



#RightsMigrateToo

**EXTENDING SOCIAL PROTECTION TO MIGRANT WORKERS IN
THE ECOWAS REGION: A capacity building toolkit on the
ECOWAS General Convention on Social Security**

SOCIAL PROTECTION FOR
MIGRANT WORKERS
AN OVERVIEW

MODULE 2

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Learning objectives

By the end of this module, participants will be able to:

- ▶ Understand the obstacles and restrictions faced by migrant workers in accessing social protection;
- ▶ present the initiatives undertaken both at the international and national level with the aim of enhancing migrant workers' social protection;
- ▶ understand the main principles of coordination of social security;
- ▶ identify possible measures that can be undertaken in order to implement migrant workers' right to social security.

Introduction

Although the 164 million migrant workers of the 258 million international migrants worldwide contribute fully to the economies of their host and home countries, migrant workers are among the most excluded from even basic coverage by social protection instruments and schemes, in particular undocumented migrant workers.

They risk losing entitlement to social security benefits in their country of origin due to their absence and may at the same time encounter restrictive conditions under the social security system of the host country. They may contribute to social security schemes, either in their home countries or countries of destination, but may not receive any corresponding benefit.

They may face constraints in the portability of these rights. Schemes may have long residency requirements, making it difficult for temporary migrants to claim their benefits, effectively amounting to exclusion from any form of social protection when engaged in temporary or informal work.

The social protection of migrant workers has become a key cause of concern among governments and social partners throughout the continent, particularly in several West African countries. Migrant workers, in particular undocumented migrant workers, are excluded from coverage by social protection instruments and schemes.

Protecting the right of migrant workers to social security is important, not only for securing the equality of treatment in social security for migrant workers, but also for extending social security coverage to the currently unprotected population. Increasing social security coordination between countries through bilateral and multilateral agreements and the ratification of relevant international Conventions should be a high priority of social policy as the well-being of millions of migrant workers and their families are at stake.

Furthermore, the portability of social security rights does not only bear significance for the workers and their families, but facilitates the free movement of labour and is, therefore, very important for the proper functioning of integrated labour markets.

1. Restrictions to access social security for migrant workers

Migrant workers face a variety of challenges which prevent most of them from accessing social security.

The first issue is the **principle of territoriality**, which requires that workers meet certain conditions, such as nationality or residence in the country of employment, to be entitled to social security benefits. This principle (access to benefits restricted to residents living in a given country's territory) affects branches providing both short-term and long-term coverage.

At least two problems are derived from the implementation of this principle:

- ▶ loss of coverage and;
- ▶ the limitation on the “export” of benefits abroad.

Under the principle of territoriality, workers who are leaving their country of origin to work abroad may lose coverage under their national social security system and thus run the risk of having no social security coverage, either in their country of origin, or in their country of employment.

It may also happen that migrant workers residing abroad are denied the export of their benefits in their country of residence, or that the export of benefits abroad is made conditional on the conclusion of bilateral or multilateral social security agreements with the country of residence. Thus, migrant workers who return to their country of origin may be deprived of their social security benefits, or deprived of the benefit if their country of origin did not conclude any social security agreement with the country of employment.

In the ECOWAS region, the principle of territoriality is a challenge in many countries, especially for countries that are not part of a social security agreement (bilateral or multilateral agreement). That is the case for the anglophone countries.

However, the francophone countries of ECOWAS (Benin, Burkina Faso, Cote d'Ivoire, Guinea, Mali, Niger, Senegal and Togo) and Guinea Bissau are members of the CIPRES convention. In addition, they have bilateral social security agreements between them and with some European countries¹.

Despite this provision on territoriality, some countries export benefits (mostly pensions) to migrants who return to their country of origin when they meet all the qualifying conditions. That's the case for Senegal, Cote d'Ivoire, Benin, etc.

The second issue is related to the **principle of nationality** that may affect migrant workers' social security rights in destination countries. Although a number of countries recognize the equality of treatment between nationals and non-nationals, in some countries migrant workers are denied access or have limited access to social security because of their status or nationality or due to the insufficient duration of their periods of employment and residence.

The principle of nationality is not applicable in the ECOWAS region, as according to national legislation of all the fifteen countries, any foreign worker who meets the requirements, can register to the social security schemes of the member states. The main requirement is the residency in the territory of the applicable legislation.

The third issue concerns **difficulties of portability of entitlements**, which refers to migrant workers' recognized right to keep and transfer the social security entitlements that they have accrued or are in the process of accruing in their employment country, regardless of their nationality or place of residence.

