



## **Working Paper**

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**How portable is social security for migrant workers?**  
A review of the literature

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*with*

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## **Abstract**

This paper reviews the literature on the portability of social security entitlements for migrant workers, who moved along North-North, South-North, and South-South migration flows. Portability of social security entitlements is the ability of migrant workers to preserve, maintain, and transfer benefits of social security programmes spatially and socially, among their families. The paper uses a gender perspective where possible as part of an intersectional approach. We find that North-North migrants have the best access to social protection and portability, due to generally higher income of migrants, the inter-governmental agreements and developed administrative capacities in the North. There is limited coordination between South/origin and North/destination countries on the portability of social entitlements (such as pensions) of South-North migrants. In general, these migrants are dealing with immigration discourses and discriminatory policies that treat them as second class citizens, even as they are providing much-needed labour to their host countries and contribute to their economy. This hinders bilateral agreements on social security portability. South-South migrants are seeing new regional mechanisms addressing portability. However, beyond legal agreements, many of the impacts of these mechanisms are not yet known. Knowledge gaps in the landscape of research on the portability of social security entitlements for migrant workers that future research should address relate to internal migration and South-South migration, the role of gender and other social identities, migrants' occupations as well as the legality of workers' immigration status.

## **Keywords**

Portability, migrant workers, migration, social security, social protection, research gaps, gender.

# How portable is social security for migrant workers?

## A review of the literature<sup>1</sup>

### 1 Introduction

The International Labour Organisation (ILO) estimated the global stock of international migrant workers at 105 million in 2010 (ILO 2010a: 2). International migration can broadly be divided into three types of movement: migration from developing countries (“the South”) to more developed countries (“the North”) which makes up just over a third of total migration, the same proportion as South-South migration, while North-North migration makes up just under a third (UNDP 2009: 21).

Migration transforms the societies of today’s inter-connected and globalised world. This perspective helps us to look at migration contextually, including its gender and social justice dimensions. Looking at the historical and geographical contexts in turn helps us to analyse how new forms of migration emerge, and the corresponding forms of governmental action.

This was the aim in the Migration, Gender and Social Justice (MGSJ) research programme, part of the IDRC Women and Citizenship Programme (2006-2010). Through explorations of gendered migration, the research revealed the need for new approaches for the claiming of rights that recognise different aspects of structural vulnerability at each point in the migration

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process. For most migrants, there is a 'central tension between the mobility of labour and the non-mobility of entitlements' (Gasper and Truong 2013: 385). The portability of social protection is an important transformative reform needed to respect the human rights of migrants, who are required and generated by the global economic system. To meaningfully address the needs and aspirations of migrants whose movements are temporary, circular or transient, portable social protection needs to be addressed. According to Holzmann et al. (2005: 65), for instance, only about 20 per cent of migrants worldwide work in host countries where full portability of pension benefits to their countries of origin is possible with the help of bilateral agreements. Special attention should be paid to the situations and needs of various categories of women migrants (Gasper and Truong 2013: 22). This is related to gender-based sectoral and occupational segregation of migrant workers as well as different needs of migrant women and men throughout their life-cycle. For example, Wong and Gonzalez-Gonzalez (2010: 939) found that female Mexican migrants live longer, but suffer disproportionately more than their male counterparts from old-age disability as a result of more strenuous work in the US. They therefore underline the need for portable health protection across these two countries.

Migrants face many of the same risks and hazards as anyone else in the population of destination; however, they also face migrant-specific risks. Jousten and Pestieau (2001, in Jousten 2012: 4) have identified three broad stages of mobility: at the beginning of the working life (departure), during the working life (work placement) and at the end of the working life (return), with different motivations, consequences, and policy implications at each stage. Along this migration cycle, migrant workers face risks such as unemployment, sickness, injury, and problems in old age such as poverty and illness.

Migrants may face any of the above insecurities at any stage of migration. Due to a different socio-economic and institutional environment, these may also differ in priority depending on the type of migration flow (North-North, South-North, or South-South). Migrant workers may be, for example, more vulnerable to sickness at the departure stage, thus requiring social security measures such as healthcare benefits. The risks of unemployment and injury at the work placement stage will require unemployment or disability benefits, and old age at the return stage will require pension benefits. Portable social security can help address these risks by offsetting the absence or changes in income for the individual migrant or their families, especially if the migrant worker is away from his/her family.

This paper discusses the issues surrounding the portability of social security entitlements for migrant workers around the world, as an important factor in addressing migrants' needs and aspirations. The paper aims to cover the current scope of knowledge of social security benefits, for each phase of migration where possible, indicating present research findings and pointing out research gaps. The paper also uses a gender perspective (where possible) as part of an intersectional approach.

The following (second) section defines key concepts. The third section reviews two main conceptual approaches to social protection. The fourth

section looks at public instruments available to address the need for portable social security. The fifth section reviews the instruments available for migrants from the three main categories of migration flows: North-North, South-North and South-South. The final sixth section highlights research gaps and concludes with some reflections and questions. The review is followed by an annotated bibliography and a list of relevant research programmes and organisations.

