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# International Social Security Review

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# Special Issue: To leave no one behind: Social security coverage for displaced populations and migrant workers

- Introduction: To leave no one behind: Social security coverage for displaced populations and migrant workers
- Leaving no one behind: Why social protection must include displaced people
- Social protection for refugees and migrants: Examining access to benefits and labour market interventions
- The extension of social health protection to refugees
- Leaving no one behind: A case for inclusive social protection for displaced children
- Extending social protection to migrant workers in the region of the Cooperation Council for the Arab States of the Gulf (GCC): An analysis of enablers and barriers
- Extending coverage to migrant workers to advance universal social protection



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## International Social Security Review

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### TO LEAVE NO ONE BEHIND: SOCIAL SECURITY COVERAGE FOR DISPLACED POPULATIONS AND MIGRANT WORKERS

#### **Foreword**

This special issue of the *International Social Security Review* (ISSR), "To leave no one behind: Social security coverage for displaced populations and migrant workers", is framed by the ambition of the United Nations Sustainable Development Goals (SDGs) agenda. This international ambition, an urgent call for action "to leave no one behind", is addressed herein through the prism of the international policy priority of social security coverage extension.

The current programme of work of the International Social Security Association (ISSA), adopted by its global membership, correctly acknowledges the challenges posed for realizing the human right to social security by the global context of a changing life course and evolving labour markets. The articles that comprise the content of the special issue discuss access to the right to social security of selected vulnerable population groups who are prioritized by the ISSA's programme. In these pages, the chosen focus is placed on displaced populations groups, amongst whom children represent a significant proportion, and international migrant workers.

In line with SDG Target 1.1 to "eradicate extreme poverty" and SDG Target 1.3 to implement "nationally appropriate social protection systems and measures for all", and consistent with fundamental international human rights instruments and the International Labour Organization's social security standards which detail the right to social security, wider international consensus building is necessary to strengthen the realization of the fundamental human right to social security for people in movement across national frontiers, forcibly displaced or otherwise. This issue seeks to be part of this necessary process.

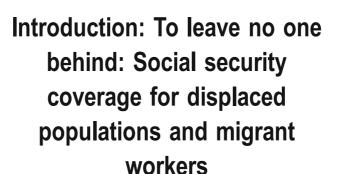
A key strategic priority for the ISSA during the triennium 2023–2025 is to provide relevant knowledge to its member organizations. The articles in this special issue represent one element of the wealth of ISSA knowledge to be produced during the triennium. Together, these articles contribute to the aim to collate, analyse, develop, and disseminate high-quality knowledge for use by ISSA member organizations to support efforts to extend coverage. Another key ISSA priority is to offer its member organizations relevant networks to facilitate institutional exchange and collaboration. The involvement of numerous expert authors in this special issue – comprising staff from the International Labour Office (ILO), United Nations High Commissioner for Refugees (UNHCR),

United Nations Children's Fund (UNICEF), ODI, Oxford Policy Management, the United Kingdom Trade Union Congress, independent consultants, and academics, as well as the ISSA General Secretariat – contribute to meeting this.

The international promotion of social security and collaboration with key regional and global organizations is fundamental to strengthening the ISSA's institutional role and its capacity to promote social security on behalf of its member organizations. The findings presented in this 2023 special issue add to those of the collaborative work published in 2021 by the ILO and the ISSA: "Extending social protection to migrant workers, refugees and their families: A guide for policymakers and practitioners" and act to complement the operational and institutional information presented in the ISSA's database on international social security agreements. They also supplement knowledge presented on the ISSA's website, such as the ISSA's best practice Guidelines on social security administration, and the themed content of technical webinars and online analytic articles. The knowledge presented here, and its dissemination, will thus be instrumental to support the ongoing operational objectives of ISSA member organizations, to excel in administration, and constitute the basis for further social security analysis and knowledge development during the triennium 2023-2025.

> Marcelo Abi-Ramia Caetano Secretary General International Social Security Association

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Roddy McKinnon

International Social Security Association, Geneva, Switzerland

Abstract This 2023 special issue of the *International Social Security Review* contributes to the core debate framed by the international ambition of the United Nations Sustainable Development Goals to leave no one behind and does so through the lens of social security coverage extension. Specifically, the special issue addresses the social security rights of selected population groups prioritized by the current programme of work of the International Social Security Association; namely, displaced populations, amongst whom children represent a significant proportion, and international migrant workers. Implicit in this choice is a wish to collate, analyse, enrich, and disseminate knowledge to forge a stronger consensus to help realize effective social security coverage for all.

**Keywords** displaced person, refugee, children, migrant workers, social protection, coverage, gaps in coverage, UN Convention, labour standards, international

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#### Introduction

Social security is a fundamental human right that has not been universally realized. The aim of this 2023 special issue of the *International Social Security Review* is to contribute to the debate and support concrete actions seeking to help realize this right (UN, 1948, Articles 22 and 25; OHCHR, 1966, Articles 9 and 12).

The 1995 World Summit for Social Development in Copenhagen, Denmark, is often considered a watershed moment marking a shift towards a consensus in favour of people-centred development, a process which continues. In 2012, the international social security standards were supplemented to amplify the developmental role of social security with the adoption of the International Labour Organization (ILO) Social Protection Floors Recommendation, 2012 (No. 202) (ILO, 2012). Anchored on the innovative concept of national social protection floors, this development has been of profound significance for shaping current perceptions about, and the expected roles of, social security systems. To complement the minimum social security standards defined by the ILO Convention on Social Security (Minimum Standards), 1952 (No. 102) (ILO, 1952), the adoption of Recommendation No. 202 can be understood as a universal people-centred response to contribute towards the eradication of poverty. The United Nations 17 Sustainable Development Goals (SDGs) and their associated 169 targets currently embody the international consensus to promote the well-being of every person. For social security administrations and agencies, the SDG targets of greatest relevance are Target 1.1 to "eradicate extreme poverty" and Target 1.3 to implement "nationally appropriate social protection systems and measures for all".

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Framed by this global ambition, an urgent call for action to leave no one behind, the articles that comprise this special issue address the coverage gaps of select population groups that are important to the current programme of work of the International Social Security Association (ISSA); specifically, internationally displaced populations, amongst whom children represent a significant proportion, and international migrant workers. Implicit in this choice is a wish to collate, analyse, enrich, and disseminate knowledge for use by ISSA member organizations concerning the legal and practical challenges of how to better ensure the right to social security for people who have transited across national frontiers, be they forcibly displaced or seeking employment abroad.

As the contributions to this special issue inform, periods of displacement are becoming more protracted, not least due to heightened geopolitical instability and uncertainty. In turn, instability and uncertainty have become endemic, albeit manifesting in different ways in different regions. Thus, questions concerning the need for, and the importance of, social and economic integration of displaced and migrant populations, involving access to social protection, have become enduring ones. To make progress in this regard – thereby, to support social and

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economic inclusion and give voice to vulnerable and excluded groups, including family migrants (i.e., family members who join displaced persons or labour migrants), who are often the "blind spot" in policy responses (OECD, 2023b), as well as to allay fears, overcome prejudice and intolerance, and dissipate tensions in host societies (UNRISD and MIDEQ, 2023) – political will anchored on a broad consensus is required.

In the pursuit of progress, there is room for optimism. This optimism is rooted firmly in the evidence of political will having supported a variety of social protection policy precedents. Experience shows that countries can act unilaterally to develop policy solutions to improve the social protection of their nationals who work abroad, as exemplified by the creation of welfare funds in some emerging economies. Similarly, where expedient and feasible to do so, countries may commit to undertake negotiations to become signatories to bilateral and multilateral social security agreements to ensure and protect the acquired rights, and the rights in the process of being acquired, of their workers who are working or who have worked abroad. Political will can permit decisions favouring formal access for displaced persons to the labour market of the host country. In the context of displacement having become more protracted, and to support inclusion and integration, it is more clearly understood that labour market access matters, as inevitably do the underlying national labour market conditions. The successful labour market integration of working-age adults into formal activity supports the goal of extending access to effective and adequate social security coverage. The achievement of such integration, especially in economies with an ageing workforce, is expected to help contribute to the sustainable financing of these systems.

Political will can also ensure that policy responses are rolled out rapidly. Exemplary in this regard has been the recent activation of the European Union's Temporary Protection Directive in response to the mass displacement of people from Ukraine following the Russian military invasion in 2022. That many countries were able to quickly mobilize and direct public expenditure towards existing as well as temporary emergency social protection measures to counter the negative impacts of the COVID–19 crisis is another.

The case of refugee children, whose needs and rights may be prioritized in some host settings through universal measures, sets an irrefutable precedent to forcibly affirm human rights for all – not just for some. Certainly, universal access to health protection should alleviate public health concerns and, by so doing, help

<sup>1.</sup> ILO Recommendation No. 202, para. 6, affirms that basis social security guarantees, at least, should be provided to all residents and children. Implicit in the Recommendation's wording, involving a reference to children specifically (see also para. 5(b)), is an assertion of the right to coverage for all children, irrespective of legal resident status.

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counter prejudice. As one further example, evidence reveals that social programmes extended to displaced populations may even prompt improvements in the design and delivery of some existing social programmes for the host community, as witnessed in Türkiye.

Therefore, the positive message to be retained is that the need for a wider consensus in support of the goal of universal social protection does not have to be built up from zero. Indeed, the international human rights instruments and ILO social security standards provide the legal bedrock, the starting point, upon which this can be progressively built. Nevertheless, making further and significant progress at the country level requires coordinated and concerted as well as financially affordable and sustainable social policy responses – often covering initial humanitarian interventions and subsequent investments in support of social development as well as anticipating the need to overcome legal and other practical barriers that can prevent access to formal employment and affiliation with contributory programmes for those of working age – and, in all likelihood, all this will take time. As pragmatically recognized in the adopted wording of the ILO Recommendation No. 202, improvements in the scope and adequacy of social protection coverage must be progressively attained, according to national circumstances, targets, and time frames.

To contribute to consensus building, the work of social security administrations and agencies, many of which are ISSA member organizations, will be facilitated by a well-designed communication strategy to inform all concerning rights as well as responsibilities vis-à-vis the social security system. Social security administrations and agencies also have an important ancillary role to play in this respect in collating and disseminating key data and lessons from national experiences, which is a pressing requirement to inform the political debate and public finance discussion necessary for effective policy and administration.

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#### The content

The international human rights instruments and ILO's international social security standards detailing the right to social security are important because they provide the "soft" legal foundation on which any future "hard" measurable progress in the effective extension of coverage to all may be evaluated. While the final global objective remains universal coverage, the focus of this special issue is purposefully narrower. It seeks to present an appraisal of where the international community currently stand regarding the specific challenge of not leaving behind displaced populations and international migrant workers. In having offered important data, analysis and insights to this appraisal, all authors are thanked for their important contributions to this special issue.

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The first contribution, authored by Mattia Polvanesi, presents the authoritative perspective of the United Nations High Commissioner for Refugees (UNHCR), the UN Refugee Agency. The importance for this special issue of Polvanesi's lead paper is twofold. First, the article defines the nature of the policy challenges, identifies the different groups of displaced populations, those forcibly displaced and otherwise, and provides the current terminology used to discern these groups. With these definitions laid out, the intension is that this will facilitate a reading of the subsequent content. Second, it sets out the main instruments of international refugee law and international human rights law, which define the rights of forcibly displaced populations, as well as representing the directing legal framework for UNHCR's mission. Addressing one of the guiding editorial objectives of this journal, the paper makes a strong call for governments and international agencies to make progress in creating and sustaining opportunities for the inclusion of displaced people in national social protection systems. Much remains to be achieved among national actors and the international community, which should be pursued in the "spirit of responsibility sharing" concerning the putting into place of sustainable financing and effective policy responses. As Mattia Polvanesi concludes, a vital near-term opportunity at the international level for progressing these matters will be the Global Refugee Forum in December 2023, to be co-convened in Geneva by six States - Colombia, France, Japan, Jordan, Niger and Uganda - and co-hosted by the Government of Switzerland and UNHCR.

The second article, by Karin Seyfert and Héctor Alonso, comprehensively reviews the extent of access that refugees and migrants have to social protection and, indeed, who provides and finances this protection when it is accessible. The authors consider the multiple objectives of social protection; the contingencies for which such coverage is offered (or, indeed, absent); the mechanisms of social assistance, social insurance and labour market interventions; and the services and cash benefits delivered by various types of programmes. With their focus placed on lower- and middle-income countries, the authors use illustrative country case studies to augment the empirical overview and analysis. This feeds into their wider evaluation of available space for policy action, identified financing sources and the policy instruments to improve coverage outcomes and social and economic inclusion. In this regard, improvements in administrative design as well as in coordination and collaboration between administrative bodies are some of the key areas to be prioritized to realize progress.

To complement the programme-oriented focus of the Seyfert and Alonso paper, the third article, by Aviva Ron and Dorit Nitzan, considers the extension of social health protection to refugees. The authors' approach to coverage is based on the pillars of public health and social protection, which together provide the rationale and legislative basis for coverage. The social protection benefits to be

included are comprehensive health services, providing entitlement to services without conditions such as prior contributions or duration of residence. Importantly, a convincing case is presented about the need to consider the social determinants of health, including access to education, employment with decent working conditions, and safe environments. As argued by Ron and Nitzan, over and above the objective of attaining the health-related SDGs, this is so because in the event that the health of refugees is neglected or care is limited to life-saving humanitarian aid, public health as well as individual health issues and hazards are likely to arise.

In addition to the programme-oriented focus of the content, this special issue also selectively addresses the needs of certain vulnerable population groups, amongst whom are children. Despite the United Nations Convention on the Rights of the Child (UNCRC) (UN, 1989) being the most widely ratified human rights treaty to date, millions of children continue to be denied their rights and face poverty, vulnerability, and social exclusion, merely because they are displaced - internally or across borders. Concerning this challenge, the fourth article presents an opportunity to consider the valuable perspective of the United Nations Children's Fund (UNICEF). In the article, Nupur Kukrety and Daniela Knoppik underline that children, and most often girls, bear the heaviest burden of displacement despite not being responsible for its triggers. The reality is that a significant population of these children are being left behind, threatening progress to end poverty and ensure all people enjoy peace and prosperity. Kukrety and Knoppik advocate for what UNICEF refers to as inclusive child-sensitive social protection systems for displaced children, by highlighting the difficulties they encounter, emphasizing the potential benefits of social protection, and assessing the current status of social protection for this vulnerable group. The article offers recommendations to strengthen inclusive social protection systems specifically tailored to meet the humanitarian and development needs of displaced children.

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A common topic in discussions concerning coverage extension is the necessary distinction to be made between those who have been accorded legal coverage and who have effective access to the necessary protection to which they are entitled and those who have been accorded legal coverage but do not have effective access either to some, or all, of the necessary protection to which they are entitled. The fifth article, co-authored by Christina Lowe, Jessica Hagen-Zanker and Caterina Mazzilli (ODI), Lea Bou Khater and Luca Pellerano (International Labour Organization Regional Office for Arab States), and Abigail Hunt (Trade Union Congress, United Kingdom), looks at this challenge as it pertains to one identified group, migrant workers, but in particular those in the region of the Cooperation Council for the Arab States of the Gulf. Their important contribution highlights how efforts to extend legal (de jure) coverage, to enable migrant workers to access

necessary protection, often must seek to incorporate measures, including social dialogue, to overcome the structural and cultural barriers that stand in the path of realizing effective (de facto) access to this protection. The scope of the contingencies for which coverage is provided to migrant workers may be limited, indicating that certain risks associated with insurable contingencies may be, at best, neglected or, at worst, denied.

The sixth and final paper, co-authored by Samia Kazi-Aoul and Clara van Panhuys of the International Labour Office and Mariano Brener and Raúl Ruggia Frick of the International Social Security Association, offers a global appraisal of extending coverage to migrant workers to advance universal social protection. As the paper underlines, with migrant numbers continuing to rise worldwide, migration is a complex phenomenon that has significant implications for migrant workers' access to social protection and for social security systems in both origin and destination countries. The article explores the relationship between migration and social security, highlighting key issues and trends that have emerged in recent years. The article provides an overview of global migration flows and trends, social security measures and gaps in selected countries, and considers the need for policy makers to take account of the unique needs and circumstances of migrant populations. The paper also explores the role of international cooperation and considers some of the emerging trends and innovations in social security that may help to address some the legal and practical challenges faced by migrant workers and social security administrations. In support of the Sustainable Development Goals agenda, it calls for continued dialogue and collaboration among policy makers and stakeholders to ensure that social security systems are equitable, effective, inclusive, and sustainable in an increasingly globalized world.

#### Closing remarks

This year, 2023, marks the chronological mid-point on the route to achieving the SDGs in 2030. Regrettably, as the United Nations conceded in its preparations for the recent SDG Summit held in September 2023, the global community is "nowhere near" reaching the Goals. As one factor, the impacts of the COVID-19 crisis, as well as the public policy responses to counter these, have

<sup>2.</sup> UN News. 2023. "Halfway to 2030, world 'nowhere near' reaching Global Goals, UN warns", 17 July.

An advance unedited version of the Report of the UN Secretary-General, prepared for the UN General Assembly, Economic and Social Council 2023 session, has stated that "the SDGs are in deep trouble ... only about 12 per cent are on track; close to half, though showing progress, are moderately or severely off track and some 30 per cent have either seen no movement or have regressed below the 2015 baseline" (UN, 2023, para. 4).

worsened the financial position and increased the levels of debt of many national governments. This situation has come to negatively affect public social expenditures. Notably, and regardless of comprehensive national social protection having reaffirmed its value during the pandemic as an agile crisis response to individual and covariate risks, as a social buffer and economic stabilizer as well as a booster for economic recovery, social spending-to-GDP ratios which increased rapidly at the outset of the pandemic in many countries have since declined (OECD, 2023a). More generally, further global progress towards the target of extending social protection, to achieve inclusive growth, social justice, gender equality, and transformative change, remains far from satisfactory. To get back on track, the United Nations urges accelerated action.

Despite the challenges facing the realization of the SDGs, and not least our focus here on extending effective social protection coverage, the findings of a recent international symposium, funded by the European Union and implemented jointly by the International Labour Organization, UNICEF, and the Global Coalition for Social Protection Floors (GCSPF), offers some hope that the extension of social protection coverage can progress, according to national circumstances and priorities. As the ILO report in this regard, in the international context of constrained fiscal space and higher debt, there is a greater need to improve how "governments mobilize, allocate and manage public resources" to ensure the sustainable financing of social protection systems.<sup>4</sup> To improve people's lives, a programme, "Improving synergies between social protection and public finance management (SP&PFM)", has been tasked to strengthen the design and financing of national social protection systems. Reporting on coverage extension success stories in Africa, Asia and Latin America, the SP&PFM spotlights that to build success in extending coverage as part of inclusive economies requires coordination between Ministries in charge of finance and social protection, as well as the engagement of civil society and employers and workers organizations. At the programme level, and over and above the affordability and sustainability of financial commitments, rigorous governance and effective administration is essential.<sup>5</sup>

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Clearly, these factors are likewise necessary to deliver policies to improve the lives of vulnerable displaced and migrant populations. As discussed, in all regions, vulnerable displaced and migrant populations are growing, and these groups include people with differing personal profiles, residence status,

<sup>4.</sup> *ILO Newsroom*. 2023. "Social protection: 13 million people enjoy better social protection through improved financing", 7 July.

<sup>5.</sup> In the challenging process of having to make a choice between how to use available resources, Hagemejer asserts that "fiscal space" for social protection will be adequate only within a "policy space" that is supportive of social protection, involving a social acceptance as well as a political willingness to allocate resources to this end (Hagemejer, 2018).

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employment rights and social protection needs. While progress in strengthening many social protection systems is underway in many countries, this tends to prioritize the protection of nationals foremost. In the continuing absence of more speedy advancement in building systems of universal coverage, wherein citizenship is not a determining factor for inclusion and effective access, vulnerable displaced and migrant populations will remain marginalized and, in some cases, may endure different forms of discrimination.

Currently, progress on reducing all forms of inequality is confronted by social, economic, environmental as well as political challenges and the risk of backsliding on targets has been acknowledged. Despite this, in pursuit of social justice and with the continuing international commitment to leave no one behind, the message remains constant and clear: political will matters, and it must be sustained. To conclude, and to restate the first line of this Introduction, social security is a fundamental human right that has not been universally realized.

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## Leaving no one behind: Why social protection must include displaced people

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**Abstract** UNHCR, the UN Refugee Agency, has the mandate to save lives and build better futures for millions of forcibly displaced and stateless people. This contribution sets out UNHCR's mandated roles concerning displaced population groups and details the nature of the humanitarian and human development challenges that confront the international community. In this important regard, the social protection coverage extension objectives of the 2030 Agenda for Sustainable Development and the Global Partnership for Universal Social Protection (USP), to leave no one behind, are considered essential.

**Keywords** displaced person, refugee, social protection, gaps in coverage, UN Convention, international

#### Introduction

The United Nations High Commissioner for Refugees (UNHCR), the UN Refugee Agency, has the mandate to save lives and build better futures for millions of forcibly displaced and stateless people. It does so by delivering life-saving humanitarian assistance and international protection, advocating for improved asylum laws, and helping to find long-term solutions for displaced people to eventually return home or establish themselves in a new country. Promoting inclusion in national systems - including social protection systems - is one of

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For more information, see the Note on the mandate of the High Commissioner for Refugees.

the critical activities that UNHCR performs to support the realization of this protection and solutions mandate.

This contribution to the 2023 special issue of the *International Social Security Review* presents an important opportunity to set out the mandated roles played by UNHCR as well as to define forcibly displaced population groups and detail the nature of the humanitarian and human development challenges that confront the international community. For many years, UNHCR assistance has been performing the same role as social protection programmes.<sup>2</sup> Accordingly, as part of the necessary response delivered at the national level, the social protection coverage extension objectives of the 2030 Agenda for Sustainable Development and the Global Partnership for Universal Social Protection (USP), to leave no one behind, are considered essential to support the inclusion of displaced people in national social protection systems.

#### The current juncture

Regrettably, the speed and scale of forced displacement are outpacing solutions. With global displacement at a record high of over 110 million, and with less than one per cent of refugees achieving a durable solution each year,<sup>3</sup> it is increasingly evident that their inclusion in host countries' national social protection systems<sup>4</sup> is a pragmatic way to reduce the burden on humanitarian assistance while also contributing to resilience building, social cohesion and economic growth of the host country (see Box 1 for a glossary on groups of displaced populations).

# The case for extending social protection to displaced populations

Not only can social protection meet the urgent basic needs of displaced populations – including health, food, shelter and education – but it also has the potential to promote longer-term economic and social inclusion with a view to achieve a permanent and durable solution to their displacement. In addition to strong global evidence on the positive impacts of tax-financed cash transfers injecting cash into local economies, to also extend access to social insurance

- 2. The Social protection web pages of the UNHCR website provide information on UNHCR's longstanding social protection role, and additionally offers online access to studies and guidance as well as case studies.
- 3. The three conventional durable solutions are voluntary repatriation, resettlement and local integration, with additional complementary pathways for admission to third countries and local solutions.
- 4. The notion of social protection includes the interconnected areas of social assistance, social care services, social insurance including pensions, and labour market policies.

schemes to refugees would allow them to contribute to national social security systems and improve the financial sustainability of national programmes. Employment in the regulated formal economy will also bring benefits for the economy and tax revenues, the latter creating fiscal space for other public expenditure priorities. Social protection is anchored in national laws, budget allocations and dedicated funds. As such, governments and social security administrations can be held accountable to provide social benefits to those who are eligible. As a final consideration, providing the same type and level of social protection to national citizens and displaced populations can contribute to positive social cohesion (Lowe et al., 2022).

International refugee law and international human rights law – in particular, the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR) – recognize the right to social protection. The 1951 Convention Relating to the Status of Refugees specifically mentions the rights of refugees to access "public relief", "labour legislation" and "social security" alongside citizens. <sup>5</sup> These provisions were further reinforced in 2016 by the adoption by the United Nations of the New York Declaration for Refugees and Migrants, 6 which calls for refugees to be able to access national social assistance programmes and for host communities to be included in programmes for refugees.

Similarly, the 2018 Global Compact on Refugees (GCR)<sup>7</sup> calls for a scaling up of the access of refugees and other displaced persons to social protection systems, building on UNHCR's mandate and proposing transformative new approaches to advance inclusion with larger coalitions of partners including, notably, development actors. The GCR places the concept of "responsibility sharing" at the centre of the international protection agenda, promoting a range of sector-specific measures aimed at including refugees in national social protection systems.

Over the past two decades, social protection has also gained increasing importance within the international development agenda. The 2030 Agenda for Sustainable Development<sup>8</sup> and, more recently, the Global Partnership for Universal Social Protection (USP)<sup>9</sup> call for rights-based inclusive social protection systems that leave no one behind.

<sup>5.</sup> See the full text of the 1951 Convention Relating to the Status of Refugees (CRSR), Articles 24 (1-4).

<sup>6.</sup> See the full text of the Resolution adopted by the General Assembly on 19 September 2016.

<sup>7.</sup> For more information, see the digital platform of the 2018 Global Compact on Refugees (GCR).

<sup>8.</sup> Target 1.3 of the Sustainable Development Goals (SDGs) calls on countries to "implement nationally appropriate social protection systems for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable".

<sup>9.</sup> See the USP2030 digital platform and therein the 2019 Call to Action "Together to Achieve Universal Social Protection by 2030".

#### Box 1: Glossary on groups of displaced populations

- Migrant: There is no universally accepted definition of migrants, who fall outside UNHCR's mandate. The term generally refers to people who choose to move across international borders, not because of a direct threat but for other reasons, such as pursuing work or education opportunities, or to reunite with family. Migrants unlike refugees continue in principle to enjoy the protection of their own government, even when they are abroad.
- Asylum seeker: Any person who is seeking international protection. In some countries, it is used as a legal term referring to a person who has applied for refugee status and has not yet received a final decision. It can also refer to a person who has not yet submitted an application but may intend to do so or who may be in need of international protection. Not every asylum seeker will be recognized as a refugee, but every refugee is initially an asylum seeker.
- Refugee: The 1951 Convention defines the term refugee as a person who has well-founded fear of persecution for one or more of the following five reasons (race, religion, nationality, membership of a particular social group, or political opinion) and therefore is unable or unwilling to avail of protection from their country. In addition, a refugee must be outside the country of their nationality (or, if the person does not have a nationality, of their country of former habitual residence, and unable or, owing to such fear, unwilling to avail themselves of the protection of their country of origin).
- Internally displaced person (IDP): A person who has been forced or obliged to flee from their home or place of habitual residence, in particular as a result of armed conflicts, generalized violence, violations of human rights, natural or man-made disasters, and who has not crossed a state border.

#### · Returnee:

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- Refugee returnee: A former refugee who has returned from a host country to their country-of-origin or former habitual residence, spontaneously or in an organized fashion, with the intention of remaining there permanently and who is yet to be fully integrated.
- *IDP returnee:* A former IDP returning to their previous place of residence with the intention of remaining there.
- **Stateless person:** A person who is not considered as a national by any State under the operation of its law, either because they never had a nationality, or because they lost it without acquiring a new one.

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• Other people in need of international protection: People who are outside their country or territory of origin, typically because they have been forcibly displaced across international borders, who have not been reported under other categories (asylum seekers, refugees, people in refugee-like situations) but who likely need international protection, including protection against forced return, as well as access to basic services on a temporary or longer-term basis.

Source: UNHCR Master Glossary of Terms.