Lack of **social security coordination** due to the inexistence of bilateral or multilateral agreements may prevent migrant workers from maintaining rights acquired in another country. This is particularly important in the case of long-term benefits (invalidity, old age and survivor's) where qualifying periods may be considerable (even when migrants contribute, they are not always entitled to benefits).

As previously mentioned, the eight francophone countries of ECOWAS have strong experience and practice in the coordination of social security. They are all part of CIPRES (a multilateral convention on social security covering sixteen countries) and have concluded between them bilateral agreements on social security. However, there is no single known agreement between the anglophone countries or between any of them and a foreign country. The national legislation of the mentioned countries does not allow for aggregation and export of benefits, especially regarding pension.

In addition, in some cases, **social security schemes might be insufficiently developed**, as it is the case for many ECOWAS member states. This situation which is a problem for agreements that apply on a reciprocal basis, can also differ considerably in terms of disparity in the design and level of benefits.

¹ Examples of bilateral social security agreements include Senegal with Mali, Cote d'Ivoire with Burkina Faso and Mali, etc.

All ECOWAS member countries provide mandatory coverage for old age, invalidity and survivors benefits through public social security systems, and coverage of work related accidents and occupational diseases (with the exception of Cape Verde and Ghana, which made coverage compulsory but which entrust its management to private insurance companies).

Family benefits is established in all francophone and lusophone countries (Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Guinea, Guinea-Bissau, Mali, Niger, Senegal, Togo); that's not the case in English-speaking countries (The Gambia, Ghana, Liberia, Nigeria and Sierra Leone).

Health care coverage through social security is embryonic. Indeed, it is provided by a small number of countries, and the coverage is often quite partial. Compensation for sickness is not pooled at the social security level; it is employers who directly support the total or partial coverage of compensation for the periods set by legislative, regulatory or contractual frameworks². These issues have an impact on the provision and portability of benefits in and from the country of origin. Therefore, despite the extent of migration in the ECOWAS region, many migrant workers do not have access to social protection either in the countries where they work or in their countries of origin.

Contributory social security only covers salaried workers, a small share of the labour force. However, migrant workers tend to be more represented in **informal economy**, especially in the ECOWAS region where they make up more than 90% of the labour force. Most of the labour codes and social security regulations are strictly limited to salaried workers which represent more or less between 2% and 5% of the labour force in West Africa. Therefore, the majority of the workforce, including migrant workers is excluded from social security systems.

Meanwhile, legislations of some countries allow self-employed (in the formal as well as in the informal economy) to register to the social security schemes. That's the case for most of the ECOWAS Member states regarding independent workers (Cabo Verde, Senegal, Benin, Côte d'Ivoire, etc.)

However, because of different challenges (weak and irregularity of revenues, non-adaptability of the schemes regarding in the informal economy because of the complexities of their procedures) most of them do not register.

Some categories of workers face additional difficulties in accessing social security. That's the case of migrant domestic workers and seasonal workers, due to the insufficient development of social protection in those sectors and difficulty to meet the eligibility criteria to social security benefits (minimum qualifying periods, minimum residence periods, high informality, etc.)

In addition, in many countries, especially in West Africa, domestic workers, including migrant domestic workers are not even recognized as workers and are not entitled to any social benefit.

Lack of information and language barriers constitute also some challenges migrant workers face.³ Many migrant workers do not have a high education level, or face difficulty to communicate with the language of the country of employment. Therefore, they may not be aware about their rights to social security and the ways to access it.

Some protectionist and discriminatory practices to community citizens, such as establishing quotas for the issuance of work permits, barring foreigners from certain occupations, and placing restrictions on foreign-owned businesses still exist in the ECOWAS member states, despite progress on the implementation of the Free Movement Protocol⁴. There are also administrative barriers to obtaining residence permits and proper documentation, and a lack of awareness on rights and obligations. Furthermore, migrant workers in the ECOWAS region are concentrated in the urban informal economy and agriculture with poor working conditions, low wages, and a lack of social protection⁵.

2 Analysis of ECOWAS member states' social security systems and their consistency with the ECOWAS General Convention on Social Security, ILO/FMM, December 2015.

3 Social protection for migrant workers in ASEAN, Celine Peyron Bista, ILO Regional Office for Asia and the Pacific, Jakarta, 29 September 2016.

4 Devillard et al. 2015; Dimechkié 2014; Ndongo 2009.

5 Guide for Policymakers on the protection of migrant workers' rights within the ECOWAS region, June 2016.

Regarding international legal instruments, many ECOWAS member states have ratified the 1966 International Covenant on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights, the 1979 Convention on the Elimination of All Forms of Discrimination against Women, and the 1989 Convention on the Rights of the Child.