## 2 Defining concepts

While persons' mobility is motivated by a wide range of reasons, this review focuses on migrant workers. For the discussion that follows, **migrant workers** are defined as people who work in a region or country different from their usual place of residence. We pay attention also to their families. Their moves can be domestic or international, yet, the emphasis in this review is on international migration. Migrant workers move from a place of departure to a destination in a process that can be permanent, temporary, circular, or transient. Overall, the mobility processes of migrants are 'complex, lengthy, unstable, and diverse' (Zhu and Lin 2013: 167). Migrants need to have their rights protected spatially and temporally; in the long transition process and at different locations (including their places of origin) before their final (re) settlement (Zhu and Lin 2013: 167).

**Social security** is broadly defined as public policy measures aimed to protect members of society against social and economic distress in relation to sickness, economic insecurity, unemployment, disability, poverty, old age and so on (ILO 2010b: 13). It is a question of 'meeting individual welfare needs and the rights of people to have these needs met, whatever their citizenship or residence status' (Sabates-Wheeler and Feldman 2011: 14). Sabates-Wheeler et al. (2011: 93-4) identify four components to social protection for international migrants, and why each component is important: (i) access to social security in host and origin countries affects their level of vulnerability; (ii) portability between host and origin countries is important for avoiding losses of accrued entitlements; (iii) labour market conditions for migrants in host countries and the recruitment process for migrants in the origin country must balance between employers' needs and workers' protection; and (iv) access to informal networks can act as informal social safety nets to support migrants and their family members. In this paper, we concentrate on the second component.

Social protection and social security are often used interchangeably, but social protection can include private measures such as employer-funded schemes and support through social networks. This paper focuses on state-based schemes because of the more limited scope of private measures. Nearly all countries provide some level of public social protection though in many countries coverage is limited to a few measures, and only a minority of the global population has legal and effective access to existing schemes (ILO 2010b: 31).

The **portability** of social security entitlements is the ability of migrant workers to preserve, maintain, and transfer benefits from a social security

programme from one country to another and between localities in a country (spatial portability), between jobs, and between members within a household (social portability). Sabates-Wheeler et al. (2011: 93) distinguish portability as being an issue mostly for North-North and South-North migration flows. Within these flows, they emphasise the importance of portability ‘for long-term benefits that have an explicit or implicit pre-saving element as in the case of old-age pensions and health insurance, respectively’ (Avato et al. 2010: 456) because otherwise, migrants risk serious financial losses.

Migrant workers, who often find themselves at the intersection of informalities relating to age, gender and sector, tend to be barred from contributing to social security systems in their host country, and subsequently unable to claim any benefits when they return home (ILO 2010b), making them even less likely to have access to existing social protection.

As part of an intersectional approach, **gender** is seen as a ‘matrix of power relationships that operate at multiple levels: 1) as a resilient structure expressed through the various social and cultural meanings of being male and female that are embedded in the ethos of the state; 2) as a set of relationships that have organised the social and cultural reproduction of society; and 3) as the formation of identities and the definition of subject positions in a given social order’ (Truong et al. 2013b: 9).

An **intersectional** perspective, i.e. one that considers the ‘crucial significance of the combinations and interactions of factors that constitute a person’s situation, including gender, economic class, ability, race and ethnicity, sexual orientation, religious and political affiliation, and more’ (Truong et al. 2013b: 17), helps to avoid overgeneralisations on the portability of social protection, which obscure the different ways that ‘institutional power dynamics can circumscribe the ways for women migrants to claim rights’ (Gasper and Truong 2013: 380). Throughout the paper, the different factors that affect one’s ability to access social security measures will be flagged as they appear, before being revisited in the final section.

The ability of migrants to claim their social security entitlements is greatly affected by state notions of citizenship, residence, and employment. The next section looks at two broad conceptual approaches to social security, as a starting point for understanding which provisions migrant workers are entitled to.

### 3 Conceptual approaches to social security

This section looks at the two main conceptual approaches to social security, each with their own normative assumptions, taken by major international organisations. The first is a rights-based and universalist approach, which conceives of social security as a human right, as laid out in Articles 22 and 25 of the Universal Declaration of Human Rights (UN General Assembly 1948) and Articles 9, 11 and 12 of the International Covenant on Economic, Social and Cultural Rights (UN General Assembly 1966). The United Nations Research Institute for Social Development (UNRISD) similarly takes a broad



view of social security as ‘access to adequate and secure livelihoods and income’ (Mkandawire 2001: 1), or the protection of ‘workers and their households from contingencies threatening basic living standards’ (Barrientos 2010: 1).

The International Social Security Association (ISSA) also considers social security a ‘fundamental’ and ‘universal’ right, as does the ILO, in particular in the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Income Security Recommendation, 1944 (No. 67), and the Medical Care Recommendation, 1944 (No. 69) (ILO 2012a: 2-4). The ILO (2012: 2) recognises social security as a ‘tool to prevent income insecurity, prevent and reduce poverty, inequality, social exclusion and social insecurity’, and as an ‘investment in people that empowers them to adjust to changes in the economy and in the labour market’. The aim of social security is ‘to promote equal opportunity and gender and racial equality’, including with the aim of supporting sustainable economic growth. The latter indicates that the ILO’s perspective also includes an instrumental role of social security.