However, forcibly displaced populations are rarely considered in these frameworks. They are often left without coverage by their host countries' national social protection systems and programmes, either by law or in practice.

Refugees are often "left behind" due to a range of political, legal and operational barriers linked to their situation. Research and evidence by UNHCR (UNHCR, 2021 and 2022) and others (see, for example, ILO and UNHCR, 2021; Hagen-Zanker et al., 2022; OECD and EBA, 2022; Holmes and Lowe, 2023) confirm the challenges imposed by legal restrictions that limit displaced people's access to documentation, employment and social protection.

Even in cases where refugees acquire rights to access social protection systems, their de facto access, their utilization of rights, is often hindered by operational barriers. Heavy bureaucratic procedures and delays in processing asylum claims mean many refugees lack access to civil documentation – including ID cards, birth certificates, residence attestations – which are usually a prerequisite for registration in social protection systems.

Often, displaced people can only work informally in the economy. Hence, they are unable to access formal employment and tax systems, a requirement for inclusion in contributory social protection programmes which would, in turn, benefit the host country's economy. Also, national public social security agencies may have insufficient technical, staff or financial resources to expand coverage under their social protection programmes to include non-nationals.

Lastly, a lack of awareness or discrimination by public service providers and local authorities may sometimes prevent refugees' access to national services.

As a result of these barriers, according to UNHCR 2023 estimates, 55 per cent of refugees live in countries where their right to work is restricted in practice – a decrease compared to previous surveys in 2019 and 2021. UNHCR further estimated that refugees and asylum seekers were able to benefit from at least one social protection programme in 44 countries. Despite the challenges and the limited number of countries where refugees can access formal jobs and social protection programmes, there has been progress over the past few years,

particularly since the adoption in 2018 of the Global Compact on Refugees and the subsequent commitments and pledges made by States (UNHCR, 2023).

The adoption of the Temporary Protection Directive in European Union Member States (Moreau, 2022) has been a welcomed way to provide immediate protection and basic standards of treatment for refugees, including access to social protection programmes. In the case of Poland, 1.6 million refugees from Ukraine were able to obtain a PESEL number, which is equivalent to the Polish ID number, enabling at least 970,000 refugees to access social assistance and health services.

Venezuelan refugees, asylum seekers and migrants in Brazil are allowed to enrol in the national social registry (*Cadastro único*) and have access to social services and work permits (Shamsuddin et al., 2021). In Brazil, over 135,000 Venezuelans access nationally funded social assistance programmes, including the *Bolsa Família* conditional cash transfer programme and the *Benefício de Prestação Continuada* for elderly persons and persons with disabilities living in poverty.

Inclusion can also be achieved in lower-income countries. In Mauritania, <sup>10</sup> all refugees in that country have been enrolled in the national social registry, owing to a multi-stakeholder approach involving the Government of Mauritania, the German Federal Ministry for Economic Cooperation and Development (BMZ), the World Bank, the World Food Programme and UNHCR. Following a joint targeting exercise, 7,400 refugee households, equal to about half of refugees in Mauritania, were found eligible to receive cash transfers through the *Tekavoul* social assistance programme.

The inclusion of forcibly displaced people in social protection schemes requires a concerted and holistic engagement at multiple levels. First, governments should enshrine the recognition of refugees' rights to social protection in their laws and policies.

Access to robust quantitative data is also critical. Data informs advocacy and is a pre-requisite for inclusion in government systems. In many countries, the socioeconomic data analysis and evidence base on displaced populations are made available by UNHCR and used to build an inclusion investment case for governments and international actors.

Host governments and international actors also need to work together to strengthen national and local capacities and support social protection systems to become inclusive of displaced persons and host communities. Social protection systems are often weaker in the regions and countries where they are most needed, due to limited capacities, fiscal constraints, or recurrent crises and natural shocks. UNHCR collaborates with other technical agencies to develop inclusive policies and laws, train government and public administration staff as well as social workers on social protection, social protection rights and case

management, and in some cases adapt social protection programme delivery chains to better meet the specific needs and capacities of displaced populations.

In the spirit of "responsibility sharing", the mobilization of international development financing – including through multi-year, flexible financial instruments – is critical to bridge the funding gap and sustain inclusive policies. The World Bank International Development Assistance Window for Host Communities and Refugees (WHR) and the Global Concessional Financing Facility (GCFF) are important inclusion instruments and provide a source of long-term financing respectively for low-income and middle-income host countries. 11

Finally, representation matters. There is a need for more representation of forcibly displaced communities that goes further than rhetoric. Displaced people are the best placed to actively participate in decision-making processes relevant to their gaining access and contributing to social protection systems. In some instances, for example in Morocco, refugee community leaders work alongside UNHCR in defining the steps required for them to be included in national registries and to access social benefits.

#### Fulfilling the ambition

To fulfil the ambition of leaving no one behind, governments and international agencies must make concrete progress on creating and sustaining opportunities for the inclusion of displaced people in national social protection systems.

The Global Refugee Forum (GRF) 2023<sup>12</sup> offers one such opportunity to make real progress. The GRF will provide a platform for defining clear political commitments towards the inclusion of displaced populations in social protection systems, as well as for establishing broad operational coalitions that underpin these commitments and provide the required financial support and technical assistance to realize these.

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- 11. For more information, see Window for Host Communities and Refugees and Global Concessional Financing Facility.
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# Social protection for refugees and migrants:

# Examining access to benefits and labour market interventions

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Abstract The article discusses the current practices for providing social protection to refugees and migrants, focusing primarily on low- and middle-income (LMICs) destination countries. It examines formal providers of social protection, including state institutions, development agencies and humanitarian organizations. In recent years, there has been an increase in funding from multilateral donors, especially in the context of the COVID-19 pandemic, leading to the establishment of national assistance programmes in LMICs that also encompass refugees and to a lesser extent migrant workers. International agencies play a crucial role in providing humanitarian cash assistance to refugees, given their status under international protection under the 1951 Refugee Convention and related protocols. Access to social insurance remains tied to formal employment. Social insurance entitlements for migrants are often restricted and refugees are typically excluded from formal employment in LMICs. Regarding labour market interventions, refugees and migrants are often excluded from national programmes, with migrants' residence permits being often tied to employment. For refugees, international agencies take a

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prominent role in providing livelihood programmes aimed at enhancing income-generating opportunities, economic inclusion and financial independence. However, the effectiveness of these interventions remains unclear, lacking rigorous evidence, and often being short-term with limited coverage.

**Keywords** social protection, coverage, social assistance, social insurance, labour market, displaced person, refugee, migrant, international

#### Introduction

An overarching leitmotif of the United Nations Sustainable Development Goals (SDGs) is to leave no one behind. This commitment underscores the imperative to ensure that the benefits of social progress reach every segment of society, particularly those most vulnerable and marginalized, such as refugees<sup>1</sup> and migrants. In this article we consider international migrants with regular as well as irregular migration status.

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This article reviews to what extent refugees and migrants can access social protection and who provides social protection when it is accessible. We focus on three main social protection instruments, namely social assistance, social insurance and labour market interventions (Figure 1). We are omitting a discussion of social care services. Social care services include support to people with disabilities, child protection services, mental health services, or physical care services. Discussing social care services in the context of forced migration would entail a wider debate around humanitarian protection, which is beyond the scope of this article. Our focus is mostly on lower- and middle-income countries.

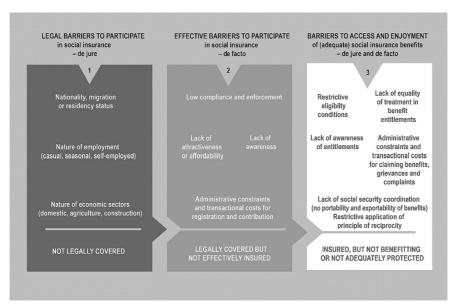
Social protection is offered by government, humanitarian, and development partner providers. The largest social protection schemes run by many governments in terms of beneficiaries are social insurance schemes. Humanitarian and development partners are not strong players in the social insurance sector; they most frequently offer cash assistance, as well as small-scale labour market interventions.

The remainder of this article is structured in line with the three social protection instruments set out above. We first discuss access to social assistance before

<sup>1.</sup> Refugees in this article are defined by the 1951 Refugee Convention and associated protocols. Also, see the International Organization for Migration definition of migrants.

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Figure 1. Objectives and programming approaches to social protection



Source: Adapted from Seyfert and Quarterman (2021), based on Costella et al. (2021) and World Bank (2018).

examining access to social insurance and labour market interventions. We conclude with a table of stylized facts summarizing migrant and refugee access to social protection.

#### Access to social assistance

Migrants usually do not access social assistance in lower- and middle-income countries (LMICs). This is mostly because nationality is an eligibility criterion for access. For example, in Jordan and Egypt, only citizens have access to public social assistance programmes. However, there are trends towards more inclusive social assistance. While only Thai citizens can access the Thai Welfare Card Programme aimed at providing basic-needs subsidies for people living under a given income threshold, migrants with regular immigration status can register for child benefits in Thailand. In Morocco, following changes in legislation between 2017 and 2018, more than 2,500 migrants benefited from the social assistance offered by the Ministry of Solidarity, Women, Family and Social Development. This represents a small proportion of non-national residents in Morocco, 0.4 per cent of the estimated 700,000 migrants in the country (Andrade, Sato and Hammad, 2021).

The provision of cash assistance to refugees frequently involves collaboration between humanitarian and government actors. The following paragraphs present brief case studies of social assistance provided to refugees in countries with large refugee caseloads. The case studies range from i) the integration of refugees into national programmes (Brazil), ii) creating a programme for refugees that is donor-funded but largely implemented by national actors (Türkiye), iii) the humanitarian and national systems borrowing elements from each other or "piggybacking" (Lebanon and Pakistan), and iv) completely parallel provision (Bangladesh).

#### Integration of refugees into national programmes

Brazil, a host country for displaced Venezuelans, is an example of integrating refugees (and migrants with regular immigration status) into national systems. The Constitution allows nationals and non-nationals to have the same access to social assistance. Venezuelan families can receive either *Bolsa Família* or *Beneficio de Prestação Continuada* (BPC), the two key national social assistance programmes. However, the coverage is very low. In 2020, only 4 per cent of Venezuelans benefited from *Bolsa Família* and 160 Venezuelans benefited from the BPC as of October 2019. Access to these programmes is application-based, and non-nationals can enrol in the Single Registry of Social Programmes (*Cadastro Único de Programas Sociais*), which identifies eligible persons. As of February 2019, 6,470 families with at least one Venezuelan member have been included in the registry. Low coverage in the registry indicates that, despite legal entitlement, implementation barriers keep Venezuelans out of the system (Andrade, Sato and Hammad, 2021).

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# Creating a programme for refugees that is donor-funded but largely implemented by national actors

Türkiye's Emergency Social Safety Net (ESSN) was delivered by a coalition of humanitarian actors and government agencies, covering 2.6 million people (EC, 2023). More than half of registered Syrian refugees applied to the programme, and 59 per cent of applicants are eligible to receive the transfer, making it the largest humanitarian cash transfer programme globally (Cuevas et al., 2019). The programme is entirely funded by humanitarian aid but relies on the existing Turkish social protection registration and data management infrastructure, involving ministries in charge of social protection as well as migration. The registration process for Turkish and Syrian social assistance applicants is the same, and the transfer amounts between the humanitarian

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programme, the ESSN and routine national social assistance programmes are aligned, although the targeting approaches differ. Refugee IDs are issued by the same authority as for the national IDs and are interoperable with the national social registry. The Turkish Red Crescent supports national actors with translation services, case management, beneficiary communication, and partner coordination, which have played an important role in supporting national actors in achieving scale (Maunder et al., 2018). The ESSN remains a programme available only to refugees, while Turkish citizens have access to different social assistance programmes. Effectively, the same national system delivers different programmes for refugees and citizens, with the refugee programme being internationally funded.

#### Humanitarian and national systems borrowing elements from each other

Lebanon has a much lower state capacity in social protection, and its national social assistance scheme has learned from the humanitarian system by adopting the same targeting approach, payment system, and transfer value. The only social assistance programme in Lebanon, the National Poverty Targeting Programme (NPTP), was financed by the World Bank and began after transfers for Syrian and Iraqi refugees run by the United Nations World Food Programme (WFP) and United Nations High Commissioner for Refugees (UNHCR) had already been in place for several years. The national programme runs in parallel but builds on the experience of the humanitarian cash assistance programme and aligns with it. It uses the same transfer amount, and the same proxy means testing targeting method, but with an amended formula adapted to the different target population. Both systems use the same payment mechanism and financial services provider, although the card for both programmes is of a different colour (Seyfert et al., 2019).

Pakistan's federal social assistance programme supports vulnerable citizens but is not available to refugees. The programme is a key pillar of national social policy but also receives donor support. Humanitarian assistance to Afghan refugees in Pakistan is run in parallel. The COVID-19 pandemic provided an opportunity to align humanitarian and national programmes. The emergency cash transfer set up to support 75,000 Afghan refugee households used the same transfer value as the COVID-19 emergency programme for citizens. Refugees hold Proof of Registration (PoR) cards issued by NADRA, the same authority issuing the national CNIC ID cards (Lone et al., 2021). Given that the same authority issues both IDs, this should facilitate making the two registries interoperable. Currently, community targeting is used to identify vulnerable refugee households, while an asset-based indicator (proxy means testing) is used to identify and enrol Pakistani citizens.

#### Completely parallel provision

Bangladesh's social protection sector has developed as part of the disaster response for citizens. However, support for refugees and host communities runs in parallel through humanitarian systems. Social protection is delivered by a fragmented institutional setup with a wide variety of programmes and stakeholders, raising coordination challenges. Unlike for refugees in Türkiye, Lebanon and Pakistan, Rohingya refugees have no freedom to move outside the camps, where 80 per cent receive food through e-vouchers. The Bangladesh government limits distributing cash to refugees (Ahmed, 2019), although World Vision and the United Nations Children's Fund (UNICEF) run cash-for-work and cash transfer programmes for refugees inside camps. Bangladeshi host communities receive cash transfers and food assistance from humanitarian actors (ISCG, 2020; Hebbar, Muhit and Marzi, 2021).

# Cooperation and coordination between humanitarian and developmental assistance

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The need for closer cooperation and coordination between humanitarian and developmental assistance is particularly acute in situations of protracted displacement. This is the case in Bangladesh as well as in the Lebanese and Jordanian contexts. Jordan hosts 17 social assistance programmes: six benefiting Syrian refugees and six benefiting Jordanians, while five benefit both nationalities. They are not always complementary; many of these cover basic needs and use parallel registries. In addition, the transfer levels within humanitarian programmes are not aligned (World Bank, n.d.).

Increased funding availability to support refugee-hosting countries has led to several recent national social assistance programmes in LMICs that also include refugees. Funding comes mostly from the World Bank's IDA18 window,<sup>2</sup> as well as Global Compact for Refugees motivated initiatives:

- The Republic of the Congo has received an IDA18 investment in its Lisungi Safety Net project. An urban emergency safety net was put in place that included urban refugees and asylum seekers. This inclusion can be attributed to long-term advocacy, coordination and preparatory work by the World Bank and the United Nations High Commissioner for Refugees (UNHCR) under IDA18 funding (UNHCR, IFRC and UNICEF, 2020).
- 2. The IDA18 regional sub-window for refugees and host communities provides 2 billion US dollars of dedicated funding to help low-income countries hosting large numbers of refugees. For more information concerning the role of International Development Association (IDA) of the World Bank Group, including IDA18, see the IDA18 Replenishment.

• In Ethiopia, Sierra Leone and Uganda, national social assistance programmes that plan to include refugees were established in response to the COVID-19 pandemic. In all three counties, national social protection programmes are heavily donor-supported, running in parallel with humanitarian cash and voucher assistance. The COVID-19 crisis prompted increased collaboration. In Sierra Leone an emergency window of the routine Ep Fet Po cash transfer was launched (Yusuf et al., 2021) and in Uganda and Ethiopia urban cash-for-work programmes were set up: the Urban Cash for Work Programme (UCWP) in Uganda (Doyle, Hudda and Marzi, 2021); and the Urban Productive Safety Nets and Jobs Project in Ethiopia (Bischler, Asheber and Hobson, 2021). All three were donor-supported and planned to include refugees. The exact modality of inclusion remains unclear. For instance, in Uganda, according to the International Labour Office (ILO), the UCWP plans for 20 per cent of the caseload to be refugees, although the official eligibility criteria for the programme include having a Ugandan digital ID, which refugees do not possess (Doyle, Hudda and Marzi, 2021).

#### Conclusions for accessing social assistance

In many LMICs, migrants with regular immigration status only have limited access to national social assistance schemes. Refugees are also often excluded, though the fact that they are under international protection means that international agencies take an important role in providing humanitarian cash assistance. Recent developments have broadened refugees' and migrants' access to national social assistance programmes. In most cases national social assistance programmes for citizens remain distinct from schemes for refugees. However, both systems are increasingly connected in a variety of ways: humanitarian actors may provide financing, while registration and data management are carried out by national systems; transfer amounts, targeting mechanisms or payment providers can be aligned between programmes aimed at citizens and refugees.

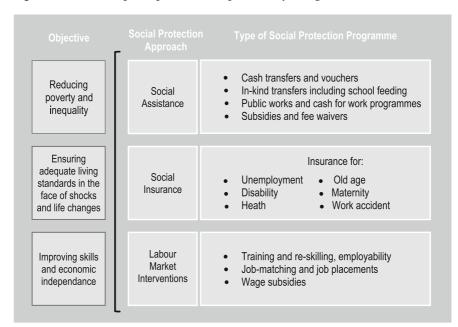
#### Access to social insurance

Migrants in formal employment can have access to social insurance, depending on their sector and type of work. Contributory social insurance schemes are tied to formal employment and hence inaccessible to migrants in informal employment. The employer, employee and, in some cases, the government make contributions to the system. Social insurance is the most widely used and the largest form of social protection available to migrants with regular immigration status. An ILO mapping of 120 countries showed that more than half of these have legal

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Figure 2. Barriers to participate in social protection for migrants

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provisions granting migrants with regular immigration status access to contributory social protection on an equal basis (ILO, 2017). Despite formally having access to social insurance, the coverage of migrants in regular employment by social insurance is lower than that of the national formal workforce; we discuss access barriers below. Migrants working informally are rarely covered by national contributory schemes.

Refugees often do not have access to formal employment and cannot access contributory social insurance programmes. Based on a sample of 20 countries hosting 70 per cent of the world's refugees in 2016, Zetter and Ruaudel (2016) found that refugees' right to work is restricted in most countries. In some countries, refugees acquire the right to work with refugee status (e.g., in Uganda). Sometimes, the right to work is restricted to a certain sector. In the Islamic Republic of Iran, refugees can work in a limited number of professional categories.<sup>3</sup> In other countries, such as Chad, Ecuador and India, refugees do not acquire the right to work with refugee status but require sponsorship and a work

<sup>3.</sup> Such as in plaster-, lime- or brick-making; in stone masonry, road construction and mining; working as farm labourers, in poultry or animal husbandry; working in tanning, gardening, garbage removal or with sewage.

permit from a potential employer. The paperwork and additional costs involved with obtaining a work permit on top of refugee status are a barrier to formal employment. For instance, in Türkiye, refugees can work only with a work permit, but, in 2018, only 3 per cent of refugees had a work permit, while slightly more than half of all adult refugees (54 per cent) were working (Maunder et al., 2020).

Given that most refugees cannot access formal employment and cannot legally access social insurance, the remainder of this section focuses on migrants with regular immigration status. The ILO (2023) framework on migrant workers' participation in national social protection systems (see Figure 2) guides the discussion. First, barriers to access can be legal, relating to residence, and the nature and sector of employment. Second, barriers can effectively or de facto block access, such as low compliance, affordability or awareness. Finally, barriers can relate to restrictive eligibility and the access modality.

Migrants are net contributors to social insurance schemes. In Member countries of the Organisation for Economic Co-operation and Development (OECD), migrants (including those with an irregular status) contribute more to taxes and social contributions than they receive in individual benefits (Hennebry, 2017). Only those formally registered in a social insurance scheme are legally covered and can take advantage of their benefits. A significant proportion of migrants is unlikely to be registered, even if they should be. For instance, in Thailand, only 40 per cent of migrant workers from Viet Nam, Lao (PDR), Cambodia and Myanmar with regular immigration status are registered under the national social insurance scheme (Seyfert et al., 2021).

The reason for low registration is low compliance, even when employers are compelled to register migrant workers in social insurance schemes. In Malaysia, even though insurance coverage is a pre-condition for the employment of migrant workers and is paid by the employer, most migrant workers do not have insurance (CSEAS, 2018). Similarly, employers are required to register migrant workers in social insurance and work accident insurance schemes in Thailand, but only 60 per cent of potentially eligible migrant workers are insured.<sup>4</sup> The existing monitoring and inspection mechanisms are insufficient to ensure compliance. While Thai workers can check their status online, migrant workers cannot easily verify if contributions are being made on their behalf by the employer (Seyfert et al., 2021).

International legal frameworks and bilateral labour agreements are tools to regulate social protection and portability entitlements between countries. For instance, in response to accounts of the abuse of Filipino migrant workers by Saudi employers, the 2013 Saudi Arabia-Philippines bilateral labour agreement

<sup>4.</sup> This applies to migrants from Cambodia, Lao (PDR), Viet Nam and Myanmar with a Memorandum oof Understanding or national verification of immigration status.

outlines parameters for paid leave and provides some reference to social protections (Hennebry, 2017). As for multilateral agreements, the 2012 General Convention on Social Security<sup>5</sup> regularizes the portability of migrant workers' social security rights within the Economic Community of West African States (ECOWAS), meaning that people from ECOWAS can take contributions and benefit entitlement with them as they migrate within ECOWAS (Andrade, Sato and Hammad, 2021).

Some migrant-sending countries are reluctant to enter such portability agreements. Bilateral and multilateral agreements do not necessarily cover the most important migration corridors and there is evidence that recipient countries may be slow to ratify them. For example, Egypt, Morocco and Tunisia do not have social security agreements with Gulf States, which are key destination countries for migrants from the Middle East and North Africa (MENA) region. Furthermore, Italy is an important destination country for Egyptian and Moroccan workers, but no bilateral social security agreement has been ratified. Switzerland, the United Kingdom, and the United States of America are the other three important recipient countries of Moroccan migrants but appear "unwilling to engage in negotiations on the social security of migrant workers" (Centre for Migration and Refugee Studies, 2017).

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Sending countries can set up social insurance schemes for migrant workers, although these exclude employer contributions, and benefits tend to be lower. The Filipino migrant welfare fund is one of the largest in the world and collects mandatory membership fees before departure. Migrant worker insurance covers compensation in the case of death or disability as well as providing cover for non-work-related accidents, early contract termination, unpaid wages, and costs linked to a worker changing employer. Insurance must be in place before a departure is approved (Olivier, 2018; Rodrigues, 2019). In addition to the Philippines, migrant-sending countries, such as Bangladesh, India, Nepal, Pakistan and Thailand, have set up welfare funds (ILO, 2015). However, in terms of adequacy, these funds do not offer benefits at levels similar to enrolment in destination country social insurance systems. They also do not include compulsory employer contributions.

Immigration status may differ according to employment duration and skill level, thus creating a tiered system. This can have discriminatory outcomes for seasonal and female migrant workers and risks undermining universal enrolment in social insurance schemes. Several countries have created labour migration statuses that are exempt from obligatory social insurance contributions. This is often applied

<sup>5.</sup> The Convention was adopted by the ECOWAS Ministers of Labour and of Social Affairs in December 2012, and by the Authority of Heads of State as a *Supplementary Act to the Revised ECOWAS Treaty* in 2013.

to seasonal or short-term migrant workers. For example, in Canada, Germany and the United Kingdom, employers do not have to register seasonal workers in the social insurance scheme. In Germany, employers can hire seasonal workers for 115 days without making social insurance contributions (IWW Institut, 2021). In Thailand, the Border Pass scheme allows employers to hire temporary workers in border provinces for up to 90 days without compulsory social security contributions. These passes can be easily renewed by crossing the border.

Workers in different professions, particularly low-skilled or domestic workers, can also be excluded from social insurance. Singapore's labour migration regulations are based on a system of tiers, skills and income level, with high-earning and highly skilled labour migrants granted longer-term work permits. In contrast, low-skilled workers are considered "seasonal" or "short-term" workers and can only obtain short-term work permits valid for two years. Only migrant workers from the top tier, who have a permanent residence status, are entitled to contribute to the Central Provident Fund (CSEAS, 2018; Olivier, 2018). In Malaysia, Singapore and Thailand, domestic workers are excluded from both social insurance and labour protection legislation. These exclusions discriminate against workers with low skill levels, as well as women who are disproportionately employed in domestic work.

#### Conclusions for accessing social insurance

In sum, access to social insurance is tied to formal employment, excluding refugees and migrants with irregular immigration status since they are often excluded from formal employment in LMICs. Migrant workers with regular formal employment are likely to be covered by social insurance. Many migrants face barriers to accessing social insurance, including low compliance on the side of employers. There is also little awareness among migrants of their entitlement. Accumulated benefits are not always portable to migrants' home countries, and high-income receiving countries are especially reluctant to sign bilateral social protection agreements with lower-income migrant-sending countries. To protect their workers, some sending countries have established migration welfare funds and contributory schemes to which migrants contribute. Since contributions are per trip rather than monthly and exclude employer contributions, the benefits are less generous compared to destination country schemes.

Tiered migration regimes exclude seasonal workers or those in specific professions from social insurance, which often affects manual work such as domestic work or seasonal agricultural and construction work by either prohibiting enrolment or by making enrolment voluntary. This discriminates against low-skilled workers and women disproportionately.

For instance, under employer-based sponsorship schemes prevalent in Saudi Arabia and the Gulf States, migrant workers' residence permits are tied to their employers, and if they lose employment, they must leave or find new employment within a specific period, without accessing job matching support. Similar schemes operate in Chile, Malaysia, Singapore and Taiwan (China), where, depending on the visa obtained, migrants have to return home or find new employment, without taking advantage of active labour market interventions.

There are exceptions: Colombia guarantees displaced Venezuelans, who may be refugees or migrants with regular or irregular immigration status, the right to access services provided by the Public Employment Service (Servicio Público de Empleo). These services include placement services, occupational guidance, and referral services. However, only a small number of Venezuelan migrants have taken advantage of these services (Andrade, Sato and Hammad, 2021).

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International development and humanitarian actors are increasingly providing labour market interventions or livelihood programming to refugees. This is motivated by the observation that international displacement can be protracted and by the desire to build refugee livelihoods that are independent of cash assistance.

Labour market interventions for refugees are mostly run by development or humanitarian agencies. In Kenya, the German Development Cooperation (*Deutsche Gesellschaft für Internationale Zusammenarbeit* – GIZ) supports refugees and host communities in and around the camps of Kakuma and Dadaab by providing training or advice on agricultural growing methods to support vegetable gardens. In Mali, UNHCR offers vocational training in hairdressing, baking, tailoring, inventory management, accounting and marketing. Refugees who own livestock benefit from agricultural inputs, equipment and land access programmes. Support for the purchase of cattle feed and integration into the national vaccination programme is offered to those owning livestock.

The interventions delivered by international agencies are mostly small and short-term. Reviewing 109 interventions, the interventions targeted at refugees had an average duration of 3.5 years, 6 with most projects lasting 2 years or less.

<sup>6.</sup> This figure is based on 14 observations. The study includes interventions targeted at refugees as well as citizens. The 14 observations refer to project working with refugees where data was available.