Furthermore, the 1979 Free Movement of Persons Protocol, and the Strategic Framework for Strengthening National Child Protection in the region adopted in 2017, as well as the General Convention on social security adopted in 2013 by the Authority of the Heads of State and Governments of ECOWAS, is an instrument that guarantees the portability of rights of social security to migrant workers.

In line with the aspirations of ECOWAS Vision 2020, regional economic integration remains the most viable and appropriate tool for achieving and accelerating sustainable development of West African countries.

It is also important to highlight that eight of the ECOWAS Member states are part of the CIPRES Convention on social security, another international instrument for the protection of the rights on social security for migrant workers.⁶

However, ratifications of the ILO Conventions relevant to labour migration are still limited in ECOWAS. While almost all ECOWAS member states have ratified the ILO Core conventions (C29, C87, C98, C105, C111), ratification of migration relevant conventions (C97, C143, C189) remains scarce. Only Burkina Faso and Nigeria have ratified Convention 97, while Benin, Burkina Faso, Guinea and Togo have ratified Convention 143. Guinea has also ratified Convention 189 (Domestic Workers). Eight out of 15 ECOWAS member states (Burkina Faso, Cabo Verde, Ghana, Guinea, Mali, Niger, Nigeria and Senegal) have ratified the UN international Convention related to migrant workers .

All these challenges and difficulties in accessing social security for migrant workers explain the commitment of the international community to provide answers that may contribute to alleviate consequences of lack of social security to migrant workers and their families.

This commitment is expressed through agreed principles and international standards related to the coordination of social security.

2. Principles for the protection of social security rights of migrant workers

Migrant workers' social protection rights are based on the following principles, enshrined in main ILO Conventions related to social security for migrant workers and in all bilateral and multilateral social security agreements.

2.1 Equality of treatment

The first principle is **Equality of treatment** between nationals and non-nationals. According to this principle, migrant workers must benefit from the same conditions as nationals with regard to coverage and entitlement to benefits in the employment country. A Ghanaian residing and working in Nigeria should be treated the same way as a Nigerian worker, as regards to coverage and right to benefits, in respect of every branch of social security for which both countries have in their legislations. It should also be noted that equality of treatment is accorded without any condition of residence, which means that benefits are transferrable to the country of origin of the worker if he decides and has the possibility of residing in his country of origin or another country of his choice. However, this provision will require, in some cases, an agreement between the country of employment and the country of residence.

⁶ ILO NORMLEX data base <http://www.ilo.org/dyn/normlex/> and UN Treaties <https://treaties.un.org/>

The notion of reciprocity, which sometimes is seen as an independent principle, can also be integrated in the equality of treatment principle. Reciprocity is fundamental to all social security agreements. It means that each country which is a party to an agreement undertakes to apply the same mechanisms as every other party to make its social security benefits more accessible to migrant workers.

Reciprocity also means that there is a reasonable degree of comparability in the obligations that each party assumes as a result of an agreement. Therefore, benefits that are not available in the legislation of one country party to an agreement cannot be usually part of the agreement, as the country will not be able to guarantee the reciprocity of workers of any other country part of the agreement.

2.2 Applicable legislation

The second principle is the **Applicable legislation**. This principle ensures, that the social security rights of a migrant worker are governed by the legislation of one country only, usually the legislation of the country of employment. According to this principle, social security rights of a Senegalese citizen who joins Cote d'Ivoire for work, will be governed by the legislation of Cote d'Ivoire, the country of employment.

This principle helps avoiding the duplication of contributions to be paid by migrant workers and also the receipt of benefits in both the origin and employment countries.

2.3 The maintenance of acquired rights and the provision of benefits abroad

The **maintenance of acquired rights and the provision of benefits abroad** is the third principle. According to this principle, any acquired right should be guaranteed to the migrant worker in any territory, even if it has been acquired in another, and there should be no restriction on the payment of benefits, for which the migrant has qualified, in any of the countries concerned.

Under this principle, benefits payable under the legislation of a country should not be subject to any reduction, modification, suspension, cancellation or confiscation only due to the fact that the person resides in the territory of another country.

One important provision of this principle is the payment of benefits abroad which allows migrant workers to receive their benefits where they reside. This is particularly important for long term benefits such as old age, invalidity and survivors.