Social security is a human right as well as a social and economic necessity. All successful societies and economies have employed development strategies where social security systems played an important role to alleviate poverty and provide economic security that helps people to cope with life’s major risks or the need to quickly adapt to changing economic, political, demographic and societal circumstances. (ILO 2010b: v)

The second conceptualisation is a budgeting-based approach, taken by the World Bank (WB) and the International Monetary Fund (IMF), which views social security under the rubric of social risk management (Holzmann et al. 2003). The main logic of social protection is to manage income risks, improve consumption and enhance welfare equity in households (Holzmann and Jorgensen 1999).

Likewise, when the IMF deals with social protection, the issue is framed as ‘public social sector spending’. Together with other social policy issues like social safety nets, encouraging public social sector spending and paying attention to other social issues, it contributes to the overall objective of economic reform and growth, and poverty reduction. This is in line with the larger mandate of the IMF, which is to ‘facilitate the expansion and balanced growth of international trade’.<sup>2</sup>

These two approaches provide a structure in order to help understand the following discussion. To ensure that migrant workers can access and accrue social security entitlements for healthcare, pension, and income maintenance (e.g. in case of disability or unemployment), they must be made portable between origin and host countries. The next section looks at the different areas of insecurity or risks faced by migrant workers in the migration cycle, and the instruments that address them.

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<sup>2</sup> Article I (ii) of the Articles of Agreement of the IMF.

## 4 Risks in the migration cycle and relevant policy instruments

This section briefly looks at the instruments that can help address the risks faced by migrant workers (and their families) mostly in the work placement phase of the migration cycle.

A key set of instruments to address migration risks and subsequent social protection are unilateral measures, bilateral and multilateral agreements. Unilateral measures consist of public policy of the host country that applies to all migrant workers, regardless of residence, citizenship or immigration status. An example of this is the social security legislation in Barbados, which does not exclude migrant workers, whether with or without work permits, or whose work permits have expired (Williams 2008: 2). Bilateral agreements are those signed between two countries to coordinate the provision of social security entitlements, among other areas. Often, a host country signs multiple agreements with other countries from which it experiences the largest flows of migrants. For example, as of 2009, the US has signed 24 bilateral social security totalisation agreements with high-income countries mostly in Europe,<sup>3</sup> while a similar agreement proposed in 2004 with Mexico, its biggest source of migrant workers, has yet to be finalised. Multilateral agreements are usually agreed between a group of countries at the regional level, such as the Caribbean Community (CARICOM) Reciprocal Agreement or the European Union regulations EC No. 883/2004, 987/2009 (Jousten 2012: 6-7), among others.

The aim of bilateral and multilateral social security agreements is to improve the access to and the portability of social security rights for migrants. Bilateral social security agreements usually do away with nationality or residency requirements under provisions of non-discrimination between nationals and migrants, along with rules of cooperation between the social security institutions of the two countries. These institutions have the task of coordinating the periods of contributions accumulated in both countries, and then regulate the transfer and payment of the acquired entitlements. However, these agreements usually cover only contributory long-term benefits like old age, disability, and survivor pensions. Health care benefits and purely tax-funded benefits (e.g. social assistance or maternity allowances) are usually not portable (Sabates-Wheeler 2009: 9).

In their quantitative estimates of migrants who have access to portable social protection, prepared for the Global Commission on International Migration, Holzmann et al. (2005: 7) introduce 'portability regimes' of social protection: (i) migrants (official and undocumented) who move under the protection of a bilateral or multilateral social security arrangement between their origin and host country; (ii) migrants who have access to social security benefits without bilateral agreements; (iii) migrants with no access, especially to long-term benefits (e.g. old-age pensions), not even on a voluntary basis, but

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<sup>3</sup> USA Social Security Administration, 'US International Social Security Agreements', accessed 9 Sep 2013

<[http://www.socialsecurity.gov/international/agreements\\_overview.html#a0=11](http://www.socialsecurity.gov/international/agreements_overview.html#a0=11)>

some access to non-portable short-term benefits (like health care); and (iv) migrants who participate in the informal sector of the host country and have very limited access to social protection. According to their data, about two-thirds of official and undocumented migrants residing in Africa or Asia have access to social security benefits without bilateral agreements; while of migrants in Europe, Latin America and Oceania, those whose countries have bilateral agreements are around 40 percent, those who have access to social security without such agreements are around 35 percent, and those who have very limited access due to their undocumented status or work in the informal economy are 20 percent.

As a response to Holzmann et al. (2005), Sabates-Wheeler et al. (2011) expand their research to countries that experience South-South migration, in particular middle- and low-income host countries. They analyse current practices that countries in different regions follow to protect migrants in terms of access and portability of long term (mostly contribution-based) benefits, and provide their own calculated estimates of migrants who are protected by bilateral or multilateral agreements, using similar categories to those of Holzmann et al. (2005),<sup>4</sup> which descend in order of the level of protection. The difference is that Sabates-Wheeler et al. (2011) only estimate numbers of migrants with legal immigration status, which may reflect an underlying assumption that undocumented migrants have the least access to any kind of social protection.