The livelihood interventions delivered by international agencies have limited coverage. Of the 13 livelihood projects examined in Iraq, Jordan, Kenya, Lebanon, Mali and South Sudan, nine had beneficiary numbers in the hundreds, three in the thousands, and one with slightly over 12 thousand (Barberis et al., 2022).

The value of money for livelihood programmes is unclear. They are likely less cost-efficient than cash transfer programmes, but their effects are expected to be long-term. In the sample of Barberis et al. (2022), the cost of creating a job is often a multiple of the salary earned. It takes 2–5 years for the benefits generated to cover the cost of the project. The authors find that more complex programmes combining several approaches are more expensive, spending about four times as much per beneficiary as programmes with simpler designs. Schuettler and Caron (2020) found that more complex designs may also have a greater impact. Unsurprisingly, given the higher levels of vulnerability, Barberis et al. (2022) found that interventions targeting refugees may be more expensive than livelihood interventions targeting citizens.

Schuettler and Caron (2020) reviewed the evidence on different types of livelihood projects targeting refugees. Their findings are summarized in the following bullet points, unless another source is indicated:

- Vocational, business, or skills training programmes are common, but evidence of their effectiveness is not promising. Qualitative studies from Egypt, Jordan and Mozambique indicate that the training offered does not always match needs and that having time to attend the training is a key constraint. Evidence from Jordan and Türkiye shows greater effects of training on low-income households and women than on men (Roxin et al., 2021). Initiatives on IT and coding training show some promise but are still small-scale and restricted to refugees with access to the required infrastructure and with already high education levels. Integrating training with job placement and work experience is more effective.
- Coaching/mentoring and individualized assistance improve labour market outcomes but are costly to deliver, as shown by evidence from urban refugees in Rwanda, South Africa and the United Republic of Tanzania.
- Inclusive labour market policies (i.e., work permits) have a positive effect on formal employment, according to evidence from Switzerland. Evidence from Germany shows that allowing refugees and asylum seekers to work immediately after their arrival increases employment rates in the long run, indicating that long periods of inactivity negatively affect employment outcomes.
- 7. This refers to the two complex value chain projects and compares it to simpler "grants-only" projects.

- Certainty around residence prospects increases investment, as evidenced in Uganda, where refugees with more secure prospects plant different crops and invest more in their land.
- Job search and matching interventions have a positive effect on employment rates according to evidence from Germany and Sweden. Evidence from LMICs is rarer and less convincing (i.e., Jordan and Uganda). In Jordan, matching jobs to refugees is less effective because the available choice of the location and employer are highly restricted.
- Wage subsidies are effective in creating short-term employment in OECD Member countries, but their effects on long-term employment and LMICs are unclear.
- Value chain interventions and programmes that deal with information asymmetries are promising. These involve supplying inputs and mentoring along a value chain, for example, providing animal feed and vaccinations as well as supporting livestock markets and abattoirs. Qualitative evidence points to a positive impact, but rigorous evaluations are lacking, even though these interventions are common and well-established, especially in LMICs.
- Several programmes use combinations of training programmes, coaching and the distribution of small grants and capital inputs for entrepreneurship or subsistence. These are also called graduation programmes. There are few evaluations in forced displacement settings, but early evidence, such as qualitative studies from Costa Rica, Egypt and Niger, shows promise. There is strong evidence of the success of graduation-type approaches in vulnerable and conflict-affected but non-displaced populations. Since refugees often face restrictions and are unable to own businesses, land or open bank accounts, these programmes can be challenging to implement in many forced-displacement settings.

# Conclusions for accessing labour market interventions

Refugees and migrants with a regular immigration status are mostly excluded from national active labour market interventions. International agencies play a prominent role in providing livelihood programming to refugees with the objective of improving income-generating opportunities and increasing self-reliance.

Most labour market interventions for refugees are relatively short-term and reach only a few people. The value for money for these programmes is unclear.

8. The authors cite Banerjee et al. (2015); Bandiera et al. (2017); Blattman, Fiala and Martinez (2013); Blattman et al. (2016).

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More complex programmes, such as individual coaching or programmes combining elements, are more costly to deliver but also show more promise in generating employment and income.

# Short discussion of the reasons behind exclusion from social protection schemes

National governments may be reluctant to grant refugees or migrants full access to social protection programmes, since it would add to the national caseload of vulnerable people. This is especially applicable to refugees, where the caseload is often large and very vulnerable. The global refugee caseload is distributed unequally with few countries, mostly LMICs, hosting most refugees. In addition, humanitarian funding is short-term, which means that even host countries that receive donor support to integrate refugees into their social assistance systems, may be reluctant to do so for fear that funding might eventually be withdrawn. When migrants with regular immigration status or refugees have access to national social protection programmes, coverage rates remain low, indicating that there are effective barriers, beyond legal ones, that prevent migrants and refugees from accessing social protection interventions.

Last-mile, hands-on support to beneficiaries is important to raise awareness of entitlements and to include the most vulnerable migrants and refugees. In Thailand, many migrants have no experience of social protection and do not expect or are not aware of the kind of support to which they may have access. Migrant Resource Centres offer support and raise awareness among migrant communities to facilitate accessing social protection (Seyfert et al., 2021). In Türkiye, during the early stages of the ESSN programme, the Turkish Red Crescent provided last-mile support and handholding to potential refugee applicants. Outreach teams staffed by social workers actively sought vulnerable households. An escalation process was in place to regularly highlight specific barriers encountered in the field, which resulted in tweaks to the operating procedures (Maunder et al., 2018).

Social protection providers are often poorly coordinated with national immigration systems. Migrants and refugees often deal with several authorities in parallel: immigration authorities might issue IDs, labour authorities issue work permits, and social protection authorities register applicants, often requiring IDs from immigration authorities. Depending on the country, each authority may

9. LMICs hosting the highest caseload are (in order, as of 2022, of UNHCR refugee statistics) Pakistan, Uganda, Sudan, Bangladesh, Ethiopia and the Islamic Republic of Iran. Upper middle-income or high-income countries hosting the highest number of refugees are Türkiye, Germany, Russia and Poland.

Table 1. Access to social protection for migrants and refugees: Key findings

Immigration status	De jure social protection entitlement	Type of social protection programming commonly provided	Challenges	Opportunity for policy actions
Refugees	1951 Refugee Convention and related protocols signatories should grant access to social protection.	Access to social assistance and labour market interventions is mostly provided by international agencies, often in coordination with the government.  Access to social insurance is confingent on the right to formal employment, which refugees rarely have. There is thus very little access to social insurance.	Governments are often reluctant to broaden access to social protection schemes and to include refugees. In addition, social protection systems in many LMICs are nascent and themselves donor supported.  Humanitarian and development actor's provision of cash assistance is often fragmented.  Livelihood programming is often small, short-term, and not well evaluated.	There is an opportunity to strengthen national social protection systems alongside running humanitarian and development cash programmes.  There is now an emerging literature on lessons learned from linking humanitarian programming to national social protection systems that offer useful lessons for policy formulation. Collaboration efforts between national employment agencies and humanitarian livelihood programming are recent and could be a promising avenue to reach scale and sustainability.  Promote communication and handholding support to refugees to facilitate access to existing services.
Migrants with regular immigration status (includes those that migrate for work, study, family reunification or family sponsorship etc.)	Covered by labour laws and laws on workplace protection (health and safety, rest times etc., accident/injury) as well as laws on social insurance contributions. No clear entitlements to non-contributory social protection schemes.	Access to contributory social insurance (accident, injury, pensions, child benefits). Rarely access to social assistance or labour market interventions.	Enrolment and contributions to social insurance are poorly enforced. Difficult access to programmes (language barriers, complicated registration process). Labour laws are often not enforced (i.e., payment below minimum wage, work safety violations, longer working hours than legal ones, etc.).	Support interoperability of migration and social protection (at the level of data, IDs, processes etc.). Communication and handholding support to migrants to facilitate access to existing services. Support portability of benefits (i.e., the European Union offers a good example, and efforts by the Association
				(Continued)

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**Table 1.** Access to social protection for migrants and refugees: Key findings - Continued

Immigration status	De jure social protection entitlement	Type of social protection programming commonly provided	Challenges	Opportunity for policy actions
			Limitations on portability of benefits.	of Southeast Asian Nations are interesting).
Migrants with irregular immigration status (never had legal immigration status or are in breach of conditions of their permit/ visa)	None.	Informal support from civil society organizations and NGOs.	Informal support from civil society. Due to the lack of legal entitlements, organizations and NGOs. there is no duty bearer to guarantee service delivery.  The key hurdle is documentation.	Make regularization of status easier. (i.e., lobby for amnesties for undocumented workers). In case of informal work: set up low-cost contributory scheme. Work towards a form of functional ID (i.e., phone numbers, health cards) that can be used to access services.

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have its own registration process, requiring its own set of documents and potentially issuing its own set of IDs. From the migrant and refugee perspective, this is confusing, and from the perspective of ministries, there is no coherent overview of the status and entitlement of refugees and migrants in the country.

Common ID documents are often the first step toward coherence between immigration and social protection. A Thai example illustrates the benefits of interoperable IDs: a Thai national can register for unemployment benefits by completing an online form that requires a Thai ID. In contrast, migrant workers in Thailand must register as unemployed in person. In Türkiye and Pakistan, government agencies<sup>10</sup> issue ID documents, which in Türkiye are interoperable with the national social registry, while in Pakistan the UNHCR is lobbying for that to happen (Post, Huang and Charles, 2019; Maunder et al., 2018).

The preceding sections have reviewed the nature of access available to refugees and migrants concerning social assistance, social insurance and labour market interventions as well as who provides such protection when it is accessible. While important coverage gaps remain, it is possible to distil key findings summarizing migrants' and refugee' access to social protection (Table 1).

#### Conclusion

By way of conclusion, starting with refugees, the 1951 Convention Relating to the Status of Refugees<sup>11</sup> and related protocols should grant access to social protection within hosting countries' systems. In practice, access to social assistance and labour market interventions is mostly provided by international agencies, often in coordination with the government. Access to social insurance is contingent on the right to formal employment, which refugees rarely have. There is thus very little access to social insurance. Governments are often reluctant to broaden access to social protection schemes and to include refugees. In addition, social protection systems in many LMICs are nascent and donor supported, and humanitarian and development actors' provision of cash assistance is often fragmented. Livelihood programming is often small, short-term and not well evaluated.

As for migrants with regular immigration status, their entitlements are covered by labour laws and laws on workplace protection (health and safety, rest times etc., accident/injury) as well as laws on social insurance contributions. Entitlements to non-contributory social protection schemes are less clear. Enrolment and contributions to social insurance are poorly enforced and language barriers as

<sup>10.</sup> NADRA in Pakistan is a quasi-governmental organisation, owned by the government but operating at arms-length.

<sup>11.</sup> See the full text of the 1951 Convention Relating to the Status of Refugees.

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well as complicated registration processes make it difficult to access these programmes. Labour laws are poorly enforced.

Migrants with irregular migration status have no formal entitlement to social protection and receive informal support from NGOs and civil society. Due to the lack of legal entitlements, there is no duty bearer to guarantee access to social protection. To broaden access to social protection for refugees, collaboration efforts between national employment agencies and humanitarian livelihood programming are a promising avenue to reach scale and sustainability.

Increasing access to social protection for migrants with regular immigration status is chiefly a question of lowering barriers to access and offering support to migrants to facilitate access to existing services. As for migrants without regular immigration status, regularization of documentation status would increase access to social protection but is politically difficult to enforce.

This article began with reference to the leitmotif of the United Nations Sustainable Development Goals to leave no one behind, specifically regarding the right to social protection. While the social protection needs of vulnerable and marginalized groups such as refugees and migrants vary, and although important challenges are indeed discernible, the empirical evidence of international experience provides important pointers for policy learning, to guide opportunities for action, to progress effective coverage extension.

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# The extension of social health protection to refugees

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**Abstract** The target populations to be covered in this article on the extension of social protection coverage are refugees, as defined by the United Nations High Commissioner for Refugees. Our approach to their coverage is based on the pillars of public health and social protection, which together provide the rationale and legislative basis for coverage. The social protection benefits to be covered are comprehensive health services, providing entitlement to services without conditions such as prior contributions or duration of residence. Refugees are vulnerable since they come from conflict areas or go through persecution and personal threat. They carry grief from the loss of family members and friends, property and livelihood, and social and cultural support. Some have sustained injuries before rescue and evacuation and need additional care. They may have chronic diseases and need medications they can no longer access. Some may have communicable diseases, such as tuberculosis, and children may have missed scheduled mandatory vaccinations. Refugees are vulnerable to new and re-emerging infections, as seen in the COVID-19 pandemic. While the focus in this article is on providing health care, the social determinants of health are addressed, including access to education, employment with decent working conditions, and safe environments. We focus on coverage by national authorities and institutions, legislative amendments to enable entitlement to non-citizens, and provide national examples. Experience has shown that coverage is feasible with the assistance and guidance of international and local organizations and associations and with an acceptance by

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**Keywords** social protection, health, refugee, coverage, international

#### Introduction

The target populations in this article on the extension of social health protection coverage are refugees and externally displaced persons recognized as refugees, all non-citizens, following the definition of the United Nations High Commissioner for Refugees (UNHCR). The 1951 Refugee Convention defines a refugee as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" (UNHCR, 1951). We include externally displaced persons who are entitled to refugee status by the UNHCR mandate. An externally displaced person is one who has left his or her home temporarily, crossed an international border, and who expects to return eventually. Depending upon their ability to return and whether they are subject to persecution in their home country, externally displaced persons may be entitled to recognition as refugees under the UNHCR refugees' mandate. By the end of 2017, the number of registered refugees, including men, women and children worldwide, reached 25.4 million. In their Global appeal 2023, the UNHCR estimates that 117.2 million people will be forcibly displaced or stateless in 2023 (UNHCR, 2022a).

In this article, while the focus is placed on extending health care coverage to refugees, the social determinants of health are also addressed, including access to education, employment with decent working conditions, and safe environments. In the sections that follow, the article covers recent experiences in providing health care to refugees, discusses coverage options and responsibilities for providing coverage, and offers a schematic model that sets out the stages for integrating refugees in social health protection systems before offering final conclusions.

1. See the full text of the 1951 Refugee Convention.

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# Our approach is based on the pillars of public health and social protection and their combination. It provides the rationale and legislative basis for the coverage of refugees.

In its original concept, public health was not based on altruism, civil and human rights, or equity (Rhodes and Bryant, 2015). Historically, the first formal public health measures included quarantine of leprosy victims in the Middle Ages and efforts to improve sanitation following disease outbreaks such as cholera and plague (Tulchinsky, 2018). Essentially, public health activities were based on the fear of transmission of diseases and the need to protect healthy people from contamination of the air and water, as well as from injuries caused by violence from other persons.

Advances in science and medicine, in particular the discovery of effective vaccines, broadened the scope of public health to include immunization, beginning with the then prevalent communicable diseases, such as smallpox and poliomyelitis, and then expanding over time to transmissible childhood diseases and more recently to new and emerging viral diseases.<sup>2</sup> However, it took developments in governance and appropriate legislation at the national level to reach appropriate immunity through vaccination. At the international level, the "International health regulations" (WHO, 2005) became the first binding regulations aimed to limit the global spread of communicable diseases and impose the mandatory reporting of suspected events of public health concern to the World Health Organization (WHO).

Governments, through laws and regulations, created agencies to oversee and formally inspect and monitor the provision of services, commodities, and other public goods, such as water supplies, food safety and food and nutrition security, sewage treatment, drains, and pollution. International organizations developed standards in these areas. With such guidance and increasing awareness, including current efforts to deal with climate change, governments became increasingly concerned with prevention, preparedness, and readiness for emergencies from a wide range of hazards. Guidelines were established for appropriate health and humanitarian responses, including quarantine and isolation procedures, and the issuing of travel warnings to prevent the spread of disease from affected areas.

A more recent expansion of the scope of public health is the promotion of Universal Health Coverage (UHC) by the WHO, which is now included in the concept of public health.<sup>3</sup> The 2030 Sustainable Development Goals (SDGs) of the United Nations (UN) include SDG 3.8: Achieve universal health coverage,

<sup>2.</sup> See the World Health Organization web page on "A brief history of vaccination".

<sup>3.</sup> See the World Health Organization web page on "WHO definition of public health".

Social security, too, has evolved, from seeking ways to secure solidarity among specific groups in times of need, to legislation covering a broader range of workers in both public and private sectors, the self-employed and informal workers and their dependants. It has since matured into the current efforts to provide social protection for all following the adoption of the International Labour Organization's Social Protection Floors Recommendation, 2012 (No. 202) (ILO and UNHCR, 2019).

The evolution of social security, or social protection as now termed, also has a long history. The original concept was mutual aid among religious communities or other groups with common beliefs, followed by the creation of mutual funds among members of guilds of craftsmen in Europe and farmers' associations in Japan. These private arrangements gained popularity among employers, particularly as their involvement in supporting these initiatives was seen as a way to improve the health of workers as well as their loyalty. The first political step was the enactment of legislation in Germany in 1883 of mandatory contributions by employers and workers of specified industries and income levels to a sick fund. Compulsory social insurance mechanisms soon developed in other European countries and further afield (Ron, Abel-Smith and Tamburi, 1990). Later developments, supported by ILO resolutions and ratification of ILO Conventions, which set standards on minimal conditions and benefits, led to efforts to include all workers in the public and private sectors, the self-employed and then informal workers. The minimum standards called for coverage of workers' dependants and comprehensive health care benefits (ILO, 2019).

Later, human rights played a role in extending coverage for the original target populations, leading to a change in terms concerning "social protection" and the introduction of the social protection floor strategy. The current ILO strategy for the extension of social protection is based on a two-dimensional approach to accelerate the rapid implementation of coverage. The national social protection floors are nationally defined sets of basic social security guarantees. They secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion through ensuring universal access to essential health care and income security, in line with the ILO Social Protection Floors Recommendation, 2012 (No. 202). Partnering this horizontal dimension, the ILO aims for the progressive achievement of higher levels of protection (vertical dimension)

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<sup>4.</sup> See 17 Goals to improve our world.

<sup>5.</sup> See ILO website, Social Protection Floor.

within comprehensive social security systems according to the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).

The two pillars' approach of public health and social protection highlights the fact that health care coverage for refugees is essential to achieve both goals (Bayarsaikhan, Tessier and Ron, 2022). Indeed, Universal Health Coverage is an overarching goal to strengthen health systems to attain the health-related SDGs. It is also reflected in the monitoring framework under the UN SDG 3.8 target to achieve such coverage by 2030.

We have gone into some detail on the evolution of public health and social health protection because we are not dealing with an ideology, or simply a charitable act, but with a sound policy with the appropriate legislation, regulations and monitoring tools to assure entitlement as well as the quality of care.

### The social protection benefits to be covered

In this article, the social protection benefits to be extended to refugees are health care, including maternity protection, without conditions for entitlement other than their registration as refugees. Existing chronic conditions should not be a reason for the exclusion of coverage. The approach is not limited to the social protection floor, which would mean a limited primary health care package, but a needs-based range of services. The health services must include the entire spectrum of care, from health promotion, preventive services, diagnostic tests, treatment, rehabilitation and palliative care.

Promoting the health of refugees through a mix of good quality and continuous short-term and long-term health interventions has to be routine and not provided on an ad hoc basis linked to an event. This range of services has been included in the ILO standards on health care (ILO Social Security (Minimum Standards) Convention, 1952 (No. 102)) and maternity (ILO Maternity Protection Convention, 2000 (No.183)). We note the necessity to include mental health care and dental care, as in some countries these fields of care are still considered the responsibility of the State, or the individual, rather than an integral part of social health protection benefits.

# The health of refugee populations

In general, most refugees are not inherently less healthy than their host populations. However, the impact of dramatic changes in the various and synergistic social and health determinants, such as income, livelihood, education, housing and access to health and social services, can result in poor health outcomes, as will be discussed. Displacement may be compounded by many

barriers (e.g., linguistic, cultural, legal and stigma) and their interactions, which are also barriers to accessing quality health care (WHO, 2022). Even dislocation and short stays in one location are associated with decreased health care-seeking behaviour, leading to limited preventive, diagnostic, curative and supportive care (van Boetzelaer et al., 2022).

There are increasing reports of targeted attacks on health facilities during conflicts and wars. People might be evacuated to other countries and are regarded as refugees (Sussman, 2022). They may also have health problems resulting from the lack of follow-up after injuries sustained before rescue or evacuation. They may have chronic diseases, the progress of which is dependent on continued medical treatment and rehabilitation. They may have been infected with communicable diseases, such as HIV/AIDs, tuberculosis, and other respiratory, gastrointestinal or skin diseases, as well as non-communicable diseases. The conditions in refugee camps and temporary shelters may lead to the deterioration of health and spread of disease, first among family members then other refugees and others in the community. Altare et al. (2019) have reviewed the outbreaks that were recorded by the UNHCR in refugee camps between January 2009 and July 2017 and found that most outbreaks were due to measles, cholera and meningitis.

The COVID–19 pandemic exacerbated risks, vulnerabilities and existing inequalities, even for refugees from middle- and higher-income countries. The physical setting, including close contact and overcrowded spaces; the lack of personal protective equipment (PPE), sanitary conditions, clean water and hygiene, as well as good ventilation in refugee camps; temporary shelters; and the design of working places acted to increase the transmission of the SARS COV-2 virus, as well as other infectious agents (Altare et al., 2019). Access to medical countermeasures to ensure early diagnosis, isolation, contact tracing and quarantine was limited for many refugees worldwide (Kluge et al., 2020). Only some countries have included all their informal residents in the vaccination schedule, in general, and in COVID–19 vaccination efforts.

Many refugees require mental health care and psychosocial support, including, but not limited to, the prevention and treatment of post-traumatic stress disorders. Professional support is also needed to engage with family members and strengthen and build new social networks. When health care providers are involved in family, community and environmental settings, they contribute to the better connectedness and well-being of the community and its individuals (Blackmore et al., 2020).

Being at the margins of society places these people at an even higher risk because they do not have access to health information and risk communication and are not invited to take part in community engagement activities. The information might not be clear, understood, culturally sensitive or available in their languages. In

#### Social determinants of health

While our focus is on access to health care, the social determinants of health must be considered, as significant health improvement of such vulnerable populations will not be achieved without addressing the main determinants of health (Kemmak, Nargesi and Saniee, 2021). These main determinants are:

- · Income and social status.
- · Employment and working conditions.
- Education and literacy.
- Childhood experiences.
- · Physical environments.
- · Social supports and coping skills.
- · Healthy behaviours.
- · Access to health services.

The previous section on the health of refugees notes the precarious conditions in which refugee populations may find themselves, even in the final host country and after formal recognition of their refugee status. As determinants of health, improvements in the physical environment will prevent the spread of communicable diseases, and education, literacy, social support and coping behaviour will all contribute to the inclusion of these populations in the host country's society (Fox et al., 2022).

Perhaps the most important element is employment and working conditions. Beyond providing income and dignity, work in the formal and informal economy can enable workers and their dependants to become contributors to social protection funds, restore dignity through their release from "handouts", and participate in regular contributions to a fund that guarantees services at the time of need and without financial barriers. Here we note the inclusion of "decent work" in the SDG Agenda through SDG 8, to "Promote sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all". The inclusion can be attributed to the ILO's 1999 Decent Work Agenda, which is to be achieved through the implementation of the ILO's four strategic objectives (Ghai, 2003), 6 with gender equality as a crosscutting objective:

- Creating Jobs an economy that generates opportunities for investment, entrepreneurship, skills development, job creation and sustainable livelihoods.
- This section is derived from the ILO webpage on Decent work.

- Guaranteeing rights at work to obtain recognition and respect for the rights of workers. All workers, particularly disadvantaged or poor workers, need representation, participation, and laws that work for their interests.
- Extending social protection to promote both inclusion and productivity by ensuring that women and men enjoy working conditions that are safe, allow adequate free time and rest, take into account family and social values, provide for adequate compensation in case of lost or reduced income and permit access to adequate health care.
- Promoting social dialogue considering that strong and independent workers' and employers' organizations are central to increasing productivity, avoiding disputes at work, and building cohesive societies.

# Recent experiences in providing health care to refugee populations

Initial humanitarian aid is usually provided by the search and rescue teams, national authorities, and non-profit disaster aid organizations, all under the guidance, standards and coordination of the United Nations agencies, the UNHCR, United Nations Children's Fund (UNICEF), UNWFP and WHO. The unprecedented response by the Ukrainian refugee host countries in the European Union (EU) is an example to be followed for future refugee responses (Spiegel, 2022). Following the EU Temporary Protection Directive, since 3 March 2022, the neighbouring countries (Hungary, Poland, Romania and Slovakia) have provided temporary protection to all Ukrainian refugees, including access to work, schooling and health care, that is the same as that provided to their nationals. Nevertheless, there are differences among countries regarding the inclusion of dental services, mental health treatment and co-payments. COVID–19 tests and vaccines were free in all the host countries. Some countries, such as Denmark, require that Ukrainian refugees obtain a residence permit and a place of residence to have full access to state health, education and welfare services.

This flagship model of including Ukrainian refugees into the states' health services has also revealed the clear differences in entitlements to health services provided to refugees from the Middle East and Africa, including the Syrian refugees who entered Europe in 2015. As stated in the WHO's *Promoting the health of refugees and migrants: Action plan, 2019–2023*, "nationality should never be a basis for determining access to health care; legal status (often) determines the level of access, as appropriate within national social protection schemes and health systems, without revoking the principle of universal health coverage as set in international agreements" (WHO, 2019).

Outside of the EU, there are significant attempts to provide health care to refugees following initial disaster aid. A commendable example of the inclusion

of Syrian refugees into health care has been led by Türkiye (WHO, 2018a). As a strong government partner, and in line with the WHO Regional Refugee and Resilience Plans, WHO has been supporting the Turkish Ministry of Health in these efforts since 2013. Under an EU-funded project, the Ministry of Health has led a country-wide response aimed at ensuring access to culturally sensitive primary and secondary health care services, including mental health. The package of care and its standards are the same as for Turkish citizens. Moreover, the authorities in Türkiye, with WHO support, have trained the health workforce among the refugees and integrated them into the Turkish health care services. They also include translators and interpreters in the services to ensure the provision of culturally sensitive services (Zikusooka et al., 2022; Tayfur, Günaydin and Suner, 2019; WHO, 2018b).

In Central and South America, the Comprehensive Regional Protection and Solutions Framework (MIRPS)<sup>7</sup> includes Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico and Panama. MIRPS is a mechanism for the implementation of the Global Compact on Refugees<sup>8</sup> to encourage regional cooperation among countries of origin, transit and destination for greater responsibility sharing in matters of prevention, protection and durable solutions in the face of growing forced displacement in Central America and Mexico. The UNHCR and the Organization of American States provide support through the MIRPS Technical Secretariat. In addition to the countries covered by MIRPS, Colombia and the Bolivarian Republic of Venezuela have high numbers of internally displaced persons who would likely transit to other countries and become refugees if their national borders were not closed.

In West and Central Africa, the International Labour Office (ILO) and the UNHCR have worked together since 2014 to strengthen access to decent work among refugees, especially as regards income generation and social protection. This partnership led to joint technical studies in a number of countries, which have provided information on each country's policies and progress on social health protection and its extension to the informal economy and the agricultural sector (ILO and UNHCR, 2019).