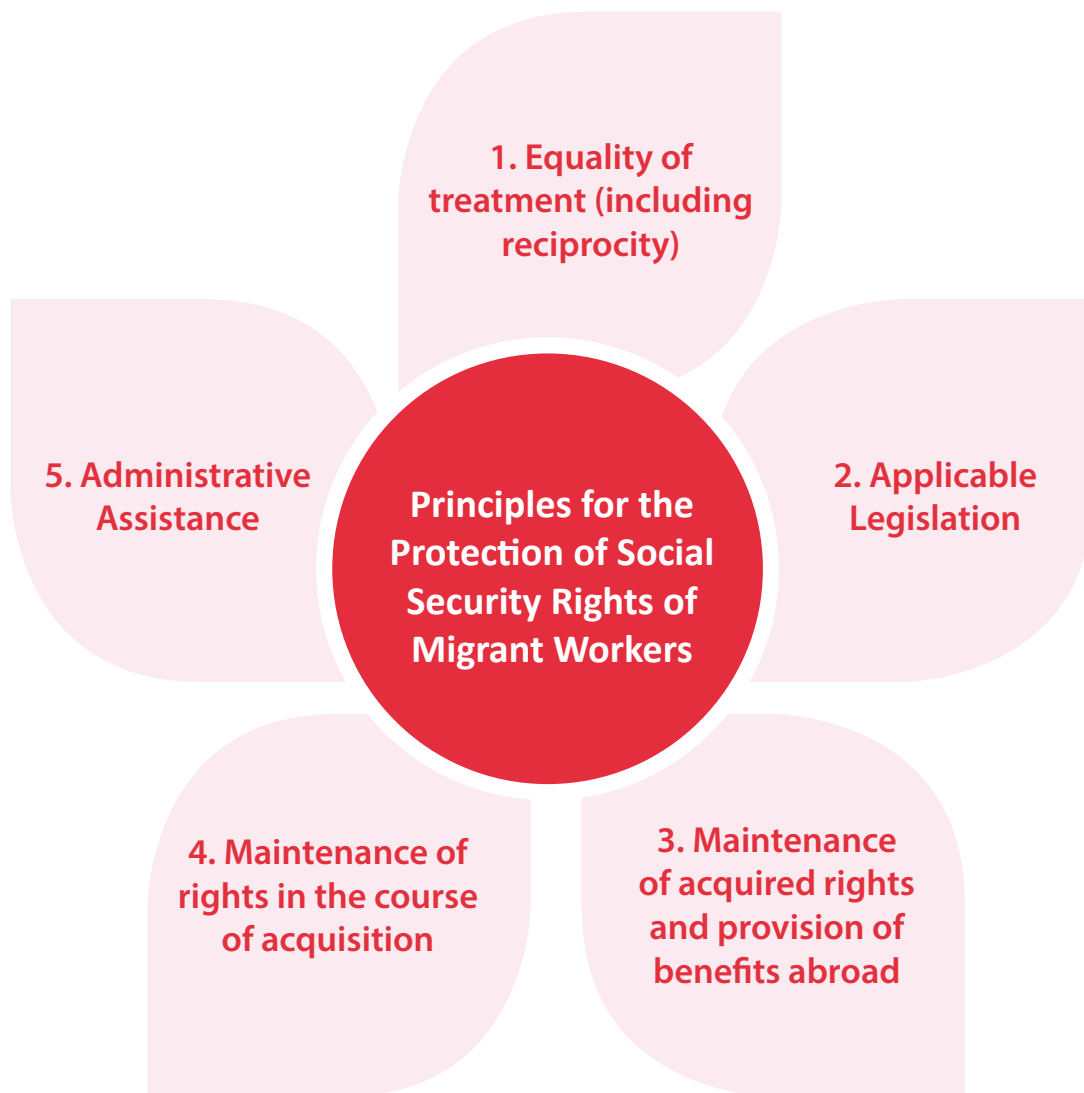
2.4 Maintenance of rights in the course of acquisition

The **maintenance of rights in the course of acquisition**, the fourth principle, provides for the totalization of periods of insurance, employment or residence and of assimilated periods for the purpose of the acquisition, maintenance or recovery of rights and for determining the eligibility to benefits, the calculation of benefits, as well as for determining the cost sharing of benefits paid.

This principle is very important, especially for long term benefits such as old age, that requests long qualifying conditions. According to this principle, the periods of coverage in different countries where a migrant worker has worked are added together (if necessary for entitlement) as if they were in one country only.

