



## Rabat Review

The information sheet of the Euro-African Dialogue on Migration and Development (Rabat Process)

### Issue 2: Social Rights

Dear colleagues,

I am very pleased to introduce you to the second issue of our Rabat Review, the newsletter of the Euro-African Dialogue on Migration and Development - the 'Rabat Process'.

This second issue of the Rabat Review addresses the social rights of migrants and their portability in Europe and Africa. It complements the discussions undertaken by 70 national experts in Rabat on 31 March - 1 April 2011, who met at the initiative of Spain, Morocco and the other members of the Steering Committee of the Rabat Process.

The right to social protection should benefit all workers across borders. States have a responsibility to ensure the well-being of the workers who contribute to their formal economy, regardless of their nationality. In addition States should ensure that their citizens can access the social security benefits that they contributed to, both at home and abroad.

In order to achieve this, an effective social security system must be in place at national level that gives States the tools to negotiate bilateral and multilateral instruments with third countries. The existence of these instruments would foster international mobility in the interest of both countries of origin and destination and migrants. When ethical and economic reasoning converge, the legal and political means must follow.

This newsletter will present the state of play in terms of access to social security for both nationals and resident migrant workers within the European and African contexts. The articles highlight the benefits that can be drawn from an adequate level of social protection for migrants, the challenges faced in ensuring the portability of these rights, and possible ways forward.

For further insight into this issue, I invite you to read the proceedings of the meeting, available on the website of the Rabat Process:  
<http://www.dialogueuroafricainmd.net/web/index.php>

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## **Access to social security in West Africa**

*By Mr. Adrien Diouf, Consultant, Université Gaston Berger, Saint Louis, Senegal*

West African nationals are among the world's most mobile populations. The region has important diasporas all over the world who contribute to the economic and social development of their countries of origin. Migration issues and access to social security for nationals and migrant workers are of utmost importance for West Africa. The limited personal, material and territorial scope of existing national instruments hinder access to social security for migrant workers, their families and citizens. Some obstacles could be overcome by the effective implementation of bilateral agreements. For further information please read the [full article](#).

## **Access to social security for nationals and migrant workers in Morocco**

*By Ms. Bouteina Falsy, Director of Social Welfare for Workers, Ministry of Employment and Vocational Training, Morocco*

The Moroccan regime of social protection provides assistance in the following areas: sickness, maternity, invalidity, old age or death, family and death allowances and medical coverage. Nationals and foreigners legally residing in Morocco enjoy the same rights and obligations under the social security system. The legislation which supports this system is inspired by international conventions of the International Labour Organization and the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. For further information please read the [full article](#).

## **The European Union rules on social security coordination: developing an external dimension**

*By Mrs. Gillian More, DG Employment, European Commission*

The EU social security coordination regulations, which have now been in place for over 50 years, are generally regarded as the most advanced social security coordination system in the world. The EU rules were designed to support the EU provisions on free movement of workers and apply to a wide range of social security risks. The EU coordination rules aim to "coordinate" the different national systems. These new rules have been extended to legally resident nationals from third countries that now benefit from the same rights as EU nationals regarding social security in a cross-border situation within the EU. Further EU policy developments in terms of access to social security include cases of extension of the principle of equal treatment to third country nationals and coordination with third countries. For further information please read the [full article](#).

## **The challenges of social protection and the portability of its benefits for resident migrant workers in Europe**

*By Mr. Carlos García de Cortázar, Co-ordinating Counsellor at the Department for Employment and Immigration, Spanish Permanent Representation to the EU*

Social security arose in Europe in the nineteenth century within a framework in which protection systems are structured on a national basis. Important migrations in the twentieth century encouraged the provision of social protection to foreign workers. Applying the principle of equal treatment to both national and foreign workers is a first step, which should be followed by allowing the portability of social benefits acquired during working periods in host countries. The portability of pension benefits in particular can be justified on both economic and ethical grounds. National legislation in Europe varies with regards to recognising these rights. Some level of harmonisation must be achieved in order to apply the principles of equality of treatment and exportability of pensions throughout all EU Member States. For further information please read the [full article](#).

## **The challenges of social protection and the portability of its benefits for resident migrant workers in Africa**

*By Mr. Cheikh Tidiane Tounkara, General Secretary of the Social Security Fund of Senegal, Ex-Inspector of CIPRES (1999-2008)*

Africa is a major contributor to migratory movements in the world, and therefore needs to be included in discussions about the regulation of migrant flows, the social protection to be given to migrants, and the portability of their social security benefits. This article provides an overview of the main characteristics of African social security systems in terms of the persons covered and benefits available. It reviews the coordination instruments and provisions established to ensure coverage of African migrant workers by allowing them to take social benefits abroad. It identifies the main obstacles to the portability of these social benefits and ways to overcome these obstacles. For further information please read the [full article](#).

## **The contribution of a migrant's social protection system to the development of countries of origin**

*By Mr. Gonzalo Fanjul, Senior Consultant on Migration and Development*

International migration constitutes a key lever for development. The benefits of migration increase exponentially when it takes place in a regular manner and with adequate levels of social protection. Little attention has however been directed towards ensuring the portability of acquired social rights. The migratory process is an exercise of shared risks and opportunities - the migratory models we conceive should minimise the risks of the process and maximise its opportunities. For further information please read the [full article](#).

## **MIGSEC Project: Extending social protection to migrant workers and their families**

*By the International Labour Organisation*

Migrant workers often lack access to social security coverage in destination countries, which is in part due to the length of their periods of employment and residence. They risk losing the right to social security benefits in their country of origin because of their absence. An ongoing ILO initiative in 13 African countries facilitates the development of national and regional strategies by governments and social security institutions, in consultation with social partners. It also contributes to the consolidation of knowledge on existing social protection mechanisms, builds institutional capacity and develops operational measures to strengthen social security provisions. For further information please read the [full article](#).

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