The number of refugees in countries in the region of West and Central Africa is currently limited by border closures. Burkina Faso, which has experienced more than 2 million internally displaced persons in the last five years, has the world's most neglected displacement crisis, according to the Norwegian Refugee Council's (NRC) annual ranking. The Democratic Republic of Congo is second in this ranking, due to "multiple crises" in the east of the country. Despite the dire

- 7. For more information, see the MIRPS web portal.
- 8. For more information, see Global Compact for Safe, Orderly and Regular Migration.
- 9. For more information, see the NRC web portal.

conditions among these populations, the NRC notes that humanitarian aid is limited due to the international community's lack of political will, media coverage and humanitarian funding. In contrast, political action for Ukrainians has been "impactful and swift", borders kept open, funding plenty and media coverage extensive (Norwegian Refugee Council, 2023, p. 4). 10

The ILO-UNHCR work notes that the maturity of each country's social health protection system in Africa varies greatly. Some countries are in an accelerated process of developing their systems and ILO and UNHCR efforts are aimed at developing new strategies in line with the humanitarian development approach of integrating refugees into national social protection systems. In some countries, social protection systems exist only for salaried workers in the public and private sectors, and some refugees have gained work and no longer depend on UNHCR assistance. Most refugees in these countries are in the informal economy and the agricultural sector and fall within the scope of the extension of social protection beyond the salaried labour sector. Countries, such as Djibouti, Rwanda, Senegal and Sudan, have sought to include the entire population in a social health protection system combining contributory and non-contributory mechanisms. However, the integration of refugees is not necessarily automatic, and countries may need to be reminded of the need to do so.

Other countries, such as Burkina Faso and Cameroon, are in the process of implementing national social health protection systems, and the inclusion of refugees requires that they be considered in the technical and financial architecture of the system. Interim measures for refugees are needed in such countries to develop a national mandatory universal health coverage system. For example, in the Democratic Republic of the Congo, where there are currently no public options for coverage for refugees, the UNHCR has decided to register refugees in urban areas with a community-based health insurance (CBHI) mutual system. Adaptations to this arrangement are noted in a memorandum of understanding between the ministry responsible for refugees, CBHI and the UNHCR, with the aim of ensuring that refugees can access conditions similar to those enjoyed by host communities.

In Asia, Pakistan recently took a very welcome step in launching services for refugees. Between March 2021 and February 2022, the UNHCR undertook a campaign entitled Document Renewal and Information Verification Exercise, or DRIVE, to update data on the registered 1.4 million refugees from Afghanistan (UNHCR, 2022b). Following verification, the refugees were given smart identity cards, which will enable them to have better, faster and safer access to services, including schools, hospitals and banks. DRIVE is part of a wider effort to assist

<sup>10.</sup> While this article does not cover internally displaced persons, we see the potential for a significant increase in the number of refugees due to conflicts, natural disasters and climate change in the future.

All of these activities in different parts of the world have raised awareness of the urgent need to provide social health protection to refugees and have shown both the challenges and feasibility of their coverage.

### Coverage options and responsibility for coverage

The example of providing health care to Ukrainian refugees has shown us how sensitive this model of protection is to demographic and political concerns, to latent racism and to the attractiveness of the plight of refugees to short-term donor funds. This is a short-term solution, or until refugees receive citizenship in the host country, and donor funds cannot solve the long-term problem. There is clearly no single model. The coverage of refugees will have to be tailor-made for each country, adhering to the humanitarian and development approach, which takes into account the existing social protection system and the plans for coverage extension in each country.

In countries in which health care is financed by general or ear-marked taxation, such as in Italy, Spain and the United Kingdom, national policies and strategies will determine how and when refugees will be covered in the same way as citizens. We focus here on countries with mandatory social health protection systems, with regular contributions by employers and/or members paid to funds, and with state subsidies provided for the population considered vulnerable, such as the elderly and very low-income households, regardless of refugee status. In all host countries, the goal is to find national solutions and to achieve the ability to provide care without external funds.

We suggest that the optimal solution for refugees is their enrolment in established social health protection systems (SHPS), building on existing institutions rather than creating new frameworks. The health status of refugees may be complex but the methods of providing them with social health protection beyond the initial period of humanitarian aid has to be simple and transparent. Social protection systems are keen to add new members, particularly those who are highly motivated to be included and participate in the society of the host country. Not all refugees want to return to their country of source, at least not in the short term. This is usually the case for people who have fled from persecution and have planned their move to a safe haven.

11. For more information, see the SSAR support platform.

To enable the enrolment of refugees in SHPS, we need to answer several questions that deal with the responsibility to cover this population, and which moves the discussion beyond any ideological arguments concerning solidarity and humanitarian concern. To show the logic and feasibility of our proposal, a range of questions is presented, along with answers, in Table 1.

While Table 1 seeks to cover the main issues, there are obviously many other questions relevant to the development and framework of social protection in each country.

### Stages in the integration process

Based on the experiences of initial humanitarian aid to refugees and later long-term solutions to provide social health protection to this population, we see the process of integration in SHPS as a series of activities to be undertaken by the existing SHPS. These include but are by no means limited to:

- Appointment of a unit/committee within each SHPS to deal with all the issues related to the coverage of refugees.
- Review of legislation to determine whether changes are needed in the mandatory social protection law or whether amendments can be made to regulations.
- Understanding of the process of recognition of refugee status, in liaison with UNHCR representatives.
- Changes in legislation and/or regulations to enable enrolment of registered refugees in the existing SHPS.
- Document Renewal and Information Verification Exercise, or DRIVE, to update data on the registered refugees with the UNHCR and the Ministry of the Interior.
- Linkage with national authorities and the UNHCR on current funding for coverage of refugees.
- Linkage to a data base with the relevant personal information. The data base needs to be dynamic, so births and deaths are immediately recorded and existing chronic diseases and other health indicators can be added.
- Development of partnerships with national agencies to promote education, employment, social support and access to language courses.
- Collaboration with the Ministry of Health regarding licensing of refugee health care professionals to practice in the host country and to take active steps to integrate them into the national health services system.
- Decisions on priorities in activities to promote enrolment: such as awareness campaigns and preventive health services and screening with the Ministry of Health.

#### The extension of social health protection to refugees

**Table 1.** Questions and answers on the integration of refugees into social health protection systems

Question	Answer
1. Why should SHPS get involved?	Refugees are likely to be a younger population with a significant proportion being young working-age adults with important potential to become contributors to the host country.  This could be significant in countries where the proportion of elderly now reaches around 20 per cent of the insured population, and fertility has been decreasing, with fewer young people entering the labour force.
Will the refugees have complex and costly health problems?	After initial humanitarian aid and access to medication for chronic conditions, as well as improvement in their physical environment, this population should not pose particular health problems. They have shown resilience in their transit to a host country.
Does legislation of the mandatory SHPS need to be changed?	If the law of the SHPS limits membership to citizens, and not all legal residents, the law may need to be changed, requiring parliamentary action to include registered refugees or all legal residents. If this stipulation is in the regulations, non-citizens as legal residents can be included through amendment, through the SHPS Board.
Will national authorities pay contributions for the households that cannot contribute	Most countries with established SHPS have budgets to subsidize or cover in full contributions for the vulnerable, such as the elderly, orphans, disabled persons, child-headed households and the unemployed. The SHPS will have to negotiate to have refugees covered under the same conditions. National authorities may negotiate with international organizations, such as the UNHCR, for financial aid in the first stage. In the longer run, there has to be fiscal space at the national level to finance care for the vulnerable.
5. Where should the SHPS place their first efforts?	First efforts should be placed on prevention – immunization where this has been adversely affected and early detection of chronic diseases and conditions, such as anaemia and malnutrition, and needs for treatment interrupted by evacuation from conflict areas. Funds and activities for these services should be negotiated with the Ministry of Health.
6. Will the SPHS be able to manage the new refugee members?	The recognized refugee population is unlikely to represent a significant proportion of the total SHPS membership; it is probably a small proportion. This point needs to be explained to the current membership.
7. If there are multiple SHPS, how should the burden be shared?	The decision may be taken by an umbrella organization of the SHPS, or according to particular characteristics of each SHPS and the major residential locations of the refugees.
Who are the stakeholders and partners in this effort?	The major stakeholders will be the Ministry of Health, to deal with health promotion and prevention and the integration of health professionals from among refugees; the Ministry of Labour, to promote employment; and the Ministries of Education and Labour, should deal with language courses where required.

(Continued)

**Table 1.** Questions and answers on the integration of refugees into social health protection systems - Continued

Question	Answer
9. Payment to providers	Payment to health care providers should be cashless, without the need for reimbursement after care is provided. New contracts may be needed for providers to bill the SHPS directly.

Source: Authors' elaboration.

- Negotiations with government, Ministries of Health, Finance, and Welfare on funding for those refugees unable to contribute, as for nationals who are covered by state funds.
- Decisions on the providers of health care, such as limitations to health services provided directly by the SHPS, other public health care providers, and the development of billing procedures.
- Development of tools to monitor and evaluate changes in health indicators, the utilization of services, and the costs of services to refugees.

#### Conclusions

This article is focused on extending comprehensive health care coverage to refugees through existing national social health protection systems. The national approach recognizes the public health issues and provides a legislative basis to cover these vulnerable populations. It stresses the impact on national populations if the health of these populations is neglected or limited to initial humanitarian aid.

Three main issues are the foundation for our approach: i) the acceptance of the Universal Health Coverage approach by governments, ii) the need to expand coverage of social protection by the existing institutions, and iii) the need to protect the public from health risks resulting from the lack of provision of services to vulnerable populations.

National initiatives exist, mainly promoted through international organizations, in particular the UNHCR, regional organizations in different parts of the world and the WHO and ILO. However, current efforts need to lead to binding resolutions, Conventions and the development of standards.

The number of refugees may be expected to increase in the future due to natural disasters linked to climate change, conflicts and other emergencies. More people will be forced to flee across borders and may have to wait years until they can return to their homes in their source countries. The current situation shows that we cannot afford complacency in any part of the world, as we have already seen that an influx of refugees or asylum seekers at a time of an infectious disease

pandemic can become a global hazard. But, as noted in a recent Editorial in *The Lancet*, the approach to refugees in several high-income countries such as the United Kingdom, parts of Europe, and the United States of America is retreating from being inclusive and turning to externalization, deterrence, containment and return (*The Lancet*, 2023). It is time to recall our commitment to the humanitarian development of refugees and move away from hostility, fear and prejudice. On a positive note, the Rabat Declaration of June 2023, signed by 30 countries, calls for the health of refugees and migrants to be included in national health systems and universal coverage. <sup>12</sup>

We cannot protect the health of individuals unless we protect the health of the public. This holds true in the dimensions of spreading disease and health risks, in the context of human rights as well as in the financial context of creating pools of funds to pay for care according to means and use at the time of need. Social protection institutions were developed for these reasons and it is now time for them to adapt to the realities of including new populations in their membership and to embrace the pledge in the UN SDGs to leave no one behind.

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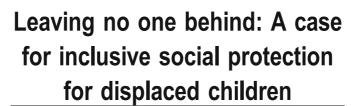
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**Abstract** The United Nations Convention on the Rights of the Child (UNCRC) outlines the rights for every child, including the right to benefit from social security and the right to a standard of living adequate for their physical, mental, spiritual, moral, and social development. The UNCRC is the most widely ratified human rights treaty to date. However, millions of children continue to be denied their rights and face poverty, vulnerability and social exclusion, merely because they are displaced - internally or across borders. Children bear the heaviest burden of displacement, despite not being responsible for its triggers. This reality underlines that a significant population is being "left behind", threatening progress to achieve the UN Sustainable Development Goals as part of international efforts to end poverty and ensure all people enjoy peace and prosperity. This article advocates for inclusive social protection systems for displaced children by highlighting the difficulties they encounter, emphasizing the potential benefits of social protection, and assessing the current status of inclusive social protection for this vulnerable group. Drawing on emerging lessons from UNICEF's experience across several refugee and internal displacement contexts, such as Brazil, Ethiopia, Slovakia, and Türkiye, the article also offers recommendations to strengthen inclusive social protection systems specifically tailored to meet the humanitarian and development needs of displaced children.

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Leaving no one behind: A case for inclusive social protection for displaced children

**Keywords** social protection, children, displaced person, gaps in coverage, UN Convention, international

#### Introduction

In 1989, the United Nations Convention on the Rights of the Child (UNCRC) was adopted, outlining the rights for every child, including the right to benefit from social security and the right to a standard of living adequate for their physical, mental, spiritual, moral, and social development. Despite being the most widely ratified human rights treaty to date, millions of children continue to be denied their rights and face poverty, vulnerability and social exclusion, merely because they are displaced – internally or across borders. As evidenced in this paper, children bear the heaviest burden of displacement, despite not being responsible for its triggers. In terms of all children accessing their rights, a significant population is being "left behind", threatening progress to achieve the UN Sustainable Development Goals.

In the sections that follow, this article advocates for inclusive social protection systems for displaced children by highlighting the difficulties they encounter, emphasizing the potential benefits of social protection, and assessing the current status of inclusion in social protection for this vulnerable group. To realize social protection systems which are child-sensitive and inclusive of displaced persons, the article offers recommendations to address gaps in adequacy, coverage and comprehensiveness, to strengthen inclusive social protection systems specifically tailored to meet the needs of displaced children.

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# Displaced children are among the most vulnerable – and their numbers keep increasing

Global displacement numbers are at an all-time high, having surpassed 100 million people in 2022. While children account for 30 per cent of the world's population, at 40 per cent, they are overrepresented among all forcibly displaced.<sup>2,3</sup> Concerted efforts to gather and publish disaggregated data on child displacement only accelerated in 2001. Numbers and trends have since highlighted the scale and

- 1. UNICEF provides more information concerning the background to, as well as the aims and achievements of, the UNCRC. The full text of the UNCRC is available here.
- 2. In this article, the term "forcibly displaced" includes refugees, internally displaced people (IDP), and asylum seekers.
- 3. Data sourced from the online Refugee Population Statistics Database on the UNHCR Refugee Data Finder website.

increase of child displacement: between 2008 and 2022, the global number of child refugees more than doubled from 6.7 million to more than 13.4 million (Figure 1).

A majority of people forced to flee their homes do not cross an international border: 58 per cent of all forcibly displaced at the end of 2022 remained in their own country (UNHCR, 2023a). Overall, age and sex disaggregated data is limited and available for 13 countries only. In these countries where this data is collected, the data indicates that children represent a large proportion of internally displaced people (IDP) at 40 per cent (UNHCR, 2023a).

For children, their displacement results in a loss of support networks, increased exposure to economic and social risks, and heightened vulnerability to violence, exploitation, and abuse, including child labour and child marriage (e.g., UNICEF, 2020; UNICEF and IOM, 2017; Duvillier, Gregson and Messina, 2023; IDAC, 2021). Globally, 35 per cent of all identified victims of trafficking are children (UNODC, 2023). Among them, displaced and migrant children are particularly at risk of being trafficked. Whether they are escaping war and violence or lack of opportunities at home, too few children find pathways to move legally and safely. In the absence of legal opportunities, families use irregular channels to move, or children move on their own, which exposes them to violence, abuse, and exploitation by traffickers (ICAT, 2018).

Typically, children are twice as likely as adults to live in extreme poverty (World Bank and UNICEF, 2016). When coupled with displacement, this situation takes

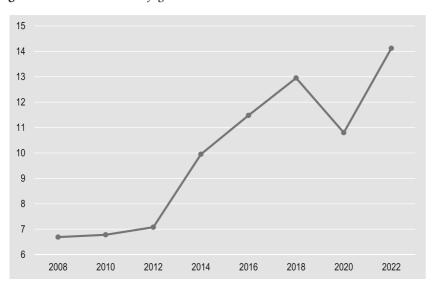


Figure 1. Increase in child refugees 2008–2022

Source: UNHCR (various years).

on a significantly graver magnitude: refugee children may be up to three times as

A look at the access and utilization of child-critical services in hosting countries reaffirms that displaced children are among the most marginalized and excluded. Only 63 per cent of refugee children go to primary school, compared to 91 per cent of children globally. Around the world, 84 per cent of adolescents receive a secondary education, while only 24 per cent of refugees have the opportunity (UNHCR, 2019). Refugee girls remain half as likely to enrol in secondary school as their male peers. Displaced children also face worse health and nutrition outcomes than their national peers. The World Health Organization (WHO, 2022) found that refugee and migrant children are particularly vulnerable to underweight issues, undernutrition and wasting. Food insecurity and malnutrition of migrant and displaced children are also issues of concern worldwide. A systematic review of studies found that migrant children had higher stunting and obesity rates than children in their host communities (Ankomah et al., 2022). Although global data on the share of displaced children among children who have not received basic routine vaccinations ("zero-dose children") is not available, it is likely they also face higher barriers to accessing routine immunization, given that they often live in poor households (UNICEF, 2023).

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Even though IDP children continue to live within their own country after being forced to flee from their home locations, they too face significant barriers in accessing their rights. Data from across 17 displacement situations indicates that young IDPs tend to have low access to education as compared to their non-displaced peers (IDMC, 2022), and that malnutrition rates among IDPs may be particularly high even in areas where food insecurity is a wider challenge (IDMC, 2022). The economic challenges faced by IDP families, not only result in

deprivations but also push children to engage in economic activities at a very young age, thus exposing them to multiplicity of risks. For example, in the city of Goma in the Democratic Republic of the Congo, child labour participation reaches 7.5 per cent among displaced families, compared with 4.4 per cent for non-displaced neighbours. In Afghanistan, many internally displaced children earn money as street vendors or car washers, which exposes them to the risk of road accidents, abuse and violence (Cazabat, 2018).

With global trends indicating that 67 per cent of all refugees are trapped in protracted displacement (UNHCR, 2023a),<sup>4</sup> children risk missing critical windows of opportunity for investment in their human development with consequences not just for their own life trajectory, but also for the societies in which they live (Cord, Sacks and Winkler, 2022; Legrain, 2016). These trends also underline that a significant population is being left behind, threatening progress to achieve the UN Sustainable Development Goals and international commitment and efforts to end poverty and ensure all people enjoy peace and prosperity.

# The role of social protection in upholding displaced children's rights and meeting their needs

As a set of policies and programmes aimed at preventing or protecting all people against poverty, vulnerability, and social exclusion throughout their life cycle, with a particular emphasis towards vulnerable groups (UNICEF, 2019a), social protection can play a central role in ensuring that children's multi-dimensional needs and rights are upheld in all contexts.

Until recently, refugee responses relied heavily on humanitarian assistance. While such assistance provides critical, life-saving support, it is short-term and unpredictable and not fit for purpose to meet the longer-term needs of displaced persons. With evidence indicating that displacement is not a short-term phenomenon and that displaced populations typically spend ten years or more in displacement (OECD and EBA, 2022), there is now a greater recognition of the significance of blending humanitarian and development approaches in supporting displaced populations.

In the past decade, social protection has emerged as a crucial policy and programme measure to reduce poverty and help those impacted by crises to prepare for, cope with, and recover from shocks while contributing to their resilience building. Equally, it serves as a natural bridge to strengthen the

4. Protracted situations are defined as those where more than 25,000 refugees from the same country of origin have been in exile in a given low- or middle-income host country for at least five consecutive years; see UNHCR (2023).

humanitarian-development-peace nexus and in finding durable solutions. The shock-responsive functions of social protection were effectively demonstrated in response to the socioeconomic impacts of the COVID-19 pandemic wherein 223 governments embarked on a total of 3,856 social protection and labour measures to mitigate the impacts of COVID-19 (Gentilini et al., 2022). Fuelled by the positive evidence from COVID-19 emergency responses and the interest created by the UN Secretary General's launch in September 2021 of the Global Accelerator on Jobs and Social Protection for Just Transitions,<sup>5</sup> efforts to strengthen social protection systems have gained momentum. Even if the inclusiveness of these efforts on the ground is unclear, the relevance of social protection in supporting people living in contexts of fragility and displacement is well accepted (ICSPFFD, 2017).

Although the evidence on the impact of social protection programmes on outcomes for displaced children is still evolving, the available evidence underlines the benefits of investing in inclusive, child-sensitive social protection systems. The provision of cash assistance, for example, can yield positive outcomes in reducing poverty and strengthening the resilience of displaced families. A recent ODI and United Nations Children's Fund (UNICEF) paper (Holmes and Lowe, 2023) highlights a number of examples of the positive impact of social protection on displaced families:

- Where displaced children and their families have access to social protection schemes, they have been able to overcome some of the financial barriers related to accessing services and meeting basic needs, such as education, nutrition or health. In Lebanon, for example, assessments of cash transfer programmes, such as UNICEF and the United Nations' World Food Programme's Cash Transfer Program for Displaced Syrian Children, demonstrated that families supported through the programme have been able to meet costs associated with attending school, such as school supplies or travel, in turn increasing school attendance.
- Access to social protection schemes has alleviated pressure on families to engage in negative coping mechanisms, such as pulling children out of school, or reducing expenditures on nutrition or health services. Instead, displaced families who receive social protection services have also been found to increase their spending on services such as child health and nutrition or cover costs which allow children to attend school. An impact evaluation of UNICEF's Hajati cash transfer programme in Jordan found that displaced and host community children participating in the programme are 5 per cent more likely to go to school and 2.3 per cent less likely to be engaged in economic activities.
- 5. For more information, see the webpage Global accelerator on social protection and jobs for just transitions.

- · Access to social protection programmes has also been found to have a positive impact on the mental health of recipients, as they are supported to meet their basic needs.
- · Social protection programmes have been found to be particularly impactful where strategic linkages have been created with other programme components. "Cash only" programmes often fail to meet the specific needs of displaced children and fall short of generating long-term impacts on their development and well-being. Complementing cash assistance with other services (also referred to as "cash plus" programmes), including case management for child protection, enhanced access to health and education services, social and behaviour change initiatives, gender-based violence services or parenting programmes, has been found to enhance the effectiveness of cash assistance.

# Including children in social protection is not an option it is an international obligation

Article 2 of the Convention on the Rights of the Child (CRC)<sup>6</sup> articulates the principle of non-discrimination and the universality of child rights, regardless of a child's migration status. The Convention establishes in international law that States Parties shall ensure that all children - without discrimination in any form - benefit from special care and assistance; have access to services such as education and health care; can develop their personalities, abilities and talents to the fullest potential; grow up in an environment of happiness, love and understanding; and are informed about and participate in, achieving their rights in an accessible and active manner. Article 22 of the CRC clarifies that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures, shall receive protection, humanitarian assistance and enjoy the same rights as national children. Article 26 highlights that every child has a right to social security, including social insurance, and States Parties are responsible for its full realization.

Equality and non-discrimination are at the heart of the Sustainable Development Goals (SDGs) and their central commitment to leave no one behind. SDG targets 1.2 and 1.3 aim to:

By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions (SDG Target 1.2).

Articles 2, 22 and 26 can be found in the text of the UNCRC, available here.

Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable (SDG Target 1.3).

The Global Compact on Refugees<sup>7</sup> too calls on States and relevant stakeholders to consider and address the specific vulnerabilities and protection needs of children through the means of policy, programmes and resource allocation. It outlines the need to strengthen systems that are critical for child-wellbeing, from child protection, to education, health care, to social protection; to protect children from violence and abuse, such as child immigration detention, trafficking or sexual exploitation; and to promote the meaningful participation of children and young people.

The United Nations Secretary-General's Action Agenda on Internal Displacement (UN, 2022)<sup>8</sup> sets out a comprehensive approach to finding durable solutions to internal displacement. The agenda emphasizes the need to strengthen age-sensitive approaches and tasks UN agencies to develop agency-specific action plans, including elements to strengthen protection and assistance to IDPs (over half of whom are women and children) and the communities which host them. These commitments highlight the recognition of the issue and are efforts to clarify that all children have rights, and these rights must be protected at all times and in all contexts. It is not optional for States to implement these – it is an obligation.

# Current state of play: Displaced children's access to social protection

Despite recognition of the value of social protection in international instruments and commitments, in general, coverage remains low with only 26.4 per cent of children globally benefiting from any form of social protection. Unfortunately, data on the number of displaced children benefiting from social protection is limited. To address this knowledge gap, since 2022, UNICEF has embarked on an annual monitoring exercise<sup>9</sup> covering 136 countries to gather information on the extent of inclusion of displaced children (both refugee and IDP children)

- 7. For more information, see the digital platform of the 2018 Global Compact on Refugees (GCR).
- 8. For more information, see the website of the United Nations Secretary-General's Action Agenda on Internal Displacement.
- 9. UNICEF embarks on an annual data collection exercise on a range of indicators related to the achievement of the goals outlined in UNICEF's Strategic Plan. The extent of inclusion of migrants and displaced children in social protection systems are among the recently added data points in this exercise.

#### Leaving no one behind: A case for inclusive social protection for displaced children

in social protection. This data highlights that barriers continue to plague the inclusion of displaced children in social protection systems. Only 4 per cent of countries reported including displaced children in routine social protection programmes, while 27 per cent of countries included displaced children in short-term temporary social protection measures designed to deal with covariate shocks.

To assess the extent of refugee inclusion in national social protection systems, it is critical to situate the discussion against the broader trends of displacement and refugee hosting.

As outlined, 76 per cent of forcibly displaced people are hosted in low- and middle-income countries that often have nascent social protection systems. In most of these host countries, systems are limited in their coverage, leaving many poor and vulnerable citizens uncovered (Table 1).

Where social protection systems are stretched, with gaps in comprehensiveness, adequacy and child-sensitivity for marginalized host community children, the scope for inclusion of displaced children is limited. This not only pertains to the fiscal space and operational capacity of national systems, but also to the political economy. Extending social protection, particularly non-contributory measures, to displaced children and their families can be highly unpopular especially in resource-constrained settings. For example, sub-Saharan Africa alone accounts for more than a quarter of all people displaced across borders. More than 80 per cent of all internal displacements worldwide in 2021 were in sub-Saharan Africa (IDMC, 2022). At the same time, the region is home to two-thirds of extremely poor children globally. Africa, in general, has the lowest

**Table 1.** State of social protection coverage of children (0–14 years) in some refugee hosting countries

Refugee hosting countries	Percentage of children (under 14 years) receiving child and family cash benefit
Türkiye	Data not available
Colombia	20-40 per cent
Pakistan	Less than 20 per cent
Uganda	Data not available
Sudan	Less than 20 per cent
Lebanon	20–40 per cent
Jordan	Less than 20 per cent
Ecuador	Less than 20 per cent

Sources: Authors' compilation based on UNHCR (2023a) and ILO (2021).

coverage of social protection, with only 12.6 per cent of children receiving any form of social protection. Where factors such as a high concentration of displaced children, high levels of child poverty, and low levels of social protection coverage compound, children from displaced and host communities grow up in persistent poverty with uncertain futures and are denied their basic rights.

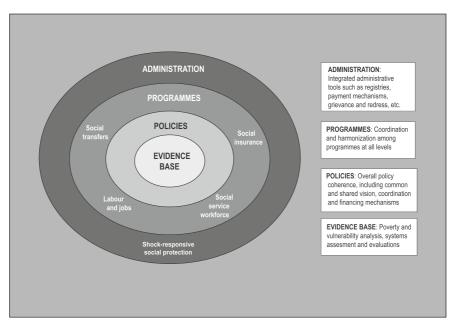
# Barriers to the inclusion of displaced children and their families in social protection systems

Key barriers to the inclusion of displaced children and their families in social protection systems can be summarized by leveraging UNICEF's Global Social Protection Framework (Figure 2), which articulates four complementary elements of an integrated social protection system to protect children's rights across the life course:

- · Evidence base
- Policies
- · Programmes
- Administration

The following sections flesh out in detail ongoing endeavours to address the barriers that can arise under each of these components.