2.5 Administrative assistance

The fifth principle, the provision of **administrative assistance**, which is twofold. On the one hand authorities and institutions of the signatory countries shall afford one another assistance with a view to facilitating the application of the respective agreements. On the other hand, administrative assistance should be provided to the person covered by the agreement.



3. Mechanisms for extending social protection to migrant workers

The extension of social security to migrant workers can be done through different mechanisms, including the ratification of relevant ILO Conventions on the protection of the rights of migrant workers, the conclusion of social security agreements between countries, especially between countries of origin and countries of employment of migrant workers. Unilateral measures from countries of origin as well as from countries of employment and inclusion of social security provisions in temporary labour migration programmes can also contribute to extend social security to migrant workers.

3.1 The promotion of the ratification and enforcement of ILO standards

The main ILO standards related to social security for migrant workers are:

- ▶ The Equality of Treatment (Social Security) Convention, 1962 (No. 118)
- ▶ The Maintenance of Social Security Rights Convention, 1982 (No. 157)
- ▶ The Social Security (Minimum Standards) Convention, 1952 (No. 102)

These conventions are the most relevant instruments on social security in general and on coordination of social security, providing equality of treatment and guaranteeing maintenance of rights in course of acquisition and acquired rights and provision of benefits abroad to migrant workers. In addition, Recommendation No. 167 provides Model Provisions for the Conclusion of Bilateral or Multilateral Social security Instruments.

3.2 Conclusion of social security agreements

Social security agreements (bilateral/multilateral) which aim at coordinating the social security schemes of two or more countries to guarantee the portability of their social security rights. The payment of benefits almost everywhere is conditional upon a qualifying period of contributions, employment, or residence. Such qualifying periods can be significantly long (up to 15 years or more) for long-term benefits like old age.

Due to these qualifying periods, migrant workers risk losing their entitlement to benefits if they do not accrue the required periods of coverage in each country and, consequently, fail to qualify for benefits in any of the respective countries of employment. Hence, the relevance of social security agreements is particularly important between developed countries.

The European Union (EU) coordination of social security systems which aims at facilitating the free movement of citizens is one of the most complete examples of social security agreements in the world.

Multilateral agreements are considered to have the advantage of generating common standards and regulations, thus avoiding discrimination among migrants from various sending countries who might otherwise be granted different rights and entitlements through different bilateral agreements. The ECOWAS General Convention on social security, CIPRES Convention, the EAC draft Council Directive on the portability of social security rights in the EAC space are some good practices of multilateral conventions targeting many countries.

On the other hand, bilateral agreements have the advantage of providing greater flexibility and a possibility to take into account specific situations of the countries concerned. In addition, reaching a mutual consent of the two parties requires less time and procedures. For these reasons, bilateral agreements are the most widely used instrument for social security coordination.

Good examples of bilateral agreements in the ECOWAS region include agreements between Senegal and Mali, Mali and Cote d'Ivoire, Cote d'Ivoire and Burkina Faso. All these countries have also bilateral agreements with France.

However, a closer look at the existing bilateral and multilateral agreements reveals that very few agreements have been concluded between migrant sending and migrant receiving countries.

This is mainly due to the fact that social security systems of migrant sending countries are insufficiently developed and, in many cases, lack the administrative capacity to implement or enforce any such agreement, which prevents them from concluding social security agreements with migrant receiving countries. Provident fund schemes also tend to inhibit these countries from concluding such agreements.

3.3 Inclusion of social security provisions in temporary labour migration programmes or bilateral labour agreements

Bilateral labour agreements (BLA) aimed at ensuring organization of migration for employment and regulation of the conditions of transfer and employment of migrants have mushroomed in recent years. They can play a significant role in addressing difficulties faced by migrant workers in the realization of their right to social security by including provisions on social security.

BLAs can include any of the nine branches of social security referred to in the Social Security (Minimum Standards) Convention, 1952 (No. 102). There are many examples around the world.

Among them, the BLA between Spain and Morocco and between Spain and Ecuador. The two BLAs contain provisions on rights and conditions of migrant workers in the area of social protection and labour, along with some specific provisions with respect to social security.

The Spain-Ecuador BLA contains provisions that require workers' affiliation to social security system to be mentioned in the labour contract, in conformity with collective agreements, or in their absence, with the legislation applicable to Spanish workers of the same profession and qualification.

3.4 Establishment of national social protection floors

This would ensure basic social security guarantees to migrants and their families and palliate the lack of coordination arrangements between countries in respect of any branch of social security.