Their results reveal that Europe affords social protection for 80 per cent of its 'legal' migrants because of the presence of international agreements, which is due to the migrants from high-income countries. Meanwhile, in South Asia and Sub-Saharan Africa, the corresponding rates are zero and four percent, respectively. Low-income countries lack such agreements. Sabates-Wheeler and Koettl (2010: 116) have identified South-South migrants as a significant group, but Sabates-Wheeler et al.'s (2011: 108) research on poorer migrants in South Africa, Malawi, and the United Kingdom finds that overall, 'the agenda to facilitate formal social protection for south-south migrants is not very well developed', let alone its portability.

As for the portability of health insurance or health care across the world, Werding and McLennan (2011) provide the first economic analysis of North-North and North-South portability. However, they determine that it is difficult to establish the international portability of health-cost cover, 'due to the long-term nature of insurance provided and additional elements of redistribution that may be included'.

Unilateral, bilateral or multilateral agreements within a country's employers or states, between countries, or within a region, can help address risks that

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<sup>4</sup> Sabates-Wheeler et al. (2011) provide estimates for (i) legal migrants who move under the protection of a bilateral or multilateral social security arrangement between their origin and host country; (ii) legal migrants without such arrangements, but have access to social security and services in the host country; (iii) legal migrants who are excluded from social security and services in the host country; and (iv) undocumented migrants.

migrant workers face, especially in the work placement phase. However, many of these agreements have not been thoroughly formulated for all types of migrant workers, may have provisions for social security but which are not necessarily portable, or whose portability is difficult to establish. The principles of territoriality, citizenship, and residence affect migrant workers in different ways. The next section looks at various cases of portable social security, where provided, along North-North, South-North, and South-South migration flows.

## **5 Portable social protection along different migration flows**

### **5.1 North-North**

Before leaving their home region or country, migrants need social security for any case of contingencies at the future workplace, such as injury or unemployment. At the same time, they look towards ways to safeguard their future, through pensions, for example. The third of migrants that move between high-income countries typically have better access to social protection in this respect, either by the provision of social security based on citizenship or residence, or through financial ability. These migrants usually move under labour migration schemes for mid- to high-skilled workers (Holzmann and Pouget 2010: 15-16).

The European Union (EU) has the most comprehensive (and complex) system of portable social benefits within itself. EU nationals enjoy full non-discriminatory access to all and portability of most social benefits. As for third-country nationals, they are treated equally only after a certain period of residence.<sup>5</sup> The EU allows exportability of all cash benefits in member countries, including pensions, survivors' benefits, death allowances, and benefits for accidents and occupational diseases. However, unemployment benefits may be exported only up to three months (or six months if the paying country extends it). Some non-contributory cash benefits are to be paid only in the country of residence and according to its laws (Pigeon 2004, in Pasadilla and Abella 2012: 23). Access to health care in another member country is allowed for emergency and medically necessary procedures during a temporary stay, subject to prior authorization for non-retirees. Eastern Europe and Central Asia do not have any regional multilateral agreements as yet, although there are trends towards greater cooperation between social security agencies.<sup>6</sup>

Jousten (2012) looks at the portability of pensions for migrant labour in the EU, focusing largely on intra-European portability by citizens of the countries that are signatory to these multilateral agreements and partly on

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<sup>5</sup> No later than after five years according to EU Directive 109/2003 (van Ginneken 2010: 3).

<sup>6</sup> As indicated by the adoption in 2005 of the so-called Baku Declaration on "Enhancing social protection of migrant labour" (ISSA/IAPSF 2005, in van Ginneken 2010: 3), signed by social security directors, administrators and experts from 24 countries.

outward portability to non-EU countries on a bilateral basis. In general, portability of pensions is more challenging at the employment stage of migration, which was recently reemphasised by the European Commission in its White Paper on ‘adequate, safe and sustainable pensions’ (European Commission 2012). MacAuslan and Sabates-Wheeler (2011) also insist that imperfect benefit eligibility and take up, as well as selective benefit provision to immigrants are important considerations. This is particularly the case in the EU where certain regulations provide protective rights to citizens.<sup>7</sup> Jousten (2012: 7) warns against an ‘overly narrow focus on pure pension entitlements as compared to other types of benefits’.

For an analysis from the migrant worker’s perspective, some authors have studied the interactions between institutions and individual behaviour in Western Europe and the US, since these have a variety of social protection designs (Wise 2012; Gruber and Wise 2004; in Jousten 2012: 9). The authors highlight the significance of individual circumstances such as household composition, career profiles and wage trajectories.

## 5.2 South-North

While Holzmann et al. (2005) make an important first study of portability, it focuses on South-North migration, in particular to host countries in continental Europe and the United States. Avato et al. (2010: 462) characterises these latter countries as having ‘Bismarckian’<sup>8</sup> social protection systems and therefore being a rather homogenous and unique case.

Some countries’ systems of social security are limited to the ‘principle of territoriality’, so migrants who work in another country are not entitled to benefits in their country of origin. Benefits may require residence, a minimum number of contributions, and if the worker has moved abroad, coordination between two social security schemes (Hempel 2010: 1). Access to social security may also be impossible for certain groups of workers, such as migrants working in low-skilled employment like domestic work, who are overwhelmingly women.