**Figure 2.** Components of a social protection system: UNICEF's social protection framework.



#### Data and evidence gaps

Given the interest in social protection in displacement settings, some international organizations, including UNICEF, have increasingly focused on strengthening the evidence base on contributions made by refugees to the economy, and their de jure and de facto access to social protection systems. <sup>10</sup> Yet, significant evidence gaps remain, but the bridging of these would help to inform and help advocate for inclusive social protection policy and programming for displaced children. Among other gaps, these include:

- assessment of monetary and multi-dimensional child poverty, particularly as a part of national socioeconomic and household surveys;
- mapping of sex- and age-specific vulnerabilities of displaced populations, especially in the context of climate change and other disasters;
- systematic analysis of pathways for inclusive and child sensitive social protection for displaced children;
- investment case or cost implication for child sensitive social protection linked to public finance management for inclusive social protection investment cases or costing;
- systematic impact evaluation of inclusive social protection in achieving outcomes for children.

#### Exclusion in law, policies and national development plans

The exclusion of displaced populations in law, policies and national development plans is complex and layered. In some contexts, the exclusion of displaced children and their families from national social protection and other child-critical services is intentional. This may be because funding their inclusion is perceived as expensive and/or unfavourable, particularly where national systems fail to comprehensively cover host communities and the political climate is such that refugee-inclusive policies and plans may cost the government their constituents' support. Limited data and evidence on displaced populations' needs may be another stumbling block to their inclusion in national policy, legal frameworks and plans and can form the basis for their de jure omission. In contexts where data is collected and there is a perceived risk of it being misused, displaced populations, particularly those in an irregular situation, may choose to stay away from such exercises for fear of repercussions. When such data collection is conducted through health care personnel, educators or other service providers,

<sup>10.</sup> This includes, inter alia, the following resources: UNHCR (2021, 2022); OECD and EBA (2022); Andrade, Sato and Hammad (2021); World Bank (2023); Hagen-Zanker and Salomon (2022); Lowe et al. (2022).

without adequate safeguards and firewalls<sup>11</sup> between immigration authorities and service providers, then parents and carers of displaced children are likely to avoid approaching these service providers for fear of arrest, detention or deportation.

#### Social protection programmes

Social protection programmes are very rarely designed and implemented to address the specific vulnerabilities of displaced populations. Gaps in coverage, adequacy, comprehensiveness, and inclusiveness of social protection systems persist in many countries and locations hosting displaced persons. While efforts are being made to strengthen the inclusion of displaced and host communities alike in social protection, these efforts remain nascent or reach only a limited number of children and families, often falling short of addressing children's specific needs and how these are impacted by their age, gender, disability status or other factors (Holmes and Lowe, 2023). Even when legal and policy frameworks are inclusive of (or do not explicitly exclude) displaced children and their families, de jure access does not necessarily lead to de facto access, underlining the importance of robust programme design. To inform programme design, a solid evidence base and data are key - yet, as outlined, this very data is often not collected for displaced children and their families. Consequently, programmes may fail to address the unique needs of displaced children, including through holistic interventions. For example, as support networks become fractured due to the displacement experience, refugee and IDP women with children may find themselves without the family and community support networks they were previously able to call upon. Programmes that do not take this into consideration, for instance by offering care support to refugee women, are likely to fall short on meeting the specific needs of subgroups of displaced persons. The allocation of finance for the expansion of services linked to children's rights in host locations is closely linked to data and programmes. Where data and programmes are not in place, this is likely to result in the low allocation of finance, which in turn impacts on the quality of support offered to the displaced children resulting in the low human development of displaced children. Often, displaced populations are supported with humanitarian assistance which, apart from being designed with a short-term perspective, may lack a clear exit strategy and is thus likely to result in the dissipation of the programme's impacts once the humanitarian programme ends (Holmes and Lowe, 2023).

11. Firewalls are built on the premise that while States have the prerogative to enforce immigration laws, they also have obligations to protect fundamental rights. Those fundamental rights include, for example, the right to health. A "firewall" delinks the delivery of health care from the enforcement of immigration rules, ensuring that public trust and the pursuit of important social and health goals are not undermined or interfered with by political objectives on migration control (PICUM, 2023).

Furthermore, when programmes have general flaws in programme design, such as a lack of inclusiveness or child-sensitivity, these programming weaknesses may also impact displaced populations. For example, a cash transfer programme delinked from nutrition or education services may not yield the same benefit as a "cash plus" programme, for host as well as displaced children. Similarly, a programme that is not disability inclusive for the host community may not support displaced children that face similar challenges (see Holmes and Lowe, 2023).

#### Administration

Administrative factors determine the de facto access of displaced children to social protection. Administrative barriers include the following:

- If the communication system is not adjusted to share information proactively and in the appropriate language, displaced populations are likely to miss opportunities to register for social protection.
- Important documents may have been lost or destroyed during displacement. Accessing benefits for displaced children and their families will be challenging if there is no mechanism to replace these documents in the host location, if they do not have access to national ID cards or tax documents, or if the requirement for registering for social protection is not adjusted so that displaced populations can use documentation available to them.
- Where digital technologies are used for registration and/or for receiving benefits, and displaced populations, especially women, elderly and unaccompanied children, either are not familiar with the technology or do not have access to online systems, they may face challenges in accessing social protection.
- Social protection provisions may not be portable. This may restrict access of displaced children and their families to social protection in host locations, especially in the case of internal displacement.
- Displaced populations may be prohibited from or face challenges in opening bank accounts, which constitutes a challenge in contexts where social cash transfers are paid into the bank accounts of recipients.
- Local government/authority capacities may be limited and under-resourced, restricting their ability to support displaced children's needs effectively. Where service providers are unwelcoming or outright hostile, displaced children and their families may be hesitant to approach service providers in the first place.

# Promising practices and key recommendations for strengthening inclusive social protection for displaced children

In recent years, there has been growing interest and support for inclusive social protection measures aimed at assisting displaced populations. Various innovative approaches have been implemented in countries and host locations, providing valuable insights and lessons for further advancement. This section presents some promising practices from UNICEF's work on inclusive social protection in displacement contexts.

# Slovakia's social protection response across the humanitarian-development nexus

In the ten years preceding the large-scale displacement from Ukraine, less than 1,000 refugees were granted asylum or subsidiary protection in Slovakia. Since the onset of the Ukraine war, under the European Union (EU) Temporary Protection (TP) Directive, more than 100,000 Ukrainians have received TP status in Slovakia, including access to social protection and other critical services. However, despite the intent, the social protection system was not prepared to absorb such high caseloads in such a short time frame. At the request of the Government, UNICEF and other partners embarked on short-term humanitarian cash transfers to respond to the urgent needs of refugees fleeing the war in Ukraine. Although delivered through a parallel system, this 12-month humanitarian cash assistance was designed from the outset to enable a smooth transition into the social protection system. It mirrored the design of the existing social protection schemes, including purpose and transfer value.<sup>12</sup> This support complemented other in-kind benefits offered to TP holders, such as free housing. The different humanitarian cash schemes provided to refugees from Ukraine include: i) Material needs benefit; ii) Carer's benefit for children with specific needs; iii) Cash support for childcare and education; iv) One-off cash payment for refugees to prepare for the winter; and v) Cash for protection for parents of children aged 0-2 years.

Two critical lessons emerge from the experience in Slovakia:

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- The first lesson points to the importance of political will. The EU Temporary Protection Directive, which was introduced across the EU Member States within a month following the beginning of the war in Ukraine, provided refugees with formal status. This not only enabled refugees to access national health, education,
- 12. Refugees received the same transfer value as poverty-targeted transfers, with the difference that no income-test was applied, as is applied to nationals.

#### Leaving no one behind: A case for inclusive social protection for displaced children

social and child protection systems, but also granted them the opportunity to access formal employment. The directive also enabled the allocation of EU funds for hosting countries, thereby incentivizing the inclusion of refugees into social protection systems. In addition, efforts to extend social protection to refugees have triggered a ripple effect to strengthen the social protection system for all children in Slovakia. For example, government stakeholders and UNICEF have partnered to assess the gaps in eligibility assessments for current social assistance schemes towards providing more adequate and inclusive support to children with disabilities.

• The second lesson pertains to the importance of taking public perceptions into account. Aligning the design of the humanitarian and social protection programmes has been a key strategy to reduce the potential for tension or anti-refugee sentiments among host communities, especially in contexts where the community perceptions on the conflict and displacement are divided.

# Capacitating the social service workforce in Brazil to respond to the needs of migrant children and their families

Brazil has a robust national social protection system. A single registry for vulnerable families streamlines information and provides interlinkages between different social protection programmes. Vulnerable families are supported through well-targeted cash transfer programmes, such as the flagship *Bolsa Família*. Migrants are granted full access to the national social protection system through Law No. 13.445 of 2017. Despite an inclusive policy and legal framework, challenges existed in the extension of social protection to Venezuelan migrants. A UNICEF field study conducted in 2019 identified main barriers restricting the access of Venezuelan migrants to the social protection system in Brazil. The study highlighted that, in the absence of protocols and workflows to facilitate and monitor access to social protection for migrant families, access differs according to locality, with varying capacity and awareness among the social service workforce, and lack of coordination between different service providers. Uptake is also impacted by a lack of systematic information provided to migrant communities.

UNICEF is working with the local government in the Brazilian State of Roraima to address these capacity gaps in service delivery by providing additional human resources to enhance the social protection response. This includes providing Spanish-speaking social workers. Another focus has been on strengthening the capacities and shock-responsiveness of emergency social protection support.

Since June 2023, UNICEF has been partnering with the three levels of Government (National, State and Municipal) to open an office of Single Registry

13. For more information, see Paiva, Souza and Nunes (2020).

(*Cadastro Único*) in the Municipality of Pacaraima that borders the Bolivarian Republic of Venezuela. This facility will support migrant and refugee families to register and access social protection programmes. A similar facility was planned for the Municipality of Boa Vista (State of Roraima) in August 2023.

The experience in Brazil highlights the following two key lessons:

- First, even in contexts where legal provisions for inclusive social protection exist, de facto access to social protection requires active facilitation to overcome likely de facto barriers. This resonates with some emerging evidence on the topic (OECD and EBA, 2022).
- Second, refugees and migrants tend to live in locations close to their place of origin (UNHCR, 2023a), often with the hope of returning in the near future. Investing in strong administrative systems along with capacity building and encouraging local governments/authority staff, especially the social worker workforce, in host locations is critical for enabling displaced children and their family's access to social protection.

Supporting the needs of the refugee population while building and strengthening the existing national social protection system in Türkiye

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Türkiye hosts the largest number of refugees globally, (UNHCR, 2023a) many of whom fled conflict in Syria and are living in urban, out-of-camp settings. Until December 2022, UNICEF managed the Conditional Cash Transfer in Education (CCTE) programme for refugees, <sup>14</sup> a programme that had been built on the national CCTE programme for Turkish children, which has been in place since 2003. The programme aims to reduce financial barriers against enrolment and retention in education, with a specific focus on reinforcing the importance of girls' education. Since 2017, more than 810,000 children have benefitted from cash transfers and more than 172,000 children have received child protection support. The child protection component is an important addition of this programme: social workers engage with families who have stopped receiving the CCTE grant due to lack of sufficient attendance of their children at school. Following a risk assessment, families are connected to support services to mitigate child protection risks, such as child labour or child marriage, as well as economic vulnerabilities that prevent children from accessing school.

As part of the CCTE programme for refugees, a pilot programme, Social Cohesion through Education, was implemented in two locations to promote socio-emotional learning among Turkish as well as refugee students through activities to build their socio-emotional skills, promote social cohesion and combat bullying. The pilot also trained teachers to address social tension in

14. See the UNICEF web portal for more information on the CCTE.

classrooms and to build their capacity, as well that of parents, to help prevent and address bullying.

In December 2022, full responsibility for the CCTE programme for refugees was transferred to the Ministry of Family and Social Services. However, the programme has provided UNICEF with an entry point to continue providing technical assistance and influence the child-sensitivity and inclusiveness of the country's national social protection system.

Key lessons of the implementation of the CCTE programme for refugees include:

- The positive impact of "cash plus" approaches. The linking of child protection components to the CCTE programme constituted an important measure to mitigate for conditionality and address specific vulnerabilities of children and their families by connecting them to additional support services, such as health or psycho-social support services to enable their continued access to the social protection programme.
- Mirroring the CCTE programme for refugees on the national CCTE programme for Turkish children, including aligning eligibility rules and transfer values, facilitated the full transfer of the CCTE programme for refugees to the Turkish government. At the same time, lessons from the CCTE programme for refugees were leveraged to strengthen the national programme, including enhancing operational and data-analytical capacity through new software platforms developed and incorporated by UNICEF into a national single-registry. An evaluation of the programme underlines that providing identical parallel assistance to vulnerable Turkish families helped foster social cohesion (Ring et al., 2020).

# Leveraging government systems for IDP support in the context of multiple, overlapping shocks in Ethiopia

As of June 2023, more than 3.14 million people were internally displaced in Ethiopia, of which 57 per cent were children (UNHCR, 2023b). The flagship social protection programme in Ethiopia, the Productive Safety Net Program (PSNP), is predominantly a public works system with more than 9 million beneficiaries. The system has a nascent and growing shock-responsive component to support those affected by chronic food insecurity and short-term shocks. In the north of Ethiopia, the PSNP programme, which is very much embedded in community validation and accountability structures, was disrupted due to conflict which saw community structures destroyed. To ensure the food and nutrition security of those displaced by the conflict, UNICEF launched a Humanitarian Cash Transfer (HCT) programme in October 2020 that leveraged aspects of the PSNP, such as

targeting criteria, community approaches and processes. Existing government policy, which mandates the Ministry of Social Affairs to also provide emergency social protection to IDPs, as well as the social work infrastructure already in place at the regional level, facilitated this process.

While initially conceived as a proof of concept, the programme has grown into a substantial response covering also IDPs affected by floods and droughts. The programmes provide cash transfers as well as linkages to social workers for case management and psycho-social support for unaccompanied and separated as well as orphaned children, as it does for victims of gender-based violence. Coordination among cash working-group members has been crucial to address coverage gaps. Since August 2022, the cash programmes have reached more than 137,000 IDPs across six regions, displaced due to conflict (in Amhara and Afar regions), or impacted by floods (Gambella region) or droughts (Oromia, Somali, and Southern Nations, Nationalities, and Peoples' regions).

A key lesson from Ethiopia:

• The neutrality of government systems in supporting internally displaced populations is often questioned in humanitarian circles. The proof of concept approach that leveraged policy and local government capacity to provide cash transfers to IDPs was helpful in debunking this myth and demonstrating that it is possible to work with government systems in conflict contexts.

#### Recommendations

Since 2016, good progress has been made in strengthening social protection for children, with at least ten governments<sup>15</sup> newly announcing child social protection measures and many others considering likewise (ILO, 2021). At the same time, much remains to be done to address gaps in adequacy, coverage, and comprehensiveness for child-sensitive and displaced-inclusive social protection systems. UNICEF's experience of working on inclusive social protection in a range of displacement contexts informs the following key recommendations for progressive and equitable access of forcibly displaced and host community children to social protection:

- Focus on the progressive realization of universal social protection floors. For inclusive social protection efforts to succeed, they must be embedded in broader efforts to strengthen the coverage, comprehensiveness and adequacy of social protection for children in general. This requires working with a long-term vision and an appreciation of the progressive realization of social protection floors for all,
- 15. The European Union (supra-national), Italy, Lithuania, Montenegro, Republic of Korea, Thailand, the United States of America, as well as Bihar state in India, Papua in Indonesia, and Republika Srpska Entity in Bosnia and Herzegovina.

especially as many host countries do not have adequate social protection coverage. In contexts such as Slovakia and Lebanon for example, universal coverage of children living with disabilities has been a successful entry point for the inclusion of displaced children in social protection.

- Work closely with subnational governments/authorities. Most displaced children and their families seek refuge in neighbouring areas, either within their country of origin in the case of IDPs, or in neighbouring areas across the national border in the case of refugees. Local governments and authorities in these hosting areas are often not prepared to host large numbers of displaced people and, as a consequence, often weak infrastructure and services are further stretched. As the first responders, local governments and authorities must be supported to gather and maintain age-disaggregated data on vulnerability and the needs of children in displaced and host communities, and to utilize this information for local level development planning and budgeting for the expansion of services for children, including social protection where de jure access exits. This is critical to not only support displaced children and their families, but to ensure that limited services do not create tensions between displaced and host communities. In Brazil and Ethiopia, UNICEF worked with local governments/authorities to extend social protection to displaced children and their families. In Brazil, this entailed the decentralization of budgets, the recruitment and training of additional social service staff to be deployed in host locations, and to ensure that resources are in place to provide services to support Venezuelan migrants. In Ethiopia, this entailed working with local authorities to deliver humanitarian cash assistance to internally displaced households.
- Invest in evidence generation to make the case for inclusive social protection at all levels. The data and evidence base on social protection that is inclusive of displaced children and families has evolved rapidly in recent years, including the recent ODI and UNICEF report (Holmes and Lowe, 2023). However, much remains to be done to strengthen the investment case for child focused and inclusive social protection. This includes the ex post influencing and provision of technical support to governments to include displaced children in national census and surveys; strengthening the analysis of determinants of child poverty and social exclusion, especially disability and gender; and political economy analysis of inclusive social protection. Data and evidence are powerful tools for enhancing the visibility of displaced children's issues and influencing their inclusion in policies and programmes.
- Embed social protection in humanitarian action. Displaced children spend a significant proportion of their childhood (on average 10 years, sometimes entire childhoods) in host locations and are at the risk of missing critical windows of opportunity for their human development. This calls for a rethink of how displaced children and their families are supported by short-term and

unpredictable programmes. Including social protection in the humanitarian response plans from the start of the crisis response is critical and will facilitate the pathway for inclusion in social protection and reduce chances of mismatch between programmes and operational components in the future. In Türkiye, UNICEF aligned humanitarian cash transfers with the existing social protection programme for children in the host community. This helped in transitioning the humanitarian caseload to the Government in 2022.

Where such close alignment of humanitarian assistance with social protection system is not possible from the onset of the crisis, efforts must be made to explore programme options that can support humanitarian responses.

• Recognize diversity of needs. Children's experience of displacement is diverse and influenced by age, gender and disability status, among other factors. For example, very young children risk missing investments in early childhood development whereas those in the second decade of life may not acquire knowledge and skills to prepare them for future economic participation. Displaced girls in particular face additional barriers to education and may be particularly vulnerable to sexual exploitation and abuse. For inclusive social protection to be effective, it is important that the diverse needs of children are addressed. In practice, this includes adjusting existing or introducing new programmes to address the diverse needs of displaced children, through integrated responses that deliver multiple components or link children with specific child-critical services, such as child protection, gender-based violence or health services. The Makani programme in Jordan is often cited as a promising practice, as it supports displaced as well as host-community children with education, child protection, mental health and positive parenting support, while facilitating access to cash assistance and contributing to strengthening the social protection system in Jordan.

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- Coordinate and collaborate with other stakeholders. Building inclusive social protection systems and facilitating the access of displaced children to social protection is a long-term process that requires relevant stakeholders to recognize and leverage each other's strengths. As such, inclusive social protection is layered and intersects with multiple sectors, including child protection, education and health. Global knowledge, expertise and evidence on inclusive social protection for displaced populations, which offers a conducive ground for collaboration, is still evolving. International stakeholders could explore mechanisms for collective evidence generation and sharing, and the provision of joint or coordinated technical assistance to governments at national and subnational levels on social protection for displaced populations.
- Leverage diverse finance mechanisms to achieve the vision. The inclusive social protection agenda illustrates the importance of working at the "humanitarian, development and peace nexus", a key theme at the World

Humanitarian Summit in 2016.<sup>16</sup> It is further embedded in the GCR and the IDP action agenda for durable solutions. In the lead up to the 2023 Global Refugee Forum (GRF),<sup>17</sup> conversations around transitioning from short-term humanitarian funding to predictable multi-year financing have accelerated, including efforts to systematically engage International Financial Institutions, such as the World Bank, and regional development banks that finance social protection programmes in many host countries.

The successful implementation of inclusive social protection for children therefore depends on donors supporting the vision and allocating resources to incentivize governments as well as humanitarian stakeholders. For humanitarian donors, this would mean, among other actions, recognizing social protection as a sector for humanitarian assistance and encouraging stakeholders to articulate links with social protection and exit plans in proposals, and where appropriate, supporting programmes that leverage and strengthen government systems. For development financing, this would mean resource allocation for increasing the coverage of child-sensitive social protection and leveraging relevant financial instruments to encourage governments to extend social protection to displaced children. Besides this, it is critical that humanitarian and development assistance are aligned in ways that create incentive structures for all stakeholders. The example from Slovakia underlines the importance of allocating humanitarian resources for short-term humanitarian cash transfers, with the goal of eventually earmarking domestic finance for the integration of displaced children in social protection.

In addition, continued commitment to international responsibility-sharing for displacement situations is critical to ensure that international financing is available in lower-income countries hosting displaced populations.

• Facilitate engagement of displaced children and their families in programme design, implementation and monitoring. Programmes will only be truly inclusive and impactful if they are informed by consultations with displaced and host communities alike. It is therefore imperative to involve different groups, including youth-led networks and women's groups, from the design stage and throughout the implementation of programmes.

In addition, to generate trust among displaced communities in national systems and to support the uptake of services, it is key to put in place community and feedback mechanisms, to leverage communication channels trusted by displaced communities when disseminating information, and to account for linguistic and cultural barriers. Previous experiences of xenophobia and discrimination by service providers often prevent displaced people from approaching national

<sup>16.</sup> For more information, see Humanitarian, development and peace nexus.

<sup>17.</sup> For more information on the 2023 GRF, see UNHCR Global Refugee Forum 2023.

#### Conclusion

Children who have been forced to leave their homes and communities, a situation they did not cause or contribute to, experience hardships and denial of their rights. Prioritizing the inclusion of displaced children in social protection is not just a moral and legal imperative but a strategic investment in a more equitable and sustainable future. Inclusive social protection will not only safeguard their immediate well-being but also unlock their potential as productive, resilient and contributing members of society. Several opportunities will be available in the coming months and years for policy makers to demonstrate their commitment to expand inclusive social protection systems for displaced children.

The second Global Refugee Forum (GRF) in December 2023 will bring together refugee hosting governments, donors, International Financial Institutions (IFIs), UN entities, civil society, and the private sector to renew existing and make new commitments towards advancing the inclusion and self-reliance of refugees, while easing the pressure on refugee-hosting countries. Social protection-focused pledges<sup>18</sup> have emerged as a priority for many stakeholders, as a vehicle to strengthen the resilience and well-being of displaced children and their hosting communities. Similarly, the United Nations Secretary-General's Action Agenda on Internal Displacement (UN, 2022) provides an important platform to strengthen the role of social protection to prevent new displacement, protect and assist internally displaced children and their families, and facilitate durable solutions.

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This year, 2023, marks the mid-point for the achievement of the SDGs. This is a juncture for policy makers to take stock of progress made and further reinforce efforts to ensure that the SDG targets, including those related to the elimination of child poverty and the achievement of universal social protection floors, are met by 2030. This includes the UN Secretary General's Global Accelerator on Jobs and Social Protection for Just Transitions that aims to extend social protection coverage to an additional 4 billion people by 2030. This offers a critical opportunity to draw attention to inclusive social protection as a key vector to achieving the SDGs, in particular SDG 1 "No poverty".

<sup>18.</sup> More information is available here concerning the Multistakeholder pledge: Economic inclusion and social protection.

Leveraging these opportunities is critical to demonstrate our collective commitment to upholding children's rights and ensuring that no child is left behind.

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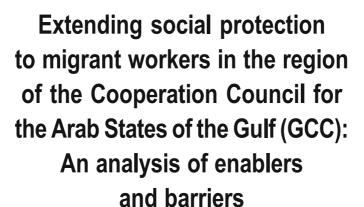
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Check for updates



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**Abstract** This article explores factors influencing the extension of social protection to migrant workers in the region of the Cooperation Council for the Arab States of the Gulf (GCC). While there are some indications of new momentum for reforms, we find that reforms to address gaps in legal social protection coverage have historically been hindered by the very design of the migration system, including

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the assumed short-term migration time frame and over reliance on employer-sponsored provisions, as well as the political economy in the region, which translates into a segmented labour market and associated social protection entitlements for national and migrant workers, and limited channels for worker representation. Despite mechanisms being developed, labour dispute and judicial systems are often ineffective in protecting workers and their families when benefits are not paid. Bureaucratic, financial, language, documentation and geographic barriers constitute further obstacles to migrant workers' access to social protection in practice. The article closes with key policy implications, including measures for: developing comprehensive legal provisions in line with international standards and principles as well as the commitments to leave no one behind and to ensure social protection for all in the United Nations 2030 Agenda for Sustainable Development; addressing practical barriers, power imbalances and outreach, monitoring and enforcement gaps; and strengthening dialogue and collaboration between all actors, including GCC and country of origin governments, employers, workers, and wider stakeholders advocating for migrant workers' rights.

**Keywords** migrant workers, coverage, social protection, Arab countries, Gulf States, Gulf Cooperation Council

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#### Introduction

Social protection is a basic human right for all. This right is enshrined in multiple international human rights, labour and social security instruments and agreements, as well in the 2030 Agenda for Sustainable Development pledge to leave no one behind and the accompanying target to ensure social protection systems and measures for all. Globally, social protection systems have seen impressive growth in recent decades, having now been established in virtually all countries (ILO, 2021a). However, the expansion has not encompassed all groups equally, with migrant workers standing out as one group still experiencing lower coverage (ILO, 2021b).

The challenges of extending social protection to migrant workers are evident in the countries of the Cooperation Council for the Arab States of the Gulf (GCC), where migrants constitute over three-quarters of the workforce – between 76 per cent in Saudi Arabia and up to 95 per cent in Qatar (GLMM, 2022). This creates a need to better understand the current state of social protection coverage for migrant workers in the region, and the enablers and barriers determining coverage.

This article aims to help fill this gap, sharing findings from a regional study that was conducted within a larger project supporting exploratory research and policy dialogue in the GCC countries.<sup>1</sup> To be published by the International Labour Office (ILO, 2023c), the regional study explores legal (de jure) and effective (de facto) access of migrant workers<sup>2</sup> to social protection across each of the nine contingencies outlined in the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102). The study was based on a literature review conducted in English and Arabic, a review of legislation in each GCC country, and 50 key informant interviews conducted between November 2021 and May 2022 in five GCC countries. Interviewees included representatives from governments, diplomatic missions from migrant workers' countries of origin, employer and worker associations, civil society and international organizations.

This article provides a summary of the current state of access, followed by a more detailed exploration of the key factors identified as influencing the expansion of legal provisions and extent of access in practice. It concludes with forward-looking remarks for promoting enhanced access to social protection for migrant workers in this region, in light of international social security standards.

# Social protection coverage of migrant workers in the GCC countries

# State of de jure coverage

In the GCC countries, the majority of nationals are employed in the public sector, which is typically better renumerated and covered by generous social protection provisions (GLMM, 2013; ILO, 2021c). By contrast, the majority of migrants work in the private sector. Even for citizens, social protection for the private sector is generally weaker, typically relying on inequitable and inefficient

<sup>1.</sup> This project is overseen by the International Labour Office (ILO) and funded by the Swiss Agency for Development Cooperation. The main Regional Report was written by authors from ILO and ODI, produced in collaboration with the International Organization for Migration (IOM).

<sup>2.</sup> The term "migrant workers" indicates non-GCC countries' nationals working in the GCC region. It does not examine coverage of GCC nationals working in other GCC countries as they are a small minority of migrant workers and are covered by a multilateral agreement ensuring coordinated regional access to social security.

