PROTECTION</strong></td>
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<td><strong>Sweden</strong> (1974)</td>
<td>Committee on social insurance (supplementary provisions 4.2.1 and 4.6.8)</td>
<td>Art. 2 (1)</td>
<td>Everyone</td>
<td>Promoting favourable conditions of health Promoting social care and social security</td>
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<td></td>
<td>Committee on Health and welfare (supplementary provision 4.6.9)</td>
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<td>Sweden (1974)</td>
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<td>Full text</td>
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<td><strong>Switzerland</strong> (1999)</td>
<td>The Confederation legislates on welfare support and social security of the Swiss abroad (Art. 41)</td>
<td>Art. 12</td>
<td>Persons in need and unable to provide for themselves</td>
<td>Assistance, care and the financial means required for a decent standard of living</td>
</tr>
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<td></td>
<td></td>
<td>Art. 41</td>
<td>Everyone</td>
<td>Access to social security and health care</td>
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<td></td>
<td>The Federation</td>
<td>Art. 41</td>
<td>Family</td>
<td>Protection</td>
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<td><strong>GENERAL PROVISIONS</strong></td>
<td><strong>ARTICLE</strong></td>
<td><strong>PERSONS AND RISKS COVERED</strong></td>
<td><strong>MEANS AND METHODS OF PROTECTION</strong></td>
<td><strong>TYPE OF GUARANTEE</strong></td>
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<td>may adopt rules on family allowance and operates a federal family compensation fund. (Art. 16)</td>
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<td>Federation is competent for adopting measures to protect the family and on family allowance</td>
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<td>The judicial authorities apply international law (Art. 190)</td>
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<td>A partial revision of the Constitution must not violate mandatory provisions of international law (Art. 194)</td>
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<td>Art. 41</td>
<td>Everyone, during old-age and in case of invalidity, illness, accident, unemployment, maternity, being orphaned and being widowed</td>
<td>Protection</td>
<td>Policy objective to be pursued by the Confederation and the Cantons</td>
</tr>
<tr>
<td></td>
<td>Art. 111, 112, 113</td>
<td>Old age, survivors, disability</td>
<td>Measures to ensure adequate financial provision for the elderly, surviving spouses and children, and persons with disabilities. These shall be based on three pillars, namely the Federal Old-age, Survivors’ and Invalidity Insurance, the occupational pension scheme and private pension schemes. The</td>
<td>State duty: the Confederation has the obligation to regulate the insurance. Source of financing: the insurance is financed through contributions of the insured persons, whereby the employers will pay half of the contributions for their employees; by subsidies of</td>
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<tr>
<td>General Provisions</td>
<td>Article</td>
<td>Persons and risks covered</td>
<td>Means and methods of protection</td>
<td>Type of guarantee</td>
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<td>insurance is mandatory; the pensions have to cover basic living expenses appropriately; Employee pension plans are mandatory for employees; the law may provide for exceptions.</td>
<td>the Confederation and, if the law so provides, of the Cantons</td>
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<tr>
<td>Art. 114</td>
<td>Unemployment</td>
<td></td>
<td>Unemployment insurance, which shall mandatory unless exceptions set for by the law</td>
<td>State duty: the Federation has the obligation to regulate the matter</td>
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<td>Source of financing: by the contributions of the insured persons, whereby the employers pay half of the contributions for their employees</td>
<td>Regulation by law</td>
</tr>
<tr>
<td>Art. 115</td>
<td>persons in need</td>
<td></td>
<td>Support</td>
<td>Duty of local authorities: the Canton of residence of the beneficiary is competent to provide</td>
</tr>
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<td><strong>GENERAL PROVISIONS</strong></td>
<td><strong>ARTICLE</strong></td>
<td><strong>PERSONS AND RISKS COVERED</strong></td>
<td><strong>MEANS AND METHODS OF PROTECTION</strong></td>
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<td>Art. 116</td>
<td>Maternity and Childhood</td>
<td>Maternity Insurance and child allocations</td>
<td>Support</td>
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<td></td>
<td>Art. 117</td>
<td>Medical care, work injuries</td>
<td>Health and accident Insurance; Family medicine and primary medical care</td>
<td>State duty</td>
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<td>Art. 118</td>
<td>Health protection</td>
<td>National policy and complementary medicine</td>
<td>State and local authorities duty</td>
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<tr>
<td><strong>Turkey (1982)</strong></td>
<td>Art. 41</td>
<td>Family, the mother and the child</td>
<td>Ensuring peace and welfare</td>
<td>State duty</td>
</tr>
<tr>
<td><strong>Full text</strong></td>
<td>Art. 49</td>
<td>The unemployed</td>
<td>Necessary measures to raise the standard of living of workers, and to protect workers and the unemployed in order to improve the general conditions of labour</td>
<td>State duty</td>
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<tr>
<td>General Provisions</td>
<td>Article</td>
<td>Persons and Risks Covered</td>
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<td>International treaties have the force of national law. They prevail over national law in matter of fundamental rights and freedoms (Art. 90)</td>
<td>Art. 56</td>
<td>Everyone</td>
<td>Regulate central planning and functioning of the health services, by utilizing and supervising the health and social assistance institutions. General health insurance may be introduced by law.</td>
<td>State duty</td>
</tr>
<tr>
<td>Constitutional review by the Constitutional Court (Art. 148)</td>
<td>Art. 60</td>
<td>Everyone</td>
<td>Social security</td>
<td>Constitutional right</td>
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<td>Art. 61</td>
<td>Survivors of those killed in war, war veterans, disabled, children, the aged.</td>
<td>Protection</td>
<td>Regulation by law: State assistance to the aged shall be regulated by the law.</td>
</tr>
<tr>
<td>Ukraine (1996)</td>
<td>GENERAL PROVISIONS</td>
<td>ARTICLE</td>
<td>PERSONS AND RISKS COVERED</td>
<td>MEANS AND METHODS OF PROTECTION</td>
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<td>Social State principle (Art. 1) International treaties in force constitute part of national law (Art. 9) The fundamentals of social protection and health care and the forms and types of pensions shall be determined exclusively by law (Art. 92) The policy in matter of social security shall be ensured by the Cabinet of Ministers (Art. 116) Constitutional review by the Constitutional Court (Art. 147)</td>
<td>Art. 17</td>
<td>Citizens of Ukraine who serve in the Armed Forces of Ukraine and in other military formations as well as members of their families.</td>
<td>Social protection</td>
</tr>
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<td>Art. 24, 51, 52</td>
<td>Women, mothers, children (especially orphans and children deprived of parental care) Maternity, motherhood, fatherhood, childhood</td>
<td>Protection, material support, paid maternity leave and other privileges</td>
</tr>
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<td>Art. 46</td>
<td>Citizens, in case of complete, partial, or temporary disability, loss of the principal wage-earner, unemployment due to circumstances beyond their control, old age, and in other cases determined by law.</td>
<td>Social protection - including financial security - through pensions and other types of social payments. Protection will be guaranteed by State social insurance, as well as by budgetary and other sources of social security; and by establishing a network of institutions caring for incapacitated persons.</td>
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<tr>
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<td>Art. 49</td>
<td>Everyone</td>
<td>Health protection, medical care and medical insurance.</td>
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