Bilateral agreements are more likely to exist between countries that experience organised migration through labour migration schemes that may be seasonal or non-seasonal and always temporary (Holzmann and Pouget 2010). The Philippines sends large numbers of women migrants each year to various countries in the North. The Philippines Overseas Workers Welfare Administration (OWWA) is an important example of a domestic institution that provides migrant protection and a type of spatial portability from origin to host country. Ruiz (2008) describes the role of this institutionalised welfare fund for overseas migrant workers, financed by membership fees paid before

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<sup>7</sup> EU regulations EC883/2004 and EC 987/2009 (Jousten 2012: 6-7).

<sup>8</sup> Bismarckian systems have a strong role of social insurance and labour market regulation, with pensions that are ‘strictly contributions-linked’, while Beveridgean pensions give out ‘purely uniform benefits’ (Cremer and Pestieau 2003, in Jousten 2012: 4).

deployment. The OWWA provides support services for public assistance programmes and services at its own specialised centres, such as ‘community outreach, repatriation, welfare assistance, reintegration preparedness, socio-cultural and sports development, and country-specific pilot programs’ found in several countries (Ruiz 2008: 2). It is an intervention in the uncontrollable process of international migration, which Agunias (2008: 37) notes as causing some problems due to the lack of collective effort with the host countries.

Partly inspired by this model, the Sri Lanka Overseas Workers Welfare Fund also demonstrates how origin countries can take more responsibility for their migrants’ social protection, even in the absence of agreements from the host country. This fund provides social insurance for migrants and their families who are left behind, and covers payments to migrants and their families in the case of death, disability or a need to cover travel expenses (del Rosario 2008: 14-21) and, thus, a type of social portability within the household.

Some high-income countries such as Australia, Canada, New Zealand, and US, have social security arrangements specially targeted to seasonal workers from the South. For example, in Australia, temporary migrants, such as those under the Pacific Seasonal Worker Pilot Scheme, can claim their pension contributions upon departure and receive a lump sum (Holzmann and Pouget 2010: 5). Canada’s Seasonal Agricultural Worker Program (SAWP) gives migrants the same status as other expressly protected groups, although in practice, eligibility requirements for unemployment benefits are difficult to meet for seasonal migrant workers.<sup>9</sup> Despite this, maternity, parental and compassionate care benefits are portable as they can be collected both inside and outside of Canada. However, McLaughlin (2009, in Holzmann and Pouget 2010: 44) reveals that Mexican and Jamaican workers may find it difficult to access health benefits at all, due to various practical reasons such as a lack of information on available services, language barriers, or the lack of de facto access due to long working hours.

The EU has bilateral agreements with the three Maghreb countries, Algeria, Morocco, and Tunisia – the main migrant origin countries from the Middle East and North Africa (MENA) to Europe. In particular, France, Spain and the United Kingdom have implemented schemes for seasonal workers. Thus, most migrants from MENA are ‘well protected’ in Europe, although portability of health care benefits is an issue for migrants from other MENA countries (Koettl 2009: 51). However, most of these benefits are extended to documented migrants. For example, while documented Moroccan migrant workers in Spain can accrue social security and retirement benefits, which are potentially portable, many of these Type T or *contingente* permits are not used by employers (Arango and Martin 2006: 267).

The US has bilateral agreements with 24 countries, mostly more developed ones in the EU, but also including a 2004 agreement with Mexico, its second

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<sup>9</sup> Workers must have shown that they have worked in a job that has paid employment insurance premiums and for 600 insurable hours in the last 52 weeks or since their last claim, whichever is less (Holzmann and Pouget 2010: 6).

largest trading partner. However, this agreement is not yet enacted and, hence, does not effectively cover the portability of social security contributions from the US to Mexico (Aguila and Zissimopoulos 2013: 104). Nevertheless, Mexico allows voluntary participation for its migrant workers in its national social insurance programs, thus allowing them social security benefits even when working in the US or other countries (Mendizábal Bermúdez 2010).

Members of ASEAN have started preparations for establishing a multilateral social security agreement after the signing of the Cebu Declaration at the 2007 ASEAN Summit to protect and promote the rights of migrant workers (Pasadilla and Abella 2012: 15-16, Tamagno 2008: 1). Individually, countries like Japan, South Korea, Hong Kong and Taiwan have provisions that can provide portability to other countries even without bilateral agreements. Some significant bilateral agreements are South Korea with China, Mongolia, Uzbekistan, Thailand and Sri Lanka (National Pension Service Korea 2012) although admittedly there is a time lag between signing agreements in 2007 and their implementation; the Philippines with Austria, Belgium, France, Ireland, the Netherlands, Switzerland, United Kingdom and Canada (Cruz 2004); and Pakistan with Denmark and Libya.<sup>10</sup>

Hirose et al. (2011) elaborate on the Ibero-American Multilateral Convention on Social Security, which was signed by Spain, Portugal, and 12 Latin American countries (Argentina, Brazil, Bolivia, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Paraguay, Peru, Uruguay, and Venezuela), and addresses the exportability of benefits (including to non-signatory countries) and equality of treatment. It applies to all contributory schemes except health care benefits, although bilateral agreements among countries are possible. This convention 'replaces a network of bilateral and multilateral agreements among Latin American countries, and between those countries with Spain and Portugal', though it is not yet clear how it replaces or supplements the MERCOSUR social security agreement for South-South migration within Latin America (Pasadilla and Abella 2012: 24).