Social protection provisions for migrant workers are weaker still, since the principle of equal treatment with citizens is only followed for certain benefits<sup>3</sup> (ILO, 2023a). Social security rights that are independent of, or extend beyond, a specific employer-employee relationship are largely or wholly neglected. This is true for family benefits, unemployment benefits,<sup>4</sup> and old-age, disability and survivors' pensions, with the only widespread entitlement for migrant workers after leaving a job being the end-of-service-indemnity (EOSI). For those not covered by labour legislation, social protection is even more limited; for example, those in domestic work, part-time work, seasonal or casual work, and those lacking a regular residence or work visa.<sup>5</sup>

Against this backdrop, there are some positive indications of reform in relation to historically neglected areas of social protection for migrant workers (ILO, 2023a). In some cases, there has been an encouraging shift away from traditional employer-liability provisions to include migrant workers in national social insurance systems. In Bahrain and Saudi Arabia, migrant workers are legally allowed access to social insurance systems on equal terms with nationals for protection against employment injury – and, in the case of Bahrain, also unemployment (ILO, 2023a). Oman is paving a new model across the region with newly adopted legislation granting migrant workers access to national social insurance coverage across multiple contingencies – sickness, maternity and employment injury – on equal terms with national workers. In the wake of very recent reforms in Bahrain and Oman, a number of countries in the region are considering transforming EOSI into state-managed provident funds (ILO, 2023b).

In other cases, there has been a shift towards mandatory, publicly regulated private insurance. With the exception of five of the seven emirates that comprise

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<sup>3.</sup> The nine benefits outlined in the ILO Social Security (Minimum Standards) Convention, 1952 are: medical care; sickness; unemployment; employment injury; old-age; invalidity/disability; family; maternity and survivors' benefits. In the GCC, migrants and citizens working full-time in private-sector employment do generally have the same right to sick leave, maternity leave and employment injury benefits through employer-liability provisions. For medical care, an increasing number of health sector-related laws in the GCC region cover migrant workers, but generally on distinct terms from nationals, with a recent shift away from national health system inclusion towards mandating private health insurance for migrant workers and to serving them through separate health facilities.

<sup>4.</sup> Except in Bahrain, and very recently in the United Arab Emirates.

<sup>5.</sup> For example, domestic workers are covered only by a few labour law provisions in Bahrain, and otherwise by select provisions in domestic worker laws in Kuwait, Qatar, Saudi Arabia and the UAE. For further details on provisions for those in diverse forms of employment, see ILO (2023a).

the United Arab Emirates (UAE), employer-funded health insurance coverage for migrant workers will soon be mandatory for all GCC countries, typically through a private insurance model (ILO, 2023a). The UAE has also recently introduced a requirement for private-sector employees to purchase private unemployment insurance – applicable regardless of nationality. In the Dubai International Financial Centre (DIFC), the EOSI has recently been replaced by a privately run, mandatory defined contribution savings scheme. The adoption of private-insurance based solutions over social insurance mechanisms needs to be assessed carefully as, in the absence of strong public regulation and monitoring, such mechanisms have the potential to reduce elements of solidarity, widen inequities, put benefit adequacy at risk and increase inefficiencies and transactional costs across the board (ILO, 2023b).

There are also signs of wider reforms aiming to extend or guarantee the provision of benefits for historically excluded migrant worker groups. Notably, a few measures for domestic workers have begun to be established through the recent development of domestic worker-specific laws (e.g., in Saudi Arabia, Kuwait, Qatar and the UAE), as well as select provisions in Bahrain's 2012 labour law and domestic workers' inclusion in national health insurance laws (ILO, 2023a).

While these are positive signs, it must be noted that within new legal provisions, the scope, adequacy and financing mechanisms do not always align with international standards<sup>6</sup> that require benefits to be collectively financed by workers and employers, broad risk pooling, the principles of portability and exportability of entitlements,<sup>7</sup> and equality of treatment.

### State of de facto social protection coverage

While the legal provisions described above are critical to ensure protection for migrant workers, they mean little for workers' welfare if they are not properly implemented in practice. There are, however, major evidence gaps on the extent to which migrant workers are successfully accessing provisions in the region, with currently available quantitative evidence typically limited to ad hoc,

<sup>6.</sup> Social Security (Minimum Standards) Convention, 1952 (No. 102); Equality of Treatment (Social Security) Convention, 1962 (No. 118); Maintenance of Social Security Rights Convention, 1982 (No. 157).

<sup>7.</sup> The terms "portability" and "exportability" refer to the maintenance of acquired rights and rights in course of acquistion as well as payment of benefits abroad. While portability requires cooperation between the host and origin countries, exportability requires action on the part of only one country and the benefits paid are determined by the social security institution of that country (ILO, 2021b). For more information, see Sabates-Wheeler and Koettl (2010); Hirose, Nikač and Tamagno (2011); Taha, Siegmann and Messkoub (2015); Holzmann et al. (2016).

country-specific studies on specific contingencies, conducted by NGOs, academics and, in a few cases, government or intergovernmental agencies.<sup>8</sup>

Based on the limited data available and on the key information interviews conducted, there appears to be significant gaps between the social protection legislation and migrant workers' actual access to such provisions, although with a more favourable picture in some areas (ILO, 2023c).

While registration in health insurance systems seems to have generally improved in recent years, access to medical care in practice is more mixed, often depending on the specific company and location in which migrant workers are employed. When unwell, the evidence indicates that migrant workers are not consistently able to take paid time off, whether because of the employer's lack of awareness or compliance, or the employee's fear of losing wages or employment. In the case of an injury at work, available evidence suggests that compensation is not always being provided at the level required by law.

Cases of EOSI benefits that are not being (fully) paid also continue to be widely noted, including in cases where companies face financial difficulties or bankruptcy – as was common during the COVID-19 pandemic. In relation to maternity benefits, there is little evidence on migrant workers' de facto access to paid leave, in part because many female migrants work in sectors without such entitlements (such as domestic work). In the only country where migrant workers have historically contributed to the unemployment insurance system (Bahrain), migrant workers constitute the largest share of scheme contributors but have thus far only represented a small fraction of beneficiaries, with significant barriers to effective access being documented. In addition, access to social protection rights appear to be even more limited for certain groups of migrant workers, including those working for lower wages, in smaller companies, in geographically or socially isolated conditions, in sub-contracting relationships or the platform economy, or those with irregular status.

<sup>8.</sup> For example, for studies on migrant workers' access to health care in GCC countries, see Joshi, Simkhada and Prescott (2011); Koorneef et al. (2012); Gardner et al. (2013); Jayaweera, Shlala and CENWOR (2015); General Authority for Statistics (2018); Alsharif and Malit (2020); Ewers et al. (2020); Kuncic and Sosa Andrés (2021); Malaviya et al. (2022); Vital Signs Partnership (2022a); and Ministry of Social Solidarity (forthcoming). For sickness benefits, see Joshi, Simkhada and Prescott (2011) and Equidem (2022). For employment injury, see Kuwait Society for Human Rights (2018); ILO (2021d); and Vital Signs Partnership (2022b). For end-of-service-indemnity, see Mafiwasta (2009); DLA Piper (2014); Foley and Piper (2021); Equidem (2021, 2022); ILO (2023b); and Ministry of Social Solidary (forthcoming). For unemployment in Bahrain, see Social Insurance Organization (2021); Sato et al. (2021); and Migrant-Rights.org (2022a).

<sup>9.</sup> Unlike in other parts of the world, digital platform workers in the GCC countries are typically employed by an agency in the GCC, that is legally responsible for ensuring their access to labour law provisions. But in practice, it appears that they are often left in a grey area, considered as self-employed and therefore not covered with employer-provided entitlements.

Given the gaps in provision from GCC employers and governments, migrant workers are in practice often dependent on private savings, charitable provision and mutual support from within migrant communities to cover their social protection needs. This is sometimes complemented by unilateral measures taken by countries of origin. For example, various Asian countries of origin, such as India and the Philippines, permit or require migrant workers to continue participating in national health insurance or social security systems during their overseas employment and have established migrant worker welfare funds that aim to provide (often limited) support in the event of employment injury or death. This array of substitute arrangements helps to subsidize social protection gaps to some extent. However, such provisions are inevitably insufficient, often only voluntary, and not homogeneous. Furthermore, where workers are themselves required to pay into private insurance or government schemes organized by the country of origin, with no participation by the employers or the GCC governments who benefit from their labour, it places an outsized burden on migrant workers to finance the bulk of long-term social protection costs.

#### Key enablers and barriers to extending coverage

Given both the developments and gaps in coverage discussed so far, there is a need to better understand the factors influencing the extension of social protection to migrant workers in the GCC context. This section discusses the key factors identified through the research, looking in turn at factors influencing i) the extension of legal coverage, and ii) the extension of coverage in practice.

# Factors influencing the extension of legal (de jure) coverage

When considering the factors enabling or hindering the legal expansion of social protection rights for migrant workers, four key themes were identified through the research.

**Design of the migration system.** Perhaps the main structural factor limiting migrant workers' de jure access to social protection in GCC countries is the dominant migration policy framework of the region itself. This framework is designed to enable GCC states to secure foreign labour through a system that frames migration only as temporary residence for employment purposes without

For many decades, the key mechanism for realizing this migration model has been the *kafala* system, in which a migrant worker's immigration and legal residency status is tied to an individual sponsor throughout the contract period in a way that largely prohibits the worker from entering or leaving the country, or resigning from or changing employment, without first receiving the employer's explicit permission to do so (Kagan and Cholewinski, 2022).

This system has hindered migrant inclusion in social protection systems in various ways. As discussed in our key informant interviews and in the wider literature (Calabrò, 2021; Mlambo and Zubane, 2021), it minimizes the State's direct liability for migrant workers' protection and instead places financial and legal responsibility on each sponsor. It also entrenches individually financed, employer liability approaches to social protection that do not allow for solidarity across workers, employers and sectors, hence falling short of international social security standards. The assumption, among GCC citizens, governments and employers alike, that migrant workers' residence will be only temporary and employment-based has largely prevented the extension of any social protection measures that may support workers to raise families in the region or to contribute to unemployment insurance or pensions systems.

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The *kafala* system is starting to be reformed, with particular steps to increase worker mobility in Qatar and, to a lesser extent, Saudi Arabia. Other contexts such as Bahrain and the UAE have experimented with new forms of migrant employment permits for "flexible" or freelance work. These reforms are important measures to increase migrant workers' mobility and employment options. In a few cases, the recognition of shifting employment arrangements may also be helping to spur some extension of social protection coverage, for instance the new requirement for private-sector workers in the UAE to purchase mandatory private unemployment insurance – though without any mechanism for employer contributions.

In general, however, the implications for social protection systems of reforming sponsorship arrangements have not yet been considered. Since the existing, but limited, social protection in place for migrant workers was conceived for

10. This is reflected even in the terminology used by GCC governments; the Arabic term used to describe migrant workers translates into English as "incoming workforce", thus avoiding any insinuation of long-term migration (which is implied by the strict translation for migrants in Arabic). In the Abu Dhabi Dialogue, the official terminology for migrant workers is "temporary contractual workers". However, it is worth noting that there have been some potential signs of a shift in thinking on this topic in relation to high-income migrant workers in the UAE, with certain social protection reforms such as the Golden Pension Plan and the DIFC Employee Workplace Savings Plan being introduced, seemingly with a focus on recruiting and retaining "high-skilled" and high-earning talent for the longer term.

single-employer, single-contract arrangements, it is a challenge to adapt these systems so that they can: i) preserve and combine entitlements as increased mobility is allowed across multiple employers; ii) extend coverage to workers who are effectively self-employed; and iii) expand provisions to account for the new risks and vulnerabilities that workers may now face, such as periods of unemployment between contracts.

**Extent of migrant worker representation.** Another major factor influencing – and, in general, hindering – progressive policy reform in the GCC countries continues to be the limited extent of migrant worker representation and bargaining power.

Freedom of association is restricted in much of the region and channels for representation of migrant workers are particularly limited. Such constraints have been widely documented in the literature (e.g., Babar, 2013; Aarthi and Sahu, 2021; Aboueldahab, 2021; Equidem, 2021), and were similarly raised by key informants in our research, with several highlighting the heavy ongoing restrictions on migrant workers' ability to organize and advocate for their rights.

That said, there are some encouraging signs of new engagement platforms emerging with the potential to help address the labour conditions of migrant workers. While these can by no means substitute for true freedom of association or collective bargaining mechanisms, key informants noted the potential role of three emerging channels for representation and advocacy.

First, newly established workers' networks, such as the Joint Committees for employers and employee-elected representatives in Qatar, offer a possible new mechanism for raising workplace issues (ILO, 2022b) – though key informants from civil society noted that these committees cannot be equated to a trade union movement and are too nascent to assess their impact on policy or practice.

Second, while migrant workers are legally excluded from trade union representation in all Arab States except Bahrain and Oman, examples of potential alternative trade union representation did emerge. These include worker liaison networks that international trade union organizations, such as Building and Wood Workers' International (BWI), are setting up in some parts of the GCC, as well as GCC trade union agreements with trade union federations in migrant worker countries of origin. That said, key informants also noted that limitations on the independence of trade union and civil society organizations in the GCC context remain a concern for effective migrant worker protection.

A third potential channel for representation includes diplomatic missions and country-of-origin governments. Past research by Malit and Tsourapas (2021) and key informants in our research highlighted the more active role of certain diplomatic missions, such as the Philippines, in negotiating stronger bilateral agreements and standard employment contracts with GCC countries. At the

multilateral level too, several key informants recognized the potential for intercontinental dialogue mechanisms involving both destination and origin countries (such as the Abu Dhabi Dialogue) to play a greater role in negotiating better social protection for migrant workers in the GCC. Nonetheless, key informants and past research also acknowledged the challenges of relying on country-of-origin governments for migrant worker representation. Diplomatic missions have limited capacity and are constrained by wider political and economic priorities – including their governments' financial reliance on GCC countries to absorb excess labour that can in turn generate large remittance flows (Aarthi and Sahu, 2021). Where social protection provisions have been included in bilateral labour agreements, these often serve at best as an additional enforcement mechanism of existing social protection entitlements, rather than as a method of extending new rights to migrant workers. In any case, reliance on bilaterally negotiated agreements may only cover workers from one specific country of origin, paving the way for segmentation in protection levels amongst migrant workers, weakening collective bargaining, and hindering efforts to establish a common floor of protection for all migrant workers (Hirose, Nikač and Tamagno, 2011; ILO, 2021b).

Challenging domestic political economy. Beyond migrant worker representation challenges, the domestic political economy in the region is also unfavourable in a broader sense, with weak incentives for key stakeholder groups to strengthen migrant worker rights. Such political economy constraints were repeatedly discussed by key informants in our research as well as in the wider literature (e.g., van Ginneken, 2013; World Bank, 2018; Herb and Lynch, 2019).

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First, a core tenet of the social contract in the Gulf has historically been based on citizens' access to public employment and the distribution of rent from natural resources, which by construct would exclude non-citizens. <sup>11</sup> Expanding migrants' access to citizenship or to any of the rights associated with citizenship may not therefore be in the direct interest of GCC citizens. Likewise, since most citizens work in public-sector employment, their interest in mobilizing for reforms to improve social protection in the private sector may be limited.

From the perspective of employers, the easy access to low-wage labour and the priority to compete in international markets has created little incentive to

<sup>11.</sup> Much of the original theory on this topic in GCC countries builds on the discussion in Beblawi (1987); however, as outlined in Hannieh (2018), it is important to note that GCC countries cannot be understood in standalone territorial terms but through their economic and financial exchanges with Western markets and neighbouring Arab countries. This means that the political economy of GCC countries is best understood by their position in global economic exchanges and transnational economic connections.

State efforts to address inadequate conditions for "low-cost" migrant workers are hindered by the assumption among some that the availability of workers on such terms is necessary for national competitiveness and growth. Governments are also more preoccupied with other labour reform agendas ahead of migrant worker concerns. Growing rates of citizen unemployment in some GCC countries (especially Saudi Arabia), and the large financial load of the oversized public sector have resulted in a "workforce nationalization" push across the GCC to try to increase citizens' employment in the private sector and reduce reliance on the oversized oil-dependent public sector. While this push has the potential to improve private-sector conditions for all, the emphasis of such discussions to date has generally been on making the private sector more attractive for citizens specifically, rather than on enhancing sector provisions more generally for migrant workers too.

Recent developments may to some extent be altering the political economy balance. First, several countries in the GCC are moving towards the definition of a new social contract, for example with the gradual introduction of indirect and direct taxation and progressive de-subsidization. While the impact of these developments on migrant workers is not yet clear, potential shifts in citizen-state relations, including in the context of diversification from the oil-based economy, could also influence migrants' contributions to state revenues and corresponding access to services, including social protection.

Second, growing recognition that the economic model in the region is not sustainable in the long term has resulted in increasing initiatives to shift from the current labour-intensive model dependent on low-wage migrant workers to a capital-intensive model that is more heavily based on a knowledge economy (Mishrif, 2018). Realizing this transition will require highly-educated international talent, which in several cases is already resulting in new measures to attract and retain high-wage migrant workers (Gagnon and Gagnon, 2021; Khadri, 2018).

Finally, as noted by several key informants, the COVID-19 lockdown restrictions and economic downturn may have helped to shift employers' thinking about certain provisions given the intense financial pressures that employer-liability provisions generated when workers were laid off or unable to work en masse. However, government revenues were also pressed by the pandemic-induced decline of many key sectors (tourism, aviation, retail and construction). Coupled with a stark fall in oil prices at the time, this strengthened the sentiment that newly unemployed citizens must be prioritized for private-sector jobs ahead of migrant workers (Alsahi, 2020). Thus, while the pandemic created some momentum for reforming the arrangements for protecting migrant workers in the short term, it remains to be seen how this will interact with broader GCC economic concerns to influence future legal reforms.

International attention and commitments. Alongside the relations between domestic stakeholders, the research also highlighted the influence that international attention, frameworks and commitments may have on shaping support for legal reforms. For example, key informants from civil society and diplomatic missions pointed to the impact of international Conventions in helping to build the case for legal reforms – even when the GCC countries do not actually ratify those Conventions. One cited example was the ILO Domestic Workers Convention, 2011 (No. 189), which has not been signed by any GCC country, but was felt to have been part of the momentum behind the adoption of domestic worker-focused laws in Saudi Arabia (2013), Kuwait (2015), Qatar (2017) and the UAE (2017). Similarly, key informants noted the potential for international review mechanisms to be used to promote effective policy change (such as the ILO supervisory system, recently activated in Qatar), although it was noted that reviews must be paired with effective implementation mechanisms to facilitate changes in practice.

Other key informants noted the impacts that can follow when international pressure increases due to greater global attention to migrant worker issues in the region. For example, international public concern about workers' rights in Qatar, as the host of the FIFA 2022 World Cup, was perceived to have contributed to the government's heightened focus on strengthening frameworks to enhance and monitor the working conditions of migrant workers. There is now a key need to maintain such momentum in the aftermath of such heightened international attention.

Factors influencing the extension of coverage in practice (de facto access)

Given the gaps between legal and effective coverage, the research also explored the factors influencing migrant workers' access to social protection in practice. While some factors, such as power imbalances within the migration system, overlapped with the determinants of legal reforms, others were unique to de facto considerations.

**Power imbalances in the migration system.** As well as limiting the expansion of workers' legal entitlements (as discussed above), the power structures and imbalances inherent in the current migration system also hinder workers' ability to access the entitlements they have already been accorded.

First, the dependence on the sponsor-based *kafala* system grants employers considerable discretion when defining workplace conditions. This can make it easier for them to default on certain legally mandated social protection provisions, including by substituting the initial contract signed in the country of

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origin with a less favourable one upon the worker's arrival in the GCC country (as also documented in earlier literature, Atong, Mayah and Odigie, 2018; Holliday and Barber, 2019). Given the historic restrictions on workers' ability to leave or change jobs without employer authorization, concerns about being reprimanded, dismissed, evicted and potentially deported may prevent workers, both, from advocating for their entitlements and from formally disputing non-compliance. While reforms are taking place to increase mobility between employers, these are not yet fully effective across the GCC and even with adjustments to the law many of the perceptions and structures underlying the *kafala* system remain in place.

Under the current migration system, workers' access to social protection provisions or to complaints mechanisms may also be physically limited. For example, employers may monitor or restrict employees' movements at work and in employer-provided accommodation. In addition, workers may only be legally and financially able to stay in the country for a limited period after their employment ends. This may prevent them from accessing (or reporting lack of access to) benefits that they may be entitled to at that stage, such as EOSI benefits, or unemployment benefits in the case of Bahrain (*Migrant-Rights.org*, 2022a).

Given the State's lack of legal responsibility for workers' social protection under the sponsor-based *kafala* system, access to benefits has been further complicated where migrant workers are engaged in more complex contractual relationships. For those employed in subcontracting chains, the layers of contractors can make it difficult to ensure responsibilities for workers are adequately fulfilled – or to enable workers to successfully complain when protections are not provided. Meanwhile, workers in the gig economy or other forms of quasi "self-employment" ought to receive social protection from the intermediary sponsoring their employment in the GCC, <sup>13</sup> but the limited evidence to date suggests that this often does not happen in practice (*Migrant-Rights.org*, 2022b).

Levels of awareness and outreach. While the structural design of the migration system is a key determinant of migrant workers' access to social protection provisions, such access is also shaped by the levels of awareness about entitlements and by the effectiveness of outreach mechanisms informing relevant stakeholders about such provisions.

Past research on the GCC has suggested that migrants' awareness can be a notable access barrier, with many workers lacking an understanding of social

<sup>12.</sup> For example, given that migrant workers are required to pass health checks as a prerequisite to qualify for sponsorship and, in turn, employment, they may fear that they will lose their job and then fail to secure a new one if they disclose health problems, limiting their access to both health care and sick leave provisions (Al-Harahsheh et al., 2019; ILO, 2020).

<sup>13.</sup> For example, licensed taxi companies in the case of Uber drivers.

protection to the point of knowing when and how they may access it (e.g., GAATW, 2017; Atong, Mayah and Odigie, 2018). Key informants in our research differed on their views on the subject. Some suggested that workers frequently do indeed lack knowledge of their entitlements, especially if social protection provisions are weak in the country of origin. Others argued that migrant workers are often highly aware of their rights, but given their economic position are not realistically able to challenge the absence of such provisions.

Several key informants discussed the importance of outreach mechanisms, such as pre-departure or post-arrival orientations, for increasing workers' awareness of their rights to social protection and the necessary steps for accessing it. However, only some countries of origin and destination require training by law, and it was noted that the quality, comprehensiveness and focus on social protection topics within the training content varied significantly. Ad hoc or recurring awareness campaigns may also help strengthen migrants' understanding of, and access to, social protection. However, it was noted that social protection information is often only shared as a sub-set of broader labour rights-focused campaigns and may not reach all migrant workers equally, given their diversity of languages, networks and needs.

Finally, the research also highlighted the potential awareness gaps among employers regarding social protection obligations for migrant workers. While measures to address such gaps were not discussed at length by key informants, comments regarding employer uncertainty about social protection requirements suggest a potential need for targeted initiatives to ensure employers understand the entitlements and procedures required of them, particularly in contexts with recent reforms.

Monitoring and enforcement efforts. Gaps in oversight of national legislation and adherence to international labour and social protection standards by governments are well documented in the GCC region (Aboueldahab, 2021; Archer, 2019; Equidem, 2021) and were echoed in our key informant interviews. State monitoring and enforcement is a particular challenge for employer-liability provisions, a situation that is complicated further for domestic workers employed in private households.

There were, however, a few positive examples of improved monitoring and enforcement of employers' compliance in GCC countries. Some examples related to initiatives run directly by the State, for example checks to ensure migrant health insurance by the Cooperative Health Committee within Saudi Arabia's Ministry of Health (ILO, 2023a) or the Workers' Support and Insurance Fund (WSIF) in Qatar (ILO, 2022b). The WSIF was established in 2019 to support workers to access their entitlements in cases of non-payment and to then reclaim

the unpaid amounts from the employer, though there have been concerns about the accessibility and sustainability of the mechanism as well as the cap on the total payments for each claimant.

Other examples related to new monitoring or enforcement initiatives involving state collaboration with other actors. For example, key informants from Bahrain and Qatar pointed to agreements now in place between the labour ministry and the Migrant Forum in Asia (MFA)<sup>14</sup> to facilitate access to, and the effective use of, existing monitoring mechanisms, including labour complaints mechanisms. In the UAE, a new model for overseeing the employment of domestic workers, *Tadbeer*, had recently been introduced, in which domestic workers are managed not only by the employing family but also by a professional company approved by the Government. Again, it was too early to assess impact but worth noting that while supporters of the model considered it a stronger guarantee of rights, critics viewed it as essentially outsourcing the government's monitoring functions, thus failing to comply with the ILO Labour Inspection Convention, 1947 (No. 81). The UAE has ratified the latter.

Many additional examples were also noted of other actors taking initiatives to promote accountability where social protection provisions have not been respected by employers and enforced by GCC Governments. Throughout the GCC region, but particularly in Bahrain and Kuwait in our research, civil society organizations were recognized for providing legal support for migrant workers. Countries of origin were also highlighted as holding important potential to enforce the employment contracts of their citizens working in GCC countries, by verifying contracts prior to travel and liaising with destination-country governments in instances of non-compliance. The majority of "enforcement" strategies shared related to the use of a mediating approach to try to resolve issues of non-compliance. In part, this was due to a lack of human and economic resources to fund lengthy, costly and uncertain legal court cases, but some key informants also argued that such trials rarely resulted in a favourable outcome for the worker.

**Practical hurdles.** Alongside the structural constraints in the current migration system and the limitations in outreach, monitoring and enforcement mechanisms, various practical hurdles constitute further obstacles to workers' access to social protection in practice. As noted by key informants and in earlier research (e.g., Vital Signs Partnership, 2022a; ILO, 2022a), procedures to access either social protection services or grievance mechanisms are frequently too bureaucratically complex to navigate. In other cases, the cost of contributing to or

<sup>14.</sup> A regional network of NGOs, associations and trade unions of migrant workers and individual advocates.

accessing social protection schemes surpasses the capacity of migrant workers – especially those on low wages. Such constraints were particularly observed in relation to health care; even if insurance premiums are paid by the employer, there are often co-payments at the point of accessing services, or indirect costs relating to transportation or taking the time off work, all of which are challenging for workers to afford. Language barriers were highlighted as preventing migrant workers from accessing vital information, communicating with institutional bodies, and effectively pursuing justice. Identification and documentation barriers can also significantly constrain workers' access to social protection benefits, for example when employers do not punctually update workers' residence cards or other insurance records. A final barrier may be geographical; many migrant workers live and work in isolation from the host society, which may hinder their awareness of what their rights are and how to access them. Geographic hurdles may also be prominent in cases where workers or their dependants are trying to access social protection or justice mechanisms from the country of origin – either to follow up on unpaid benefits after the worker's return or in the case of the worker's death.

#### **Conclusions**

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#### What does the analysis tell us?

There is a growing set of legislation across the region that is granting migrant workers' access to certain social protection benefits. Even so, various contingencies remain largely or wholly neglected for migrant workers, particularly those social security rights that are independent of a specific employer-employee relationship or that relate to longer-term risks. Consequently, the systems and provisions in the GCC countries currently fall short of international social security standards, notably those reflected in ILO Conventions, in relation to solidarity in financing, coverage, comprehensiveness, adequacy, predictability and the role of the State in ensuring effective access. Reforms to address such gaps are hindered by the very design of the migration system in the region, including the sponsor-based *kafala* system and assumed short-term migration time frame, as well as the challenging political economy in the region with the segmented labour market and associated social protection systems for national and migrant workers, combined with the limited channels for migrant worker representation.

