

Social Security for Migrant Workers - from ILO's perspectives -

Seventh Conference of the National Migration Network

25 June 2014, Warsaw

Kenichi Hirose

Senior Social Protection Specialist

ILO Decent Work Technical Support Team and Country Office for
Central and Eastern Europe



Global Trends in Labour Migration

- In 2013, there were estimated 231.5 million international migrants, representing 3 per cent of the world's population.
 - The number of migrant workers is estimated about 105 million. Migrant workers and their families account for about 90 per cent of total international migrants.
 - Migrants provide significant remittances to their home countries, amounting to US\$ 338 billion in 2008.
 - Women make up almost 50 per cent of international migrants.
 - Between 10% to 15% of migrants are in irregular status
- ⇒ Growing number and more diverse forms of migration will likely to continue.



Backgrounds

- In the time of globalization, lack of social security is one of the challenges facing migrant workers and their families.
- To secure the equality of treatment for migrant workers, and to extend the social security coverage, there is a large need to ensure the right of social security for migrant workers.
- Social security agreements – bilateral or multilateral – would be an effective way to safeguard the social security rights of migrant workers and their families.



Instruments for coordination

- ILO Conventions and Recommendations
 - ◆ C102 – *Minimum standards, 1952*
 - ◆ C118 – *Equality of treatment, 1962*
 - ◆ C157 – *Maintenance of rights, 1982*
 - ◆ R167 – *Maintenance of rights, 1983*
- Social security agreements (treaties in international law)
 - ◆ Multilateral
 - ◆ **Bilateral**
- Binding on signatories once ratified



ILO instruments for the coordination of social security

Equality of Treatment

C. 19 (1925)
(employment injury benefit)



Art. 68 of C. 102 (1952)
(minimum 3 of 9 branches to be ratified)



C. 118 (1962)
(all 9 branches to be ratified)

Maintenance of Rights

C. 48 (1935)
(outdated but ratification remains valid)

Revision



C. 157 (1982)



Rec. 167 (1983)

Annex: Model provisions and model agreement for multilateral or bilateral social security instruments



Strategy options for non-EU countries

- Flexibly designed bilateral social security agreements
- Unilateral national/personal measures
- Multilateral agreements
 - ◆ Join existing agreements (EU, harmonization)
 - ◆ Revise the outdated agreements (CIS)
 - ◆ Create new agreements



Recent experiences of Moldova and Ukraine

- Moldova: BG (09), PT (10), RO(11), LU, AT, EE (12),
- Ukraine: SK (09), PT (11), EE (12), PL (13)

Success factors and challenges:

- Willingness of both sending and receiving countries to conclude bilateral social security agreements.
Cf. EC Communication on “The external dimension of EU social security coordination” (30 March 2012).
- Focus on pensions (\Leftrightarrow in-kind benefits, e.g. sickness)
- Low turn-over of staff
- Lack of branch (e.g. Ukraine has no social health insurance)
- Further need to build capacity for implementation



Examples of regional multilateral agreements

- ◆ EC Regulations 883/2004 & 987/2009
 - ◆ CARICOM Agreement on Social Security
 - ◆ Ibero-American Multilateral Agreement on Social Security
 - ◆ Gulf Cooperation Council Unified Law on Insurance Protection Extension
- ⇒ In addition to geographical proximity they share common features
- ⇒ Difficulty in regional agreement in Asia with diverse types of schemes



Challenges of social security coordination

- ◆ Long-term care benefits
- ◆ Fully funded pensions
- ◆ Irregular migrants



References

- Social security coordination for non-EU countries in South and Eastern Europe: a legal analysis (ILO Budapest, 2012)
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- Coordination of Social Security - Training Modules I, II, (2010, 2011)
- Coordination of Social Security Systems in the European Union. An explanatory report on EC Regulation No. 883/2004 and its Implementing Regulation No. 987/2009. (2011)



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