### **5.3 South-South**

Under the social security agreement between MERCOSUR countries Brazil, Argentina, Paraguay and Uruguay, the International Agreements System (SIACI) was introduced in 2008 to manage the pension requests of individuals who worked in the four member countries. This system is not a standard social security agreement where the parties agree on coordination of social security programs, but rather, an administrative coordination to facilitate the processing of pension benefits (Pasadilla and Abella 2012: 24). Brazil's virtual system of information exchange of social security benefit claims between the other MERCOSUR countries has attracted interest from other countries – both with those who have bilateral social security agreements with Brazil (Chile, Greece, Portugal, Spain) and other countries (Germany, Japan) (van Ginneken 2010: 3).

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<sup>10</sup> See Holzmann and Pouget (2010) for more bilateral agreements.

In the Latin American and Caribbean region (LAC), migrants can take advantage of social security provisions that have been established in the multilateral framework of the Caribbean Community (CARICOM) Agreement on Social Security (CASS) since 1996, although the process of pension harmonisation has only been partial (Hendrikx 2006: 2-4). The issue of portability is particularly relevant for the Caribbean countries because of their small size and increasing number of migrant workers (Forteza 2008: 3). The CARICOM agreement allows for migrant workers to accumulate contributions credits in more than one country to qualify for pension. However, the agreement only applies in countries in which workers have not completed the minimum years of service in the scheme required to receive the benefit, which excludes long-staying migrant workers. In practice there have also been problems with calculating pensions. Nevertheless, the agreement works well for temporary workers, who may now receive pensions where ‘otherwise they would have received a grant for “short service”’ (Forteza 2008: 17). The plans differ per country, with some having more convenient conditions than others (Hendrikx 2006: 3). However, Pasadilla and Abella (2012: 23) find that despite being in operation for more than 10 years, the CARICOM agreement has had few benefits applications, mostly due to lack of awareness of the benefits of the agreement, thus not much is known about whether it contributes to migrant workers’ ability to access social security.

In their analysis of circular and temporary migrant workers in South Africa from Botswana and Namibia, Olivier and Dupper (2012: 6) find that non-citizens who have acquired permanent residence status are eligible for social protection on the same basis as South Africans, for both social assistance and social insurance, bolstered by the ‘highly [...] acclaimed’ South African Constitutional Court decision recognising a human right to welfare for certain ‘settled’ but non-citizen immigrant workers (Carney 2010: 1). Tanzania is one of the few South African Development Community (SADC) countries, apart from Malawi and Zambia, to have addressed portability in a bilateral agreement,<sup>11</sup> although there is no study yet of its ratification (Millard 2009).

There are also great challenges for the huge numbers of internal migrants in India (MacAuslan 2011) and China (Zhu and Lin 2013; Lu and Piggott 2012, Stepan and Lu 2012; Wang 2011). China, which is undergoing the largest regional migration in the world’s history,<sup>12</sup> with half of workers in urban areas being young rural migrants (Lu and Piggott 2012: 1) and half being women (Zhu and Lin 2013: 157), is an interesting case for portability within countries: across provinces and regions, and within the household. Coming from a rights-based approach and mostly focusing on pensions, several authors have written on the need to consolidate and centralise the public pension system which is

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<sup>11</sup> The Tanzanian Labour Law Reform Task Team has proposed a legislation to be included in Tanzania’s Social Security Bill to recognise various periods of pension contributions, to retain pension benefits and prevent withdrawal even after employment ends (see Millard 2009: 151-3).

<sup>12</sup> In 2010, there were about 220 million migrants, and about 153 million are rural workers, with no permanent right to stay in their immigrant location (Lu and Piggott 2012: 1).



currently highly fragmented (Stepan and Lu 2012: 3) across regions – which leads some authors taking the EU as the standard to aim for (Kovacheva et al. 2012; Stepan and Lu 2012). Wang (2011: 186) concludes that public pensions for rural migrants need to be standardised to facilitate rural industrialisation, in order to further develop the private sector in urbanised areas through improved employer-employee capital relations. Messkoub and Davin (2000) also agree that rural migrants should be given access to urban social services (such as health, education and pension) by relaxing the household registration system (*hukou*) and therefore making the right to social services portable, because of rural migrants' vast contribution to national economic growth and urban development.

Depending on provincial conditions, migrant workers' social security coverage can take three forms: (i) affiliation to the basic social security system for urban workers with the possibility of lower standards in the case of formal employment; (ii) new insurance systems for migrant workers in urban areas; and (iii) local rural pension systems known as 'rural social endowment insurance', which may be incomplete or non-existent in some less-developed regions (Wang 2011:178). In practice however, criteria for the first type of social security system severely limit most migrant workers who are informally employed, whose households are registered (*hukou*) in rural areas,<sup>13</sup> or the schemes require a contribution rate that is too high. Song and Hou (2007, in Zhu and Lin 2013) found that the non-portable nature of social insurance programmes was the main reason for migrants withdrawing from them.<sup>14</sup>

Zhu and Lin (2013: 165) provide a gendered perspective to the issue of portable social security in China with their study of women migrants in Fujian province. They found that the diverse choices of female migrant workers on social insurance programmes are 'closely related to their different preferences with regard to their place of final settlement', with 43.5 per cent having joined a *rural* healthcare scheme before or during migration to urban areas.