3.5 Unilateral measures to protect migrant workers' social security rights.

Failing the ratification of ILO Conventions for the protection of migrant workers' social security rights or bilateral/multilateral agreements, a number of protective measures can be taken for migrant workers either by the country of employment or the country of origin.

The country of employment can take the most progressive measures for migrant workers. First of all, the national legislation could provide equality of treatment between nationals and non-nationals, not only for social security coverage, but for the payment of benefits abroad as well. Such provision would protect family members left behind in the country of origin and ensure the export of benefits from the country of employment when migrant workers return home.

In principle, long-term benefits can be transferred, but currencies suffering from convertibility issues or a severe devaluation can present a serious obstacle to the export of cash benefits. Exporting short-term benefits is possible but is subject to an agreement, since, for example, the medical verification of the beneficiary's condition is required in the case of medical care or sickness benefits.

Similar problems arise for unemployment benefits, which are conditional upon the person being registered with an employment agency. Some national legislations provide for full or partial reimbursement of contributions in cases where a migrant worker leaves the country of employment.

This solution does not properly replace social security cash benefits which would be paid periodically. A labour-sending country faces difficulties due to a number of restrictions to extend the enforcement of the national legislation beyond its territory.

When labour-receiving countries are neither in a position to provide benefits nor willing to negotiate a social security agreement, the country of origin usually assumes responsibility for providing at least some basic level of protection for its nationals working abroad.

Social security coverage can usually only be extended outside the usual territorial scope of national legislation for migrant workers abroad who still have a link with the state concerned. For example, in cases where the employer is based in the labour-sending country (e.g. collective contract migration, a type of migration where national companies export service comprising both labour and entrepreneurial components, as in the field of construction), national legislation can impose an obligation on the employer to provide social security under the national scheme.

Some countries have also used recruitment agencies as a mechanism to ensure that their migrant workers continue to receive some social security by imposing a liability on these agencies to pay contributions (see, for instance, the agencies for the recruitment of seafarers in the Philippines).

In case a mandatory extension of national insurance schemes is possible only in exceptional cases, voluntary insurance would be the tangible alternative.

The Overseas Workers Welfare Administration (OWWA) (a government welfare institution) protects and promotes the interest of its members, "Overseas Filipino Workers", and provides its nationals working abroad with partial social protection coverage. Membership is mandatory for migrants recruited abroad while overseas Filipinos can register voluntarily.

Conclusion

The protection of migrant workers has always been considered as an important issue for the international community and for the ILO. The situation of migrant workers is diverse. Whatever their situation, however, their basic interest will invariably be to see the removal of restrictions in the national legislation which impede their enjoyment of a full social security coverage and the eligibility for benefits, wherever they stay.

This can be achieved by social security agreements of different types, giving effect to the provisions of the ILO Conventions and Recommendations dealing with the social security rights of migrant workers and their families.

The ILO Conventions ensure basic principles and provide a framework and a set of common rules for the conclusion of social security agreements. The ratification of the relevant ILO Conventions, in particular Conventions No. 118 and No. 157, can be used as a tool to ensure that migrant workers benefit from equal protection and guarantee of their right to social security.

However, the number of ratifications of these ILO Conventions is relatively low and the existing network of social security agreements still has a number of gaps, particularly in developing countries.

In the absence of the ratification of the relevant ILO Conventions or the conclusion of social security agreements, some labour sending countries have adopted their own measures on a unilateral basis to protect their nationals working abroad.