While there is no quantitative data comprehensively measuring the de facto access to social protection of migrant workers in the GCC region, the evidence available suggests that there are also significant gaps between, on the one hand, social protection legislation and, on the other hand, employers' compliance and

migrant workers' actual access to such provisions. There are some examples of improved state oversight complementing long-standing advocacy by civil society organizations and diplomatic missions. Even so, power imbalances enabling employer non-compliance are still not sufficiently mitigated by monitoring and enforcement mechanisms, with limited labour dispute and judicial mechanisms leaving workers and their families poorly protected when benefits are not paid. These challenges are not unique to social protection; they also contribute to a weak labour protection environment in general, affecting broader working conditions and non-payment of wages, among other challenges.

### Forward-looking implications

A wide range of actors – governments of countries of destination and origin, workers and employers' organizations, diplomatic missions and civil society, including researchers – can play a role in ensuring that migrant workers' access to social protection in the GCC is maintained and improved. As a first principle, there is a clear need for additional and ongoing research on the extent to which migrant workers can access legal entitlements, particularly given the lack of representative quantitative data on this topic. To assess changes in social protection coverage over time, data on de facto access should be systematically collected, including by ensuring disaggregation of social protection indicators for the national and migrant workforce in socioeconomic and employment datasets collated for national statistics; for example, data on migrants and citizens is collected in Saudi Arabia's household health surveys, enabling comparisons in their rates of health insurance coverage.

Beyond this, there are several policy measures that already emerge as critical for effectively extending social protection to migrant workers in the region. Improving de jure protections requires further ratification and implementation of key Conventions and international standards relating to social protection, which remain largely unsigned to date by GCC countries. Access to social protection for all, including migrant workers and their families, is also among the priorities of the United Nations (UN) 2030 Agenda for Sustainable Development. In relation to national legislation, efforts are needed to sustain positive reform trends where such trends exist. The aim should be to: i) reduce the gap between public- and private-sector provisions; ii) extend social protection legislation to cover workers in diverse forms of employment; iii) enable migrant workers' inclusion in national social insurance systems; iv) reinforce efforts to regularize and provide social protection access for workers with irregular status or in the informal economy; and (v) strengthen the role of the State as guarantor of social security rights.

There is also a need to halt and reverse some of the more concerning trends that have been documented, including where national social protection systems have been further segmented, for example through fragmented private-based solutions. Ongoing *kafala* system reforms must be paired with efforts to develop effective social protection covering workers' increased mobility in the evolving migration system. There is also a need to determine how migrant workers can be protected against the long-term risks they will face upon return from GCC employment, and to explore solutions to the long-standing issue of social security coordination and the portability of benefits between systems in countries of destination and countries of origin.

Improving de facto access to social protection for migrant workers in the region requires stronger efforts to proactively monitor employer compliance, including for those in domestic work and complex contracting chains. There is also a need to enhance the enforcement and accountability mechanisms for current provisions, and to dismantle the many practical hurdles identified through this research.

Such efforts will only succeed with greater investment in social dialogue and collaboration between all actors, including in countries of origin and destination, to advance the goal of extending social protection to migrant workers and their families. Explicit and structured platforms for tripartite dialogue are needed between state actors, employers and workers, and including civil society organizations, global, regional and national stakeholders that advocate for migrant workers' rights. Within this process, it is essential to ensure migrant workers' voices, concerns and preferences can be shared without repercussions and taken adequately into account in future policy decisions. To help take this important discussion forward, the ILO has set out concrete policy measures to address these key issues (see ILO, 2023c).

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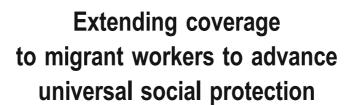
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Abstract Migration is a complex phenomenon that has significant implications for migrant workers' access to social protection and for social security systems in both origin and destination countries. As the number of migrants continues to rise worldwide, policy makers face a multitude of challenges in adapting social protection programmes to meet the needs of an increasingly diverse population. This article explores the relationship between migration and social protection, highlighting key issues and trends that have emerged in recent years. It examines the impact of migration on social security systems in both sending and receiving countries and reports on the ways in which migration patterns can create both opportunities and challenges for these systems. The article provides an overview of social protection measures and gaps in selected countries and considers the need for policy makers to take account of the unique needs and circumstances of migrant populations. The article also explores the role of international cooperation in addressing the social protection challenges and opportunities posed by migration. It considers some of the emerging trends and innovations to support the governance of social protection schemes that may help to address some of the legal and practical challenges faced by migrant workers and social security institutions. The article

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highlights the importance of understanding the complex relationship between migration and social protection to develop policies and programmes that are responsive to the needs of all members of society, regardless of their country of origin or immigration status. It also underlines the importance of quality administration and good governance for the effective implementation of social protection measures. In support of the 2030 Sustainable Development Goals agenda, a call is made for continued dialogue and collaboration among policy makers and stakeholders to ensure that social security systems are equitable, effective, inclusive, and sustainable in an increasingly globalized world.

**Keywords** migrant workers, coverage, social protection, international

#### Introduction

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Migration reflects people's aspirations for a better life for themselves and their families. It is also a complex and dynamic phenomenon and a defining characteristic of our globalized world. According to the International Labour Office (ILO), the estimated number of migrant workers increased globally from 150 million in 2013 to 169 million in 2019. Migrant workers constitute 4.9 per cent of the global labour force and are mainly concentrated in high-income countries within three subregions. They represent 41.4 per cent of the labour force in the Arab States, 20 per cent in North America and 18.4 per cent in Northern, Southern and Western Europe (ILO, 2021a).

Labour migration, when properly governed, can contribute to economic growth and sustainable development for all countries involved (ILC, 2017; UN, 2018). Well-governed labour migration should ensure decent work – including social protection – for migrant workers, reduce the social and financial costs of migration and guarantee the comprehensive integration of migrants into sustainable development endeavours.

Migrant workers bring valuable skills, innovation, and social and cultural diversity. They also contribute to social protection systems and fill labour market shortages in pivotal sectors such as health, agriculture, information technology and care services. Labour migration can also have a positive impact on women's empowerment, allowing women to acquire new skills and better jobs with higher

wages which supports sending remittances home (Holmes and Scott, 2016; ILO, 2021b).

Labour migration can also lead to brain drain, informality, forced labour, trafficking in persons, safety and health hazards and other decent work deficits, as well as racism, xenophobia, violence and harassment (ILO, 2022a; ILC, 2017).

Reaping the benefits of labour migration necessitates rights-based, gender-responsive labour migration governance frameworks guided by human rights instruments and international labour standards. These frameworks should ensure migrant workers' access to social protection including health care. Strong and inclusive social protection systems, which leave no one behind, represent a cornerstone of sustainable development.<sup>1</sup>

Everyone as a member of society has the right to social security and the right to an adequate standard of living and health, as stated in the 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Economic, Social and Cultural Rights. However, in 2022, the stark reality was that some 4 billion people had no social protection at all (53.1 per cent of the global population). Significant inequalities can be observed across and within regions. Coverage rates in Europe and Central Asia are highest at 83.9 per cent, followed by the Americas at 64.3 per cent, then Asia and the Pacific at 44.1 per cent, the Arab States at 40.0 per cent, and Africa at 17.4 per cent (ILO, 2021c). Although there is a lack of available data on the effective social protection coverage of migrant workers, given the important legal and practical obstacles faced by migrants in accessing social protection, it is likely that millions lack access to social protection benefits.

One consequence of the COVID-19 pandemic has been to reveal existing gaps in social protection coverage, especially for vulnerable groups, which has underlined the importance of comprehensive and inclusive social protection systems. Such systems guarantee access to health care, ensure income security and protect jobs and people and are crucial to realize the right to social security for all, including for migrant workers and their families.

In addition to building strong and inclusive social protection systems embedding the principle of equality of treatment between national and non-nationals, there is a need to coordinate across countries to ensure the portability of benefits. While national legislation and policies can enable migrant workers to access social protection, social security agreements can ensure that migrant workers do not lose their benefits or entitlements when they move from one country to another.

Extending social protection coverage to an increasingly mobile and diversified workforce and their dependants can also pose some challenges to policy makers

<sup>1.</sup> See Fast Facts – What is Sustainable Development? for more information on the UN Sustainable Development Goals agenda.

and social security administrations. These challenges partly emanate from a lack of political support at the national level, which is influenced also by the relationships between host communities and migrants, as well as ensuring the capacity and resources to invest in inclusive social protection.

However, to provide migrant workers with access to existing national social and health protection schemes is not only positive for public health but can contribute to the financial health of social insurance schemes and reduce the pressure on tax-financed social assistance schemes. It can also facilitate employee mobility and attract highly skilled workers, contribute to formalization and enhance social inclusion (ILO, 2021b; ILO, 2021c; ILO, 2023d). Inaction, however, inflicts enormous cost on human lives and well-being, as well as a cost in terms of not fully achieving potential improvements in productivity, economic dynamism and sustainable development.

Shifts in political, economic, and social dynamics impact labour market needs and migration flows. These also impose on governments the requirement to adapt their employment and social protection policies to manage changing realities, highlighting the need for policy coherence and coordination at all levels.

This article explores the impact of migration on social security systems, examining the obstacles migrant workers must surmount to access social protection benefits as well as the challenges to be addressed by social security administrations to overcome these same obstacles and meet the needs of an ever more diverse population. Drawing upon social security principles embedded in international labour standards to guide the design of social protection extension strategies, the article considers potential opportunities to extend coverage to migrant workers, which should also ensure that social protection systems are equitable, effective, inclusive, and sustainable.

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### Obstacles to effective access

### Legal exclusions

International migrant workers<sup>2</sup> are a heterogeneous group, and a variety of factors can affect their access to social protection. Indeed, the benefits migrant workers can acquire will depend on their migration, employment, or residence status, but also on their length of stay or period of employment in a country, as well as their type of employment, occupation or sector/industry. Additionally, the level and regularity of earnings will also have an effect. For instance, temporary or seasonal migrant workers may face difficulties in meeting eligibility and qualifying

2. According to ILO estimates, there are 169 million migrant workers worldwide, representing 62 per cent of international migrants (ILO, 2021a).

conditions for certain social protection benefits, such as unemployment benefits or pensions, due to the short duration of their stay in a country. Also, migrants employed in certain sectors, such as in domestic work or agriculture, may be excluded from labour and social security laws, which will affect their access to social protection benefits.

In many countries, the lack or limited scope of social protection schemes for the population in general also prevents migrants from benefitting from adequate social protection coverage. Insufficient fiscal space and investments in social protection have repercussions on the availability of social protection benefits for nationals and non-nationals alike.

A lack of bilateral or multilateral social security agreements can furthermore prevent the portability of social security benefits. These agreements are key to ensure the coordination of social security systems across countries. However, they can be complex and challenging to implement, particularly when migrants move between multiple countries. This can result in gaps in coverage or difficulties in accessing benefits.

These challenges are notably acute for those working in the informal economy or with an irregular status (ILO, 2023d; ILO, 2021d). Many migrant workers occupy low-skilled jobs, for example in agriculture, the garment industry, construction, and domestic work. These sectors and/or occupations are often characterized by high rates of informality, as workers may not be adequately covered by labour and social security legislation owing to high levels of non-compliance (ILO, 2021d). Workers in the informal economy often have fluctuating, unstable or low incomes and, with financing arrangements (i.e., the collection of contributions) not adapted to their circumstances, these workers may face difficulties paying (regular) social security contributions. They may also face obstacles to producing the necessary documentation to access contributory or non-contributory schemes. In addition, employers may be reluctant to register or declare their workers and pay social security contributions, a situation that may be exacerbated when there is a lack of monitoring and inspection.

Migrants in an irregular situation may not be considered by authorities when developing public social and health protection, occupational safety and health (OSH) or other measures and services (ILO, 2021d; Porru and Baldo, 2022; Hargreaves et al., 2019).

Migrant workers in general, but more so those in an irregular situation, as compared to nationals, are particularly vulnerable to hazardous conditions of work, work injury, sickness, abuse and exploitation, circumstances that all worsen during crises. According to ILO statistics, it is estimated that in about 73 per cent of countries with available data, the risk of fatal occupational injuries was higher for migrants than for non-migrants (Porru and Baldo, 2022).

#### Practical hurdles

Institutions and authorities responsible for the delivery of social protection must reduce the practical obstacles migrant workers face. A major obstacle is the lack of available information on existing rights, procedures and how to access these. Information is often only available in the language of the country of employment and not always easy to understand. Administrative procedures are often complex, lengthy and difficult to understand and access, including because of inefficient information technology systems. This is of particular relevance for migrant workers who may be illiterate, and do not know how to seek support. In addition, legal and social support may be limited or not accessible for those working in geographically remote or isolated areas and workplaces. Furthermore, they have more limited access to a support network and representation in workers' organizations. Insufficient or irregular contributory capacity can also limit migrant workers from accessing contributory social security benefits.

Discriminatory attitudes toward non-nationals or migrant workers in specific sectors may further impair their ability to access benefits and services. In this regard, gender norms and expectations, power relations and unequal rights also shape the migration experience of women and girls, as they do also for their male counterparts (Holmes and Scott, 2016). In many countries, women migrant workers often have less information, a lower level of education and are predominantly in low-skilled jobs with low wages in the informal economy in sectors such as agriculture or domestic work. This affects their ability to contribute to and receive benefits from social security, which can have long-term impacts particularly concerning old-age protection (Abdulloev, Gang and Yun, 2014; UNWomen, 2015).

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In addition to analysing the practical obstacles that migrants face in accessing social protection, it is crucial to recognize that the impact of labour migration extends beyond the individual level to the broader realm of social protection systems. Looking closely at the effects of labour migration on these systems uncovers a complex interplay of economic, demographic, and policy dynamics that necessitate careful consideration. Understanding these interactions is essential to crafting solutions that not only address the challenges faced by migrant workers, but also ensure the sustainability and adaptability of social security frameworks in the context of changing labour dynamics.

# The impact of labour migration on social security systems

Social protection systems have undergone significant evolution over the past decades. One of the most notable changes has been the expansion of social

Extending coverage to migrant workers to advance universal social protection

protection coverage to reach a larger portion of the population, including informal workers, the self-employed, and migrant workers amongst others. Countries have historically often initiated the development of social protection, by providing employment injury benefits, before also introducing old-age pensions, disability, and survivors' benefits, and then measures to address sickness, health and maternity protection, and finally child/family benefits and unemployment benefits.

While the expansion of legal coverage came first, this did not automatically lead to ensuring the effective and adequate coverage of the population. This can be attributed in particular to implementation and enforcement challenges, a lack of policy coherence and coordination, insufficient financing, and weak institutional capacities (ILO, 2021c; ILO, 2017).

The extension of social protection to migrant workers has followed the same trends, with countries often prioritizing employment injury benefits for migrant workers, then pensions followed by the other branches. This is demonstrated also by the branches included in most bilateral social security agreements (ISSA, 2022a) and the development of international labour standards over the years. Indeed, the ILO Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), was the first Convention with provisions specifically for migrant workers that focused on employment injury.<sup>3</sup>

To assess the overall impact of labour migration on social security systems, it is essential to consider the specific context in place and the role and influence of migrant workers.

# Migrant workers' contributions to social security funds

Migrant workers can be net contributors to social protection schemes in countries of employment. However, this will depend on the economic situation, demographics and existing policies of the country of employment (OECD, 2013).

For instance, migrants, and especially younger migrants of working age, can contribute to maintaining a favourable demographic balance. An ageing population with fewer young workers can strain the sustainable financing of pension and health systems, but the influx of younger migrants can help alleviate this pressure by helping to increase the size of the working-age population. Nonetheless, when migrants are not well integrated in society and the labour market, when they work in low-skilled jobs, with low wages, in the informal economy, or when they are in an irregular situation, their contribution to formal social security systems may be limited. This can also put additional pressure on tax-financed benefits and health care systems. However, in many countries, migrant workers do not have access to non-contributory benefits, or

3. For more information, see ILO Normlex.

have only limited access that is often linked to the length and type of their residence and employment status (OECD, 2013).

Migrant workers who are employed and contribute to the formal labour market often make regular contributions to the social security system through payroll taxes and other deductions. These contributions help finance various social protection programmes, such as pensions, health care, unemployment benefits, and disability support.

With respect to pensions, migrant workers' contributions can help sustain the system by increasing the pool of funds available for current retirees. This can be particularly beneficial in countries with ageing populations and declining birth rates (ILO, 2020; ILO 2021c). For example, with respect to pay-as-you-go (PAYG) pensions in Member countries of the Organisation for Economic Co-operation and Development (OECD), with the number of retirees projected to increase in the coming decades while the number of workers is expected to decrease due to population ageing, there will be an increase in the cost for active contributors to ensure the continuous financial sustainability of these systems (Roseveare et al., 1996; OECD, 2011).

Various authors have studied migrants' contributions to pension systems especially in countries facing demographic ageing and declining birth rates. For instance, Hans-Werner Sinn (2015), in his study focuses on the potential benefits of immigration in addressing the challenges posed by demographic ageing and the sustainability of pension systems and suggests that well-managed immigration can have a positive impact on the financial sustainability of PAYG pension systems. However, his findings also highlight the importance of considering various factors, including the skill levels and assimilation of migrants, as well as the specific characteristics of each country's pension system and labour market.

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# Migrant workers' contribution to economic growth

Migrant workers can contribute to the host country's economic growth and prosperity leading to increased government revenue, which can be channelled into social security programmes. Their labour participation can lead to higher levels of economic activity, the creation of enterprises and job opportunities, enhanced consumption, and higher tax revenues. In sectors facing labour shortages, migrant workers may fill essential occupations, contributing to the functioning of critical sectors such as health care, agriculture, construction, and hospitality. Their social contributions can also support the financial sustainability of the social security system and help maintain social services and infrastructure.

The fact that migrant workers can contribute positively to the economy of host countries has been documented by the OECD and ILO (OECD and ILO, 2018a).

Key findings on the impacts of immigration on developing countries' economies showed the following:

- Migrants can have a positive impact on economic growth. In some countries, the estimated contribution of immigrants to GDP represents up to 19 per cent (as in Côte d'Ivoire) (OECD and ILO, 2018b).
- Migrants may also create additional job opportunities for nationals, for instance, as in South Africa (OECD and ILO, 2018c).
- When migrant workers are employed in the formal economy, their employment can have a positive effect on public finance (South Africa, Ghana). In Ghana, for example, the contribution of migrants to the government's fiscal balance is greater in relative terms than the contribution of the national population (on a per capita basis)<sup>4</sup> (OECD and ILO, 2018d).

Migrant workers also contribute to the economy of their country of origin. They send back remittances to family members. Of importance, they may remain affiliated and pay social security contributions to schemes in their home country, in particular when the employment abroad is of a temporary, circular or seasonal nature. When migrant workers return home, they can transfer skills and revenues earned abroad. However, for countries of origin, the loss of skilled workers can have a negative impact on the functioning of the labour market and on public finances.

Policy measures, including facilitating access to decent work and health protection, can help maximize the positive contribution of migrants to the social security systems of host countries. These issues are addressed in the following section.

# Meeting the needs of an increasingly diverse population

Developing equitable and inclusive social protection systems

Access to social protection for migrant workers is widely recognized and promoted in numerous legal instruments and international policy frameworks, such as the UN Sustainable Development Goals (SDGs) and the Global Compact for Safe, Orderly and Regular Migration (GCM). SDG No. 1.3 calls for the implementation of "appropriate national social protection systems for all, including [social protection] floors ...". As for the GCM, among the 23 objectives for better managing migration at the local, national, regional and global levels, Objective No. 22 deals with the extension of social protection to migrant workers and promotes the portability of social security benefits.

- 4. This is mainly because the Government spends less on average on migrants than on nationals.
- 5. More information is available here on SDG 1.3, and the role of social protection systems for all, including "floors" to eradicate poverty and promote prosperity.

The ILO promotes a holistic and participatory approach grounded on international labour standards, anchored in social dialogue and involving organizations representative of migrant workers. This approach considers the following factors that affect migrant workers' access to social protection:

the labour migration and mobility landscape; the availability, level and scope of social protection provision in countries of origin and destination; and the heterogeneity and specificities of migrant workers and their family members, including their demographic characteristics, migration and employment status, duration of stay and employment, skill set, income level, and the industry or sector in which they work (ILO, 2022b).

To build effective and comprehensive social protection systems that are inclusive of migrant workers and their families, some specific policy measures can be considered (ILO, 2022b).<sup>6</sup>

Ratify and apply relevant ILO standards. The ratification and application of relevant international human rights instruments and international labour standards (such as ILO Conventions Nos. 19, 97, 102, 118, 143, and 157 and ILO Recommendation No. 202) are important steps to ensuring universal enjoyment of migrant workers' rights to social protection.

There are 20 ILO standards (13 Conventions<sup>7</sup> and seven Recommendations<sup>8</sup>) that include provisions that are of particular relevance for migrant workers'

- 6. See also the ILO strategy on extending social protection to migrant workers, refugees and their families (ILO, forthcoming).
- 7. Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19); Migration for Employment Convention (Revised), 1949 (No. 97); Social Security (Minimum Standards) Convention, 1952 (No. 102); Equality of Treatment (Social Security) Convention, 1962 (No. 118); Employment Injury Benefits Convention, 1964 (No. 121); Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128); Medical Care and Sickness Benefits Convention, 1969 (No. 130); Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); Maintenance of Social Security Rights Convention, 1982 (No. 157); Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168); Maternity Protection Convention, 2000 (No. 183); MLC, 2006 Maritime Labour Convention (as amended); Domestic Workers Convention, 2011 (No. 189).
- 8. Employment Policy Recommendation, 1964 (No. 122); Migrant Workers Recommendation, 1975 (No. 151); Maintenance of Social Security Rights Recommendation, 1983 (No. 167); Domestic Workers Recommendation, 2011 (No. 201); Social Protection Floors Recommendation, 2012 (No. 202); Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204); Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205).

Coordination Principles	Equality of treatment between nationals and non-nationals	The set of social protection benefits provided to migrant workers should be on par with those that nationals receive in terms of level and scope.
	Maintenance of rights in course of acquisition	This principle provides for the maintenance and accumulation of qualifying periods under different national schemes with a view to the aggregation or totalization of periods of insurance, employment or residence (as required) and for sharing the costs of benefits paid between the different social security schemes in each country. This requires bilateral/multilateral social security agreements.
	Maintenance of acquired rights and provision of benefits abroad	The principle provides for the maintenance of acquired rights and for the provision of benefits abroad (portability of earned benefits). Benefits payable under the legislation of one State should be paid abroad and should not be subject to reduction, modification, suspension, cancellation, or confiscation simply because the person resides in the territory of another State party.
	Determination of applicable legislation	Migrant workers should normally be subject to the legislation of the country in which they are employed (principle of <i>lex loci laboris</i> ). However, there may be exceptions, for instance for posted workers, temporary migrant workers, etc. Such exceptions with regards to the applicable legislation should be clarified in legal frameworks and/or coordination agreements.
	Mutual administrative assistance	The implementation of social security agreements, requires social security administration in different countries to provide each other (on a reciprocal basis) with mutual administrative assistance including data and information exchange enabling, for example, the payment of benefits and verification of information.

Source: See Glossary in ILO (2021b).

social protection. In some cases, migrant workers are not explicitly mentioned in the personal scope, but they are covered as "workers". These standards create legal obligations for ratifying States and guide the development of national social protection policies, legislations and agreements. Embedded in these are the key coordination principles to be included in social security agreements (Table 1).

To measure progress, some figures can be presented:

- 36 per cent of countries worldwide have ratified at least three of the ILO Conventions that are relevant for migrant workers' social protection, and 17 per cent have ratified at least five.
- 9. The ILO Multilateral framework on labour migration 2006 confirmed that "All international labour standards apply to migrant workers, unless otherwise stated" (para 9), in line with the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) observations.

- 16 per cent of all countries worldwide have not ratified any of the relevant ILO Conventions.
- With respect to the three Conventions that specifically address migrant workers' social protection:
  - -36 countries (19 per cent) have ratified the Equality of Treatment (Social Security) Convention, 1962 (No. 118);
  - -4 countries (2 per cent) have ratified the Maintenance of Social Security Rights Convention, 1982 (No. 157);
  - -121 countries (63 per cent) have ratified Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19).

Four UN human rights instruments and 16 ILO standards embed the fundamental principle of equality of treatment (see Box 1) with respect to social protection. 10 This principle is not only a fundamental human right principle but also constitutes an overarching framework that should be included in national social security laws and policies.

However, an ILO mapping demonstrated that only 70 of 120 countries have national laws that provide for equality of treatment between nationals and non-nationals with regard to contributory social security, and only 73 countries with regard to health care (van Panhuys, Kazi-Aoul and Binette, 2017). While the mapping revealed that some of the countries that had not ratified the relevant Conventions, had embedded provisions on equality of treatment in their national legislation, it also revealed that although migrant workers should have the same rights and obligations as nationals of the destination country in respect of social security, many around the world are excluded from health care and income security due to their nationality.

This lack of protection was brought to the fore during the COVID-19 pandemic, where not only were migrants more prone to health risks but also faced reduced or non-payment of wages, worsening working and living conditions and limited access to health care and other social security benefits (ILO, 2020; WHO, 2020; Gammarano, 2020).

This principle recognizes that migrant workers should have, to the extent possible, the same rights and obligations as nationals of the destination country with regard to social security coverage and social security benefits.

Extending coverage to migrant workers to advance universal social protection

# BOX 1. The fundamental principles of equality of treatment and non-discrimination

The following presents the observations of the Committee of Experts on the Application of ILO Conventions and Recommendations (CEACR) in the 2019 General Survey concerning the Social Protection Floors Recommendation, 2012 (No. 202).

In its 2019 General Survey, the CEACR affirms "Equal treatment in coverage and access to social security should be guaranteed to all members of society, who should stand together, non-nationals and nationals, to provide this protection as an expression of solidarity" (ILC, 2019, para. 142). It also emphasizes that non-discrimination is a key principle on which the right to social security is premised and which "pertains to all persons, irrespective of status and origin" (ILC, 2019, para. 142).

The Committee calls on member States "to establish the principle of equality of treatment to ensure that non-national residents, irrespective of their immigration status, have the same social security rights as nationals" (ILC, 2019, para. 143). It "hopes that member States will make efforts to provide non-nationals, even those in an irregular status, including workers in an irregular situation, with access to basic benefits, and particularly to any medical care that is urgently required" (ILC, 2019, para. 143).

**Developing inclusive social protection systems.** Progressively building national social protection systems including social protection floors, that are inclusive of migrant workers, is essential. By developing and/or revising and implementing national labour migration and social protection policies and legal frameworks in line with relevant international labour standards, a level playing field between nationals and non-nationals will be created for the benefit of all.

Ensuring that social protection systems are aligned with international labour standards and the social security principles embedded therein, is key to building adequate, comprehensive social protection for all workers and their families, including for migrant workers. These principles are not only relevant for building social protection schemes, but they are also relevant when extending social protection to migrant workers. In addition, there are five relevant principles to be considered to ensure access to and the portability of migrant workers social protection benefits and entitlements (Table 2).

