

ISSA-IAPSF DECLARATION ON "SOCIAL PROTECTION OF MIGRANT LABOUR AND GLOBALIZATION"

Delegates to the Baku meeting in September 2005 organized by the International Social Security Association (ISSA) and the International Association of Pension and Social Funds (IAPSF) decided, on concluding their meeting, to follow it up with a Declaration which would highlight the importance of social security for migrants and the advantages of modern and appropriate tools for ensuring good coverage of this workforce which has played and will continue to play an important role in economic development. The Declaration is concerned wholly with the situation in the countries of the former USSR which make up the Commonwealth of Independent States (CIS).

ISSA accepted a mandate, conferred upon it jointly by its own member institutions in the region and the IAPSF, to follow up the meeting's reports and discussions by drawing up a document which the appropriate staff members in social security organizations could forward to their governments. An undertaking of this kind is consistent with the duties of ISSA – to provide its members with technical support in improving their administrative capacity – and with the objectives of the current triennium. The text of the Declaration was developed in co-operation with experts from the ILO Social Security Department and it was unanimously adopted by the ISSA and IAPSF member organizations who gathered in Moscow in December 2005.

The Declaration reads as follows:

Social security directors, administrators and experts from 24 countries, comprising 22 member organizations of the International Social Security Association (ISSA) and 14 member organizations of the International Association of Pension and Social Funds (IAPSF), gathered in Baku, Azerbaijan, from the 7th to 9th September 2005, for the joint ISSA-IAPSF European Meeting on "Social protection of migrant labour and globalization".

Taking into account major international discussions on labour migration in the context of globalization, which have taken place within the United Nations; the International Labour Organization; the Consultative council on labour, migration and social protection of the population of the Commonwealth of Independent States; the European Union; the Council of Europe; and the International Organization on Migration; and taking into account the basic values, principles and standards of protection of migrant workers set forth in the relevant instruments elaborated within the framework of the UN, in ILO Conventions and other instruments, as well as in other relevant multilateral instruments adopted by the European Union and the Council of Europe, the joint ISSA-IAPSF European Meeting in Baku focused on the role of social security for migrant workers in the context of globalization from the perspective of better coverage and access to social security benefits.

- The participants to the Meeting identified major issues of concern and presented examples of best practices gathered by the International Labour Organization, the Council of Europe, the European Union, and the Commonwealth of Independent States.
- The participants to the Meeting highlighted the importance of co-ordination instruments, administrative arrangements and inter-institutional support for the improvement of migrant workers social security protection, and underlined the efforts undertaken in their respective countries to strengthen and reinforce the protection of migrant workers and their families.
- The participants to the Meeting acknowledged the need for better coordination at the bilateral and multilateral level in order to promote and respect the right of all migrant workers to social security protection, based on the principle of equality of treatment between national and non-national workers and the maintenance of migrant workers' social security rights, as guaranteed by ILO Social Security Conventions, EU and Council of Europe instruments.

*Recognizing the pressure exercised by globalization on national labour markets and the need for implementing and strengthening the social security protection of migrant workers, **the representatives of the ISSA and IAPSF members noted with concern that:***

- A considerable number of migrant workers remain inadequately covered by formal social security protection against the risks of old-age, disability, death, sickness, work injury, unemployment, maternity and family responsibilities, not only because of irregular or non-registered employment, but also due to a lack of bilateral agreements binding the home countries and the host countries with regard to formally employed migrant workers.
- Even where rights and entitlements of migrant workers to social security benefits are recognized at the national level, the mechanisms to ensure the further portability of rights earned in one country to another are often inexistent or inefficient.
- The legislative framework providing for the transfer of social security funds between social security schemes based on different principles of financing remains insufficient.
- The identification of migrant workers remains a challenge for national authorities.
- The existing data exchange systems between national social security administrations lack uniformity and are not standardized. National procedures are often time consuming. IT based information exchanges are neither widespread nor flexible and adjustable enough to adapt to the constantly changing conditions of labour markets in the context of globalization.

The participants to the Meeting have reached a unanimous consensus on the following points:

- There is an increasing need for national social security agencies to work together and to establish effective cooperation mechanisms, in order to strengthen their capacities in terms of organizing and coordinating at the international level. This should be undertaken with a view to increase national social security agencies' efficiency in providing social security protection to migrant workers and their families, by encouraging respective governments to conclude bilateral and multilateral agreements, to establish mechanisms for consultations, and to develop bilateral and multilateral data exchange.
- National legislation should take into account the principles underlying the protection of migrant workers' social security rights in the context of globalization.
- Data exchanges of personalized records should be compulsory in case the migrant-worker moves to another country.
- Bilateral and multilateral mechanisms for the recording and recognition of covered periods of employment in host countries, as well as in countries of origin, should be promoted.
- Priority should be given to the principle of totalling up all insurance periods and financing on a prorata basis of benefits by national social security agencies of the countries where social security rights were acquired. The right to export benefits should be further enhanced.
- Special attention should be paid to providing short-term protection for workers in special categories of employment, such as self-employment and the atypical workers.
- The participants particularly wish to draw the attention of all national decision-making bodies and international, regional and supra-national organizations to the necessity of streamlining efforts to protect the rights of migrant workers in all countries, but especially in the main labour migrant "sending" and "receiving" countries.
- Relations among social security, migration and border authorities should be strengthened; and the respective mutual exchange of information should be enhanced.

Within the framework of activities and mandates of the ISSA and the IAPSF, and in close cooperation with the UN, ILO, EU, Council of Europe and other key international organizations operating in the field of labour protection, the joint ISSA-IAPSF European Meeting on "Social protection of migrant workers and globalization" resulted in considerable progress towards unity among all participants. The important outcome was improved understanding for further promoting bilateral, multilateral and inter-institutional exchanges of views and best practices regarding social security protection for migrant workers.