Key learning points

- ▶ Migrant workers are among the **most excluded** groups from even basic coverage by social protection instruments and schemes, in particular undocumented migrant workers. They may face constraints in the portability of these rights. They may contribute to social security schemes, either in their home countries or countries of destination, but may not receive any corresponding benefit.
- ▶ Migrant workers face a **variety of challenges** which prevent most of them from accessing social security, such as issues related to: **territoriality, nationality, difficulties of portability of entitlements**, lack of **social security coordination** due to the inexistence of bilateral or multilateral agreement, insufficiently developed **social security schemes**, migrant workers in the **informal economy**, specific difficulties of some categories of workers (domestic and seasonal workers), lack of information, language and administrative barriers, and limited ratification of ECOWAS Member States of international instruments relevant to labour migration.
- ▶ Eight of the ECOWAS member states (French-speaking countries) are part of the **CIPRES Convention** on social security, another international instrument for the protection of social security rights for migrant workers.
- ▶ Migrant workers' **social protection rights** are based on the following principles, enshrined in main the ILO Conventions related to social security for migrant workers and in all bilateral and multilateral social security agreements: 1. Equality of treatment (including reciprocity); 2. Applicable legislation; 3. Maintenance of acquired rights and provision of benefits abroad; 4. Maintenance of rights in the course of acquisition; and 5. Administrative assistance.
- ▶ These principles are the basis of any **social security agreement** (bilateral or multilateral) that are crucial to guaranteeing the **portability of social security rights** to migrant workers.
- ▶ The **extension of social security to migrant workers** can be done through different mechanisms, including: i) ratification and enforcement of relevant ILO Conventions on the protection of the rights of migrant workers; ii) the conclusion of social security agreements between countries, especially between countries of origin and countries of employment of migrant workers; iii) inclusion of social security provisions in temporary labour migration programmes; iv) establishment of national social protection floors and v) Unilateral measures from countries of origin as well as from countries of employment.
- ▶ **Lack of experience in the coordination of social security systems** in some ECOWAS member states (mostly the anglophone countries), differences in old age benefit systems (pension funds in some countries and provident funds in some others), and limited administrative capacities of some social security schemes are some challenges that can have an impact on the coordination of social security systems of the fifteen member states.
- ▶ Multilateral cooperation through the development of the **ECOWAS General Convention on Social Security** is the most effective and efficient policy option to coordinate social security systems in the region in order to facilitate labour mobility and ensure the portability of the rights of migrant workers.



Test your knowledge

1. Which of the following sentences are TRUE?

- a. Migrant workers are very often granted access to social security systems in their countries of employment.
- b. Migrant workers, in particular undocumented migrant workers, have been for a long time protected by social security instruments and schemes.
- c. Migrant workers never contribute to social security schemes, in neither their home countries nor their countries of destination, and therefore, they should not be entitled to receive any corresponding benefit.
- d. Protecting the right of migrant workers to social security is important, not only for securing the equality of treatment in social security for migrant workers, but also for extending social security coverage to the currently unprotected population.

2. Migrant workers face a variety of challenges which prevent most of them from accessing social security:

- a. migrant workers who are leaving their country of origin to work abroad may lose coverage under their national social security system.
- b. migrant workers residing abroad may be denied the export of their benefits in their country of residence.
- c. in some countries, migrant workers are denied access or have limited access to social security because of their status or nationality or due to the insufficient duration of their periods of employment and residence.
- d. lack of information and language barriers

3. Migrant workers' social protection rights are based on the following principles, enshrined in main ILO Conventions. The first principle is _____ between nationals and non-nationals. According to this principle, migrant workers must benefit from the same conditions as nationals with regard to coverage and entitlement to benefits in the employment country.

- a. Respect
- b. Territoriality
- c. Equality of treatment
- a. Partnership

4. _____, the fourth principle, provides for the totalization of periods of insurance, employment or residence and of assimilated periods for the purpose of the acquisition, maintenance or recovery of rights and for determining the eligibility to benefits, the calculation of benefits, as well as for determining the cost sharing of benefits paid.

- a. Equality of treatment
- b. Reciprocity
- c. Maintenance of acquired rights and provision of benefits abroad
- d. Maintenance of rights in the course of acquisition

- 5. The definition of reciprocity, for the protection of social security rights of migrant workers:**
- Any acquired right should be guaranteed to the migrant worker in any territory, even if it has been acquired in another, and there should be no restriction on the payment of benefits, for which the migrant has qualified, in any of the countries concerned.
 - It means that each country which is a party to an agreement undertakes to apply the same mechanisms as every other party to make its social security benefits more accessible to migrant workers.
 - The social security rights of a migrant worker are governed by the legislation of one country only, usually the legislation of the country of employment.
 - Migrant workers must benefit from the same conditions as nationals with regard to coverage and entitlement to benefits in the employment country.
- 6. The second principle is the applicable legislation. This principle ensures, that the social security rights of a migrant worker are governed by the legislation of both countries**
- TRUE
 - FALSE
- 7. _____ of the ECOWAS member states are part of the CIPRES Convention on social security, another international instrument for the protection of the rights on social security for migrant workers.**
- 9
 - 15
 - 10
 - 8
- 8. The extension of social security to migrant workers should be done only through one specific mechanism.**
- TRUE
 - FALSE
- 9. The extension of social security to migrant workers can be done through different mechanisms, including:**
- The ratification of the relevant ILO Conventions
 - bilateral or multilateral social security agreements between countries
 - unilateral measures from countries
 - the inclusion of social security provisions in temporary labour migration programmes;
 - the establishment of national social protection floors.
 - all of the above
- 10. Multilateral agreements are considered to have the advantage of generating common standards and regulations, thus avoiding discrimination among migrants from various sending countries who might otherwise be granted different rights and entitlements through different bilateral agreements.**
- TRUE
 - FALSE



Training activities

Training activity I – World Café



World Café

Objectives:

- ▶ Understanding and discussing about the main challenges faced by migrant workers in terms of access to social protection mechanisms;
- ▶ identifying challenges in specific countries and recognizing opportunities for regional cooperation;
- ▶ generating ideas and strategies to overcome the current challenges of migrant workers' social security rights portability.