**Table 2.** Social security principles embedded in international labour standards relevant for the design of extension strategies to migrant workers and their families

Coordination principles relevant for migrant workers
Equality of treatment between nationals and non-nationals
Maintenance of rights in course of acquisition
Maintenance of acquired rights and provision of benefits abroad
Determination of applicable legislation
Mutual administrative assistance

Source: Online toolkit "ILO social security standards: Learn, ratify and apply".

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Protection against risks and comprehensiveness in benefits. Well-designed social protection systems that are inclusive of migrant workers provide protection against all risks over the life cycle. While migrant workers face the same risks as other workers, the coverage gaps can be greater for certain branches, such as unemployment. This can be due to the short duration of stay of the migrant worker in a country or other factors. Moreover, in the absence of social security agreements, migrant workers may face major gaps in coverage, for example, in accessing pension benefits when retiring.

Financial sustainability. Extending social protection to migrant workers can contribute to the financial sustainability of a system in countries of origin and destination. This will depend on the number of migrant workers, their demographics, type and length of employment and stay, and their capacity and willingness to contribute. It will also depend on whether existing policies are inclusive and coherent with other policies, such as employment and education, and whether there are labour market integration policies in place.

Adequacy of benefits. When designing extension strategies and defining the level and type of benefits that will be provided, it is important to be cognizant of migrant workers' needs and characteristics. For instance, the level of benefit for which migrant workers might eventually qualify for can be truncated when there are no social security agreements allowing for the totalization of contribution periods across countries. In addition, the level of benefit can be impacted by the

difficulty in obtaining contributions from employers operating in destination countries.

*Predictable and periodical benefits.* When designing extension strategies, countries may conclude social security agreements to ensure that migrants receive predictable and periodic payments. Periodical benefits provide for income security over the period that the risk or contingency applies (e.g., old age, a period of illness, employment injury) in comparison to a lump sum or end-of-service benefit that is an amount of money paid once only.

Solidarity in financing and collective risk pooling. Extension strategies for migrant workers should be based on the principle of solidarity and promote collective financing, which implies combining contributions from workers and employers, and where necessary these should be complemented by revenue from general taxation. Including migrant workers in national social protection schemes rather than creating migrant specific schemes or Mobility Saving Accounts<sup>11</sup> contributes to enhanced solidarity in financing and risk pooling.

Enforceability of rights and accountability. Extension strategies should contain enforcement, monitoring and reporting mechanisms to ensure that social protection laws and policies translate into effective protection for workers. These may include ensuring that labour and social security inspectors have adequate resources and are well-trained; administrative procedures are transparent, accessible and user-friendly; information material is available in relevant languages; workers organizations represent migrant workers; and that migrants have access to appeal and complaint procedures.

Overall responsibility of the State. Based on the principle of territoriality, national social security legislation only applies in the country where it was enacted. States cannot interfere on the territory of other States and international cooperation is key to ensure the social protection coverage of migrants across countries. As a

11. "Mobility Savings Accounts (MSAs) represent a portable social protection instrument linked to a Retirement Savings Scheme (RSS) and is financed through a combination of mandatory and voluntary contributions. The balance in this account might be used with more flexibility than normal pension products, but only upon exit from a job or leaving the country. Upon termination of the work contract, employees may decide to leave the country and use their savings in their home country or they may use the savings balance to extend their stay in the country while searching for another job. Upon retirement, an expatriate worker would be able to use the balance as a source of financial support during old age." (World Bank, 2018).

result, countries of origin and destination are responsible for the design of inclusive social protection policies and legal frameworks ensuring the coverage of those residing and working on their territory. They are also responsible for engaging in bilateral or multilateral cooperation to ensure the social protection of migrant workers throughout the migration cycle.

Adapting social protection policies and laws to the specific characteristics and needs of migrant workers. In line with the principles mentioned above, countries may unilaterally develop contributory or non-contributory measures aimed at adapting social protection systems' minimum qualifying conditions or requirements to the specific needs and characteristics of migrants.

The measures mentioned hereafter are not mutually exclusive and countries willing to provide comprehensive social protection to migrant workers should consider a combination of measures, including the conclusion of social security agreements.

Based on the principle of equality of treatment, countries can progressively extend social protection coverage to unprotected migrant workers, such as domestic workers and migrants working in the informal economy or to those whose status is irregular. This would mean their inclusion within policies, laws, and national social protection schemes, including national social protection floors. This is particularly important as workers in an irregular situation often find themselves working in the informal economy where they can be confronted by workplace accidents, illness, and unemployment without access to adequate protection. Extending social security coverage to informal workers, including migrants, is a crucial challenge for policy makers. For instance, in Cabo Verde, <sup>12</sup> migrants working in the informal economy can register with the national contributory scheme as independent workers, which is conditional on obtaining a residence permit. They also have access to several non-contributory social assistance benefits after three years of residence. Several countries provide migrant workers in an irregular situation with access to employment injury compensation (Republic of Korea and South Africa) or emergency health care (Argentina, Thailand, Trinidad and Tobago, and various European Union (EU) Member States).

To extend social protection to migrant workers, countries can also adapt qualifying conditions that permit migrant workers to meet the minimum requirements. For instance, Malta<sup>13</sup> and Belgium<sup>14</sup> authorize the retroactive

<sup>12.</sup> For more information on Cabo Verde, see the country profile on the Social Protection Platform and the country profile on the ISSA Social Security Around the World database.

<sup>3.</sup> For more information on Malta, see the website of the Department of Social Security of Malta.

<sup>4.</sup> For more information on Belgium, see the website of Overseas Social Security.

payment of missed contributions to allow migrants or returning nationals to access and increase their pension benefits.

Countries of origin or destination can also authorize the payment of benefits abroad on a unilateral basis. The United States, Jordan as well as EU Member States, amongst many others, allow the payment of benefits abroad, notwithstanding the existence of a social security agreement. Also, in Ghana, migrant workers can choose between a lump-sum payment or a monthly payment for the rest of their lives at the time of retirement, with the right for the pension to be paid abroad.

Another possibility to fill coverage gaps is to allow migrants to remain affiliated to national social protection schemes on a voluntary basis. This can be particularly relevant for migrants that are not covered in their country of employment, or for temporary/seasonal migrant workers or when dependent family members stay in the country origin. However, in most cases this would not include employers' contributions. Countries such as Columbia, Mozambique, Myanmar and the United Kingdom have adopted this type of measure (ILO, 2021b).

Countries of origin and destination can also create migrant-specific schemes. However, including migrants in national schemes in countries of employment or allowing them to remain affiliated in national schemes in countries of origin is preferable as it enhances solidarity and risk pooling. In addition, by enhancing the number of contributors to the national scheme it also improves its financial sustainability.

Countries of origin and destination can also consider allowing migrant workers to access tax-financed non-contributory national social protection floors. This is essential for family members remaining in the country of origin or in the situation of migrant workers who return to their country of origin without being able to transfer any social protection entitlements acquired in the country where they were employed. For instance, in Lesotho the Age Pension programme provides cash transfers to elderly citizens of Lesotho aged 70 or older. In Mexico, migrant workers have access to *Seguro Popular*, a health scheme that is free of charge for the poorest households. Family members living in Mexico of Mexican citizens who work abroad can also be covered (ILO, 2021b, p. 131).

Over the past years, several "origin" countries have shown an increased interest in developing migrant welfare funds or programmes (MWFs) to protect their nationals working abroad. These MWFs are usually established when migrants cannot benefit from labour and social protection coverage in the country of employment. MWFs are membership-based programmes that provide a wide range of services and benefits including some social protection benefits, such as sickness, survivors', and employment injury benefits to nationals working abroad and their families. MWFs can also facilitate registration or the maintenance of the affiliation to the national social security system in the country of origin, or

directly provide a limited number of benefits. However, these programmes are mainly based on migrants' contributions and are not an adequate mechanism to provide comprehensive social protection. Indeed, they are not a viable substitute for securing migrant workers' access to social protection in the country of destination nor can they ensure the portability of social security benefits across countries. A blended approach is needed, requiring continuous efforts to promote the inclusion of migrant workers in social protection schemes in destination countries and the conclusion of social security agreements to ensure the portability of benefits (ILO, 2023a; ILO, 2015).<sup>15</sup>

In a number of countries of employment, migrant workers will receive a lump-sum payment that may be a reimbursement of their contributions or an end-of-service indemnity, paid by the employer when migrants leave their employment abroad. Such payments are very limited in terms of the protection they provide, as compared to periodical benefits financed collectively, and fail to meet the basic social security principles reflected in international labour standards. End-of-service indemnities are widespread in the Gulf Cooperation Council countries. However, due to the evolving needs of the labour market and the limitations of the current indemnities system, some countries are considering reforms that will also benefit migrant workers (ILO, 2023b; ILO, 2023c).

Tackling practical obstacles to access social protection: Complementary measures. When designing strategies for extending social protection to migrant workers and their families, it is essential for policy makers and social security institutions to also address the practical obstacles faced by migrants in accessing social protection. Therefore, complementary measures are needed to ensure the effective realization of social protection laws and agreements. These include information campaigns, simplification of administration procedures, regularization initiatives, outreach units, legal and social support services, and labour market integration measures. Moreover, engaging with workers' organizations, community-based organizations and local NGOs can help bridge information gaps, enabling targeted outreach to the most marginalized migrant groups.

For instance, in Portugal, migrants can benefit from employment support programmes that facilitate their entry to the labour market and the paying of contributions to social protection. In Moldova, a communication campaign on bilateral social security agreements using information leaflets and video spots was launched in 2013, to raise migrant workers' awareness about their rights.

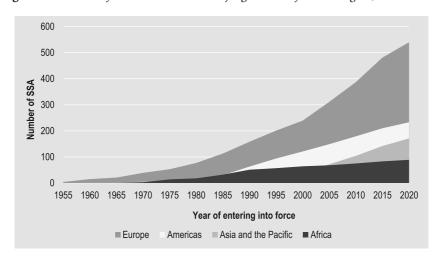
<sup>15.</sup> For more information on migrant welfare funds and their role with respect to social protection, see ILO (2023a).

In addition to building comprehensive social protection systems based on the principle of equality of treatment, it is essential to also conclude bilateral/multilateral social security agreements to ensure the coordination and portability of benefits across countries (based on the model provisions and agreement in Annex I and II of the ILO Maintenance of Social Security Rights Recommendation, 1983 (No. 167).

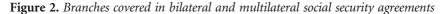
Social security agreements coordinate the social security systems of two or more countries to ensure the social security rights of migrant workers and their families. They constitute a key legal instrument that makes the social protection rights of migrant workers portable by ensuring the benefits can be paid abroad, and contribution periods are taken into account for granting benefits in signatory countries (i.e., by totalizing the periods). By stipulating the applicable legislation, these agreements ensure that migrant workers do not have to pay a "double" social security contribution.

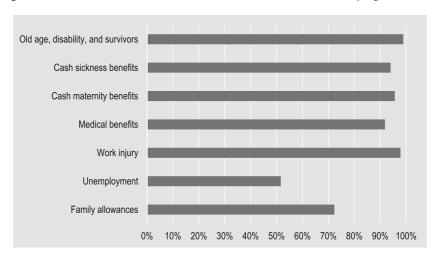
According to the global overview of international social security agreements provided by the International Social Security Association (ISSA), the total number of social security agreements continues to increase annually and varies from region to region (ISSA, 2022a). In force as of 2020, there were 645 bilateral social security agreements and ten multilateral social security agreements. It is expected that this trend will continue alongside economic growth, the

**Figure 1.** Number of bilateral social security agreements for each region, 1960–2020



Source: ISSA (2022).





Source: ISSA (2022).

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development of social security systems, and an intensification in the cross-border movement of people. The region with the most important number of social security agreements is Europe, followed by the Americas, Asia and the Pacific, and Africa (see Figure 1). There are many different types of social security agreements, and the scope of each agreement will vary depending on the countries involved (see Figure 2). Among the bilateral social security agreements in force, most cover old-age, disability and survivors' benefits (about 89 per cent); about 22 per cent cover only these three branches. A mere 5 per cent cover all nine social security branches. About 26 per cent include benefits related to access to health. Access to health care and unemployment benefits are the branches least covered by social security agreements (26 per cent and 22 per cent, respectively).

Bilateral and multilateral agreements are not mutually exclusive, as they can be pursued simultaneously and be complementary. However, these agreements are mostly relevant for workers in the formal economy with a regular status.

Following the signature of a multilateral or bilateral agreement, countries have to ensure that the agreement is applicable at the national level before it can enter into force. In some cases, this can take several years. For instance, the Ibero-American Multilateral Social Security Agreement, which covers old-age, disability, survivors' and employment injury benefits, was signed in 2007 by 13 Latin American countries, Spain and Portugal. Among these countries, it took between 4 to 13 years for the agreement to enter into force. The agreement has made important headway securing the social protection rights of many migrant workers. According to data provided by the General Secretariat of the Ibero-American Social Security

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Organization (Organización Iberoamericana de Seguridad Social - OISS), the agreement has benefitted more than 85,600 persons (OISS, 2021).

Ensuring the effective and sustainable governance of social protection systems

Whether driven by economic opportunities, humanitarian crises or climate change, migrants face unique challenges in accessing social protection that demand responsive and inclusive policies and practices. The good governance of social protection systems lies at the heart of addressing these challenges and entails transparent, accountable and equitable practices.

Among different instruments, the strategic utilization of information and communication technology (ICT) has emerged as a transformative tool for improving migrants' access to social protection information and services and facilitating the portability of benefits. ICT-based solutions enable social security administration and institutions to streamline administrative processes and enhance service delivery (Ruggia-Frick, 2016). By amalgamating the principles of good governance with ICT advancements, countries can foster environments that protect the rights and dignity of migrants and facilitate their social and economic integration (ISSA, 2022a).

Administrative challenges. Social security institutions are dynamic entities designed to adapt to a wide array of scenarios, that sometimes require institutions to consider both national and international contexts. When addressing internal migration or domestic situations, these institutions often employ policies and measures that are tailored to the specific needs and challenges of their own citizenry. When dealing with international migration, social security institutions face a different set of administrative challenges to ensure social protection coverage for migrant workers and their families.

These include:

- Ensuring migrants are aware of their rights and entitlements.
- Verifying migrants' identity and their eligibility to social security benefits.
- Establishing effective and user-friendly enrolment and claim processes.
- · Collaborating and communicating effectively between institutions across countries.
- Ensuring common understanding of key definitions, concepts and eligibility requirements across countries and institutions.
- Reaching all parts of a country, particularly rural and geographically remote areas, as well as covering difficult-to-cover sectors or occupations such as domestic work.

• Adapting to demographic and labour market changes and crises. Navigating these administrative challenges demands an in depth understanding of migrant workers' needs so as to develop innovative solutions, collaborative approaches and political commitment to ensure that migrants have access to and

can effectively benefit from social protection.

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Tackling the challenges through effective administration processes and the application of ICT. To ensure the implementation of social protection laws and policies as well as bilateral and multilateral social security agreements, social security administrations and institutions should establish effective coordination and administrative processes. Such processes will allow migrants, according to the relevant benefit eligibility conditions, to access, maintain, transfer and receive contributory and non-contributory social security benefits throughout the migration cycle. Governance plays a pivotal role in such implementation, notably in the strategic allocation of responsibilities within different areas or departments of the institution to handle service delivery related to these agreements. The application of ICT in this context can be transformative and yield massive benefits by streamlining administrative procedures and interinstitutional coordination (ISSA, 2022b; Ruggia-Frick, 2016).

Data on migrant workers, including their demographic characteristics, legal status, employment, and contribution and entitlement history to social protection schemes, should be collected in a way that is accurate and reliable while ensuring data privacy.

Data sharing mechanisms are essential components of a well-coordinated social security system. This is particularly important when social security institutions are responsible for the implementation of one or several bilateral or multilateral agreements. In addition, registration tools should cater to the diverse linguistic backgrounds of migrants and ensure the coverage of migrants including those working in geographically remote areas or isolated workplaces. Utilizing a multi-channel approach that includes helpdesks, digital platforms or mobile applications can further facilitate registration, benefit claim processes, and support migrant workers' access to grievance mechanisms. These helpdesks as well as other administrative functions should be adequately resourced with well-trained staff.

Furthermore, implementing international social security agreements requires effective data exchange systems between the involved countries and institutions. By using advanced technologies, these systems enable social security institutions to request and share workers' labour records efficiently and securely when they apply for benefits (Otón et al., 2018). When countries can access comprehensive data on migrant workers in a timely manner, the verification process and the granting of

benefits can be expedited. This contributes to ensuring the continuity of the provision of social protection benefits and migrants' financial security.

To capitalize on the potential benefits of better and faster data sharing and exchange solutions, countries must invest in robust ICT-based information-sharing frameworks while safeguarding individuals' privacy and data security. Ensuring the security of data on migration and social security is particularly important in an international coordination context and it should be maintained by using strong data protection measures. It should be shared in a way that is secure, confidential, and consistent with applicable laws and regulations. The establishment of tripartite management committees, with regular meetings and joint planning sessions, are essential for effective coordination and data sharing. Implementing standardized data protocols and secure information systems also fosters mutual trust and cooperation between countries (ISSA, 2022b).

#### **Conclusions**

Globalization, demographic changes, climate change, humanitarian crises, evolving labour market needs and digitalization all influence social protection policies. Closing coverage gaps to achieve universal social protection requires an extension of social protection to all, to leave no one behind. Despite improvements in social security coverage, difficult-to-cover groups such as migrant workers remain largely unprotected. Enhanced efforts should be made to ensure social protection benefits provided to migrant workers are on par with those that nationals receive, based on the equality of treatment principle. Although this can pose serious challenges to both policy makers and social security institutions responsible for the administration of benefits, it also comes with opportunities, as well governed labour migration, aligned with international standards and responding to persons' needs, can lead to positive contributions for social security schemes, labour markets, economies and societies.

A holistic and participatory approach grounded on international labour standards, anchored in social dialogue is needed to ensure that migrants workers can access social protection. This approach takes into account the complex interplay between economic, demographic, and policy dynamics and their influence on the labour migration and mobility landscape; the availability, level and scope of social protection provision in countries of origin and destination; and the heterogeneity and specificities of migrant workers and their family members.

Building inclusive national social protection systems should be at the core of extension strategies for both countries of origin and employment. This is essential to reduce poverty, address inequalities and achieve sustainable development. If countries do not embed the fundamental principle of equality of treatment in

their reforms, there is a risk of unfair competition between nationals and non-nationals, and a disincentive to contribute to social security. When designing extension strategies, countries should consider economic, social and demographic dynamics and ensure coherence with employment, migration and other policies. Nationwide schemes should consider the needs of migrant workers, to allow these workers to overcome the obstacles they face in accessing labour markets and social protection, which is key for their integration in society.

To achieve the effective coverage of migrant workers, extension strategies should incorporate measures aimed at addressing practical and administrative obstacles. These should include measures such as national legislation, implementation measures as well as the application of accessibility/communication approaches. Additionally, international coordination and the conclusion of social security agreements will permit the portability of benefits across countries and ensure the continuity of social protection coverage throughout the migration cycle. Implementing extension strategies, including international social security agreements, requires political will and investments in institutional capacities, the strengthening of governance systems, effective data collection and exchange, and the strategic utilization of ICT applications, which can also foster mutual understanding and coordination between countries.

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#### **BOOK REVIEW**

Rank, Mark Robert. **The poverty paradox: Understanding economic hardship amid American prosperity.** Oxford, Oxford University Press, 2023. 212 pp. ISBN 9780190231236.

Paradoxes are found in the history, cultures, and politics of most societies but they are particularly marked in the United States of America, where they are a feature of the country's "exceptionalism" which, it is believed, distinguishes it from other Western nations. As historians have observed, the country was founded by those who fought against colonialism, monarchy and feudalism in the name of liberty, and whose revolution created a Republic that was the envy of liberals throughout eighteenth century Europe. However, many of these founders were slaveholders who denied the very same liberties to the millions of human beings they had forced into servitude. Although officially abolished after the Civil War in the mid-nineteenth century, the legacy of slavery continues to exert a potent influence today. The founders also extolled democratic rights but until the twentieth century, these rights were denied to women, African Americans and other minorities. Although the United States is regarded as one of the world's leading democracies, several Presidents who failed to secure the consent of a majority of voters have been elected to office and, today, anti-democratic activities are being vigorously pursued as voter suppression and gerrymandering permeate the political process in many of the country's states. The possession and use of lethal weapons to murder schoolchildren and innocent civilians in all too frequent mass shootings, is another of the country's exceptional features which paradoxically deprives its citizens of the most basic of the freedoms enshrined in the Declaration of Independence, namely the right to life.

Less dramatically, paradoxes also characterize economic and social conditions. It is well known that despite is wealth, technological achievements, and military superiority, the United States has higher infant mortality and lower life expectancy than most other Western countries. In the realm of social policy, it does not provide federally mandated paid family leave, including maternity leave, and its national minimum wage is exceptionally and derisorily low. It is often claimed that its welfare programmes are fragmented, coercive and meagre. Fragmentation also characterizes its medical care system, which is riddled with inadequacies and uneven coverage, delivered through a complex mix of commercial, voluntary, and statutory provision, with the regrettable result that a significant number of people with health problems are only able to obtain care by incurring significant debt. In contrast, those in regular employment with full insurance coverage receive high quality medical care. It has among the best universities in the world and excellent schools for the children of middle-class and wealthy families, but it also has some of the lowest educational standards among Western countries. It is home to many of the world's richest families but also records shameful levels of poverty and deprivation. Its national statutory retirement pension known as "Social Security" covers the great majority of the population and has significantly reduced poverty among the elderly, but its



means-tested programmes targeted at poor families with children, have been largely ineffective so that child poverty remains disgracefully high.

Paradox is the focus of Mark Rank's new book that asks why the United States, which is one of the wealthiest countries in the world, has such a high rate of poverty. Although the federal and state governments spend sizable amounts on social programmes, millions of Americans live in poverty. Recognizing the limitations of official data and the challenges of undertaking comparative research, the author cites data published by the Organization for Economic Co-operation and Development (OECD) which reveals that the incidence of poverty in United States is significantly higher than in most other OECD Member countries. This, he contends, is because of its inadequate social programmes. On average, these programmes reduce poverty by about 66 per cent in OECD Member countries while the comparable figure for the United States is only 33 per cent. Rank uses other data sources, including reports from the United Nations, to confirm this conclusion. He then discusses the reasons why poverty is so high in a prosperous country such as the United States.

Over the years, Rank has published extensively on poverty in the United States and his work has been widely commended. Transcending description, he has analysed the complex factors that determine the country's living standards, exacerbate inequality and shape its social policies. He has also used empirical data to trace the incidence of poverty and has shown how it affects the lives of millions of Americans. Several themes characterize his writing. First, he has forcefully criticized the individualism that dominates explanations of poverty, arguing that the American myth of achieving success through hard work and determination fails to explain why people become poor. Second, he has drawn attention to the episodic and fluctuating nature of poverty. Although poverty is often believed to be a static phenomenon that persists among a particular group of people, his research reveals that most low-income families experience poverty for limited periods of time. In addition, most move in and out of poverty over their lifetimes. His research has also found that a surprisingly large number of adult Americans - almost 60 per cent - will fall into poverty at some point of their lives. In addition, he reveals that most Americans will access the social services during their lifetimes. Third, he has articulated a useful theoretical framework to conceptualize poverty and its causes. Known as structural vulnerability, it regards poverty as the consequence of two interdependent forces: first, the social structure which exposes a significant proportion of the population to risk; and second, the personal factors that limit the ability to navigate risk. By deftly linking the forces operating at the macro-structural level with those impinging directly on individual and households, he offers a comprehensive and plausible framework for understanding the causes of poverty.

Drawing on these themes, Rank analyses the complex factors responsible for the paradox of poverty in the United States. His book is divided into three parts. The first describes the way poverty is defined and measured, and it then offers an overview of different social science interpretations of poverty. These include theories that stress the causal role of culture, dual labour markets, structural inequality and social isolation in poverty as well as Marxist and functionalist explanations. These theories are contrasted with what Rank calls the American ideology of success and its emphasis on motivation and hard work. Although it is widely believed that poverty is the result of a lack of determination and effort, he rejects this interpretation and contends that poverty can only be understood by analysing the structural factors that aggravate vulnerability.

The next part of the book applies the structural vulnerability framework to analysing poverty. It focuses on the role of human capital in enabling people to navigate risk and examines the structural factors that differentially expose them to risk. Rank argues that those who have acquired sufficient



human capital are more likely to cope with the effects of what he calls cumulative inequality. This includes a lack of opportunity, skewed access to medical care, inadequate wages and limited job security, as well as poor schooling and ineffective government social services. He contends that these two interdependent factors – individual vulnerability and structural inequality – account for the paradox of poverty in the United States.

The third part discusses the policies that should be adopted to resolve this paradox and the author briefly considers the values that inspire these policies. He then examines a raft of interventions that are usually referenced by progressive analysts of poverty, such as improving access to quality education, health care and affordable housing and building assets among low-income households. In addition, he argues that workers should be paid a living wage which is adequate to maintain a decent standard of living, and he believes that this can be achieved by strengthening the role of trade unions. More organizing by community groups and voluntary organizations at both the local and national levels is also needed to give voice to low-income people. Finally, he points out that social services should be improved. Rank contends that most other high-income countries have lower rates of poverty than the United States because they provide a range of universal social programmes. The book concludes with a brief, optimistic discussion of how a deeper understanding of the situation can lead to an effective resolution of the country's paradox of poverty.

This book is an informative and readable account of poverty and inequality in the United States that makes an important contribution to the now extensive literature on the subject. Its structural vulnerability model provides a useful methodology for comparative research that will be of interest to readers in other parts of the world. International readers will also be interested in Rank's exposition of the complex realities of poverty and inequality in the country. However, like this reviewer, they may feel that more could have been said about the politics and ideologies that motivate fierce disagreements about poverty and how it can be solved. While Rank does discuss widely held but erroneous beliefs about poverty, more attention could arguably have been paid to the role of powerful interest groups on the political right that seek to shape national proposals for ending poverty.

In addition to the right wing of the Republican Party, which vigorously challenges progressive solutions, several well-funded and influential conservative think tanks have adopted a position that contrasts sharply with Rank's analysis. Arguing that poverty can only be ended by promoting work and self-sufficiency, they are likely to challenge his progressive policy proposals. They are likely also to question his thesis that there is a paradox of poverty in the United States. In fact, they often claim that poverty persists in the country because of the influence of progressive writers, such as Rank, on the social policies introduced by the Democratic Party and its allies.

One example of the ideological posture of those on the political right is their opposition to extending the highly effective social programmes introduced during the COVID-19 pandemic. Although costly, these programmes played a critical role in preventing widespread destitution as well as a collapse of the economy. Among them was a temporary, child allowance which, combined with other measures, maintained the incomes of millions of families who lost their livelihoods because of the pandemic. It also helped stimulate consumption and demand. However, a recent proposal by the Biden administration to transform this scheme into a permanent, universal child allowance was vigorously opposed by many on the political right because, they claim, it will undermine work incentives. And, because there was insufficient support in Congress to introduce a child allowance of this kind, the incidence of child poverty more than doubled between 2021 and 2022 (according to a report by the US Census Bureau published in September 2023). However, as many studies have



shown, there is little scientific evidence to support the claim that child allowances harm work incentives. Also, most other Western countries have schemes of this kind without incurring high unemployment and falling living standards. Clearly, politics and ideology play a major role in American social policy, which requires a more extensive analysis. Nevertheless, despite this relatively minor caveat, Rank's new book incisively explains the paradox of poverty in the United States. It offers deep insights that should inspire scholarly inquiry into the nature and dynamics of poverty in other parts of the world as well. It deserves to be widely read.

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