## 6 Outlook for research

This paper reviews the available research on the portability of social security entitlements for migrant workers along North-North, South-North, and South-South migration flows. Various types of unilateral, bilateral and multilateral agreements across countries and regions are the key instruments used to address the need for social protection during migration, and the need for portability of these entitlements between a migrant's source and destination countries.

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<sup>13</sup> The *hukou* system ties a Chinese citizen to a given jurisdiction, and to an urban or rural status (which are difficult to transfer from one to the other). Traditionally, transfers were possible by enrolling at a university, joining the army, joining the civil service, or marrying an urban resident. Now in some jurisdictions it is possible to "buy" an urban *hukou* by investing in housing or paying taxes (Lu and Piggott 2012: 3).

<sup>14</sup> As of end 2009, migrants still could not take insurance benefits with them when they moved from one place to another, making the insurance invalid in their later life.

The review finds that North-North migrants have the best access to social protection and portability, due to the available capacity of high-income countries to develop the required bureaucracies to coordinate this. South-North migrants are often dealing with immigration discourses that frame them as (potential) criminals, even as they are providing much-needed lower-skilled labour to their host countries. This hinders bilateral agreements on social security portability. Countries that have a history of sending and receiving migrants are starting to establish more rigorous mechanisms; however, time is needed to observe and evaluate the impact of these recent mechanisms. South-South migrants are seeing new regional mechanisms addressing portability; however, beyond legal agreements, much of the impacts of these mechanisms are not yet known.

A vital question to keep in mind for future research is not merely the existence of legislation or agreements between countries to nominally accord social protection to migrant workers, but to assess the impact and determine which migrant workers can actually access these rights.

A first research gap is with respect to internal migration and South-South migration. The most disadvantaged migrants are those moving within the South, where formal social security provisions are less developed, and migration is characterised by high numbers of undocumented migrants (Sabates-Wheeler et al. 2011: 93). With the exception of China, internal migration across provinces or administrative regions in countries such as India is hardly covered in the literature.

Rarely is gender considered, along with other social identities, in the literature. For instance, gender-based difference in health costs and subsequent needs for coverage over time are an important factor to look at when discussing portability. Other core analytical concerns are the need for gender justice in the household – if a worker's spouse, depending on gender, can receive social protection – and intersectionality.

The type of work done by migrant workers should also be taken into consideration. Women, making up half of the world's migrants, tend to do low-skilled, labour-intensive, and informal jobs such as domestic work or agriculture. Thus, it is important to research the possibilities for social protection that is not dependent on employer contributions. At the same time, a large proportion of male migrant workers who work in construction are also vulnerable to severe risks such as work injury and require not only health, but wider legal and social protection.

Finally, the immigration status of migrant workers plays the most significant role, as this is often related to the type of work and the vulnerabilities they face. Undocumented migrant workers represent the biggest gap in research as they consistently seek anonymity or avoid exposure, as a form of self-protection against police harassment and prosecution. Even high-income countries such as Canada are pulling back on their social security provisions to undocumented migrant workers (Magalhaes et al. 2010). Bilateral arrangements are a first step towards the portability of social security entitlements; however, these often cover only documented migrants as in the case of Moroccan migrants in Spain.

The normative underpinnings of the literature on migration also require more attention and analysis. Holzmann et al. (2005: 4) discerned that governments of both host and origin countries, as part of the larger discourse on migration management, encourage migrant workers to return to their countries of origin. The countries then recognise that the lack of portability of social security benefits and potential financial losses from social security contributions are potential obstacles to return migration. They are optimistic about the nature of such migration as a way to '[remit] production factors' such as investment capital, human capital, and 'knowledge and skills' (Holzmann et al. 2005: 4). The availability and access to portable pensions can be a push or pull factor for migrant workers to retire in their host or origin country.

This reflects the dominant stance in the literature on "return migration", which plays a part in justifying the control of migration instead of fulfilling the right of migrants to move and live where they wish. The highly individualistic approach also favours receiving countries, who benefit from zero expenditure on the migrants over their first few decades of life. A conceptual approach that emphasises returning migrants will have implications for the rights of migrants who choose to remain in the host country. But is that not the choice for the migrant to make?

## **Annotated Bibliography**

**Aguila, E. and J. Zissimopoulos (2013) 'Retirement and Health Benefits for Mexican Migrant Workers Returning from the United States', *International Social Security Review* 66: 101-125.**

An examination of the access to pension and health insurance benefits and employment status of older Mexican return migrants from the United States. Those who spent at least a year in the US could be more vulnerable to poverty in old age.

**Agunias, D. R. (2008) 'Managing Temporary Migration: Lessons from the Philippine Model', *Insight: Program on Migrants, Migration and Development* October 2008. Washington DC: Migration Policy Institute.**

An analysis of the Philippine Overseas Employment Administration (POEA), tasked with managing outgoing Filipino migration. POEA has dual missions of protecting migrants' welfare but also maximising deployment, with limitations of funding and personnel. This local institution faces serious limitations due to the international nature of migration. This study calls for collective international efforts and translation of deployment into concrete development outcomes at home.

**Arango, J. and P. Martin (2005) 'Best Practices to Manage Migration: Morocco-Spain', *International Migration Review* 39(1) Spring 2005: 258-269.**

A study of the migration flow between northern Morocco and southern Spain. Labour-intensive agriculture in southern Spain has shifted its seasonal employment from Moroccan workers to East Europeans and Latin Americans. Pressures lead to employers and migrants preferring to operate outside the guest worker and formal economic system, with implications for social protection of undocumented workers.

**Avato, J., J. Koettl and R. Sabates-Wheeler (2010) 'Social Security Regimes, Global Estimates, and Good Practices: The Status of Social Protection for International Migrants', *World Development* 38(4): 455-466.**

This paper fills in gaps on social protection for international migrants, especially portability of social security rights, in middle- and low-income host countries. It includes an analysis of the social protection status of migrants based on global data.

**Barrientos, A. (2010) 'Social Protection and Poverty', *Social Policy and Development Programme Paper No. 42*. Geneva: United Nations Research Institute for Social Development.**

An overview of social protection and assessment of its potential contribution to addressing poverty and vulnerability in developing countries.

**Becker, U. and M. Olivier (2009) Access to Social Security for Non-citizens and Informal Sector Workers: An International, South African and German Perspective. Stellenbosch: African Sun Media.**

This book discusses the present problems of access to social security for non-citizens and informal sector workers in South Africa and other countries of the South African Development Community (SADC) from a legal perspective.

**Carney, T. (2010) 'Securing Social Security for Migrant Workers: Orthodox Approaches or an Alternative (Regional/Political) Path for Southern Africa?', Sydney Law School Legal Studies Research Paper No. 10/35. Sydney: The University of Sydney.**

A review of policies on welfare rights of migrant workers, comparing South Africa's context with other settler-states like Australia.

**Cremer, H. and P. Pestieau (2003) 'Social Insurance Competition between Bismarck and Beveridge' Journal of Urban Economics 54: 181–96.**

A description of Bismarckian and Beveridgean systems of social insurance schemes. Bismarckian systems provide earnings-related benefits, while Beveridgean systems offer flat payments.

**Cruz, A. (2004) 'Portability of Benefit Rights in Response to External and Internal Labour Mobility: The Philippine Experience', paper presented at the International Social Security Association 13th Regional Conference for Asia and the Pacific, Kuwait (8-10 March).**

A discussion of the Philippine experience on the application of portability of benefit rights. Includes a description of the Philippine Social Security System and statistics on different cases of avilment of existing portability arrangements in the country.

**del Rosario, T. (2008) 'Best Practices in Social Insurance for Migrant Workers: The Case of Sri Lanka', ILO Asian Regional Programme on Governance of Labour Migration, Working Paper 12. Geneva: International Labour Organisation.**

This report highlights the Overseas Workers Welfare Fund (OWWF) with special focus on social insurance schemes that are a permanent feature of the migration process in Sri Lanka.

**European Commission (2012) ‘An Agenda for Adequate, Safe and Sustainable Pensions’, White Paper. Brussels: European Commission.**

This White Paper reflects concerns about problems in European pension systems and sets out an agenda for adequate and sustainable pensions in the long-term.

**Forteza, A. (2008) ‘The Portability of Pension Rights: General Principles and the Caribbean Case’, SP Discussion Paper No. 0825. Washington DC: World Bank.**

A selected literature review of pension portability and a review of the progress made by Caribbean countries in the light of increasing flows of permanent and temporary migrant workers and regional integration.

**Gasper, D. and T. Truong (2013) “Women in Motion” in a World of Nation-States, Market Forces, and Gender Power Relations’, in T. Truong, D. Gasper, J. Handmaker and S. Bergh (eds) Migration, Gender and Social Justice: Perspectives on Human Insecurity, pp. 367-86. Heidelberg: Springer.**

This is the concluding chapter of the book reviewing the findings of the project to which this report belongs.

**Gruber, J. and D. Wise (2004) Social Security Programs and Retirement around the World: Micro-Estimation. Chicago: University of Chicago Press and NBER.**

This book is the result of an international research project studying the relationship between social security provisions and retirement in 12 high-income countries.

**Hempel, F. (2010) ‘Voluntary Insurance Provisions in National Social Security Schemes: Unilateral Actions of the Countries of Origin’, Extension of Social Security Paper No. 26. Geneva: International Labour Organisation.**

A report looking into existing voluntary social security insurance schemes for migrant workers in selected African countries, where they are either not implemented, do not attract the eligible group of people, or do not exist. Examples from outside the African region are given as recommendations to African countries.

**Hendriks, M. (2006) ‘Appropriate Social Security for Migrant Workers: Implementation of Agreements on Social Security’, paper presented at the International Social Security Association Regional Conference for the Americas, Belize, (28-31 May).**

An overview of the activities of the Social Security Board of Belize as a part of regional agreements like CARICOM, and also international organisations like the International Social Security Association.

**Hirose, K., M. Nikač, and E. Tamagno (2011) ‘Social Security for Migrant Workers: a Rights-Based Approach’. Budapest: International Labour Organisation.**

A comprehensive guide for the international coordination of social security, covering basic principles and practical aspects. Part of a series of training modules published in 2010 dealing with coordination of social security.

**Holzmann, R. and S. Jorgensen (