Instructions for the trainer

Divide participants into three groups composed by five members, each participant will represent a different ECOWAS country.

Once the three group tables are established, the members of the group will begin a table conversation on a particular topic (see below table topic information).

Each table will be hosted by a facilitator that will guide discussions and introduce participants to the topic.

After 15 min of discussions participants will go to the next table to proceed discussions on the next topic, while the facilitators will stay at their respective tables in order to facilitate the transition between the different groups and to provide feedback with each coming group.

1. Table 1 focus will be on **existing policy options and mechanisms of access to social protection and portability of social security rights to migrant workers in each of the participants' countries.**
2. Table 2 focus will be on **main challenges faced by migrant workers accessing social protection in each country.**
3. Table 3 will focus on **Recommendations on how to access national social security systems and how the portability of social security rights for migrant workers can be guaranteed.**

At the end of the cycle, the facilitators of each table will provide a summary of the main outcomes and final conclusions of the groups (10 min).



Tips

- ▶ Each table of the World Café will work simultaneously.
- ▶ Encourage all participants to engage actively on discussions.
- ▶ Facilitators are encouraged to guide conversations and share ideas discussed by former groups in order to highlight common ideas.
- ▶ It is important that facilitators introduce a constructive conversation atmosphere, where all ideas are welcomed, and encourage all participants to share their points of view.



Materials

- ▶ Writing material.
- ▶ Set of Post-its.



Time

- ▶ Table discussions (45 min in total, 15 min each table).
- ▶ Final conclusions and Q&A (10 min).

Training activity II - Understanding the principles of coordination and the ILO social security standards



Brainstorming in groups

Objectives:

- ▶ Understanding and discussing about the principles of coordination and the ILO social security standards;
- ▶ identifying challenges in specific countries and recognizing opportunities for regional cooperation;
- ▶ generating ideas and strategies to overcome the current challenges of migrant workers' social security rights portability.



Instructions for the trainer

Divide participants into three groups. Each group will work in a separate table.

Each group will discuss on 2 principles for the protection of social security rights of migrant workers (35 min).

- ▶ **Group 1:** Equality of treatment & reciprocity
- ▶ **Group 2:** Maintenance of acquired rights and provision & maintenance of rights in the course of acquisition .
- ▶ **Group 3:** Applicable legislation & administrative assistance.

For each group, ask participants to answer the following questions:

- ▶ Are these principles in question relevant for the protection of social security rights of migrant workers? Why?
- ▶ What are the challenges that countries may face when it comes to respecting these principles for the protection of social security rights of migrant workers?
- ▶ How can ECOWAS member mtates ensure the protection and portability of social security of migrant workers, and the respect of these principles in particular?

In plenary, groups will share their final conclusions with the rest of the group (15 min).



Tips

- ▶ Encourage all participants to engage actively in the discussions.
- ▶ For each group, you can prepare a board with the two principles, where participants can place post-its and write ideas.
- ▶ Highlight that principles have been divided into three groups in order to foster the development of ideas, but that the respect of all principles is instrumental for the protection of social security rights of migrant workers.



Materials

- ▶ Writing material.
- ▶ Set of Post-its.
- ▶ 3 Boards.



Time

- ▶ Group work discussions (35 min).
- ▶ Final conclusions and Q&A (15 min).

EXTENDING SOCIAL PROTECTION TO MIGRANT WORKERS IN THE ECOWAS REGION: A capacity building toolkit on the ECOWAS General Convention on Social Security

Module 1: Social protection in ECOWAS: States, issues, challenges and policy responses

Module 2: Social protection for migrant workers: An overview

Module 3: Concepts and international standards on coordination of social security

Module 4: Introduction to the ECOWAS General Convention on Social Security: Origin, context, principles and key provisions

Module 5: Implementation of the ECOWAS General Convention on Social Security: Coordination of social security in the ECOWAS region

Module 6: Bilateral and multilateral social security Agreements involving contracting parties of the ECOWAS General Convention on Social Security

Module 7: Gaps in the ECOWAS General Convention on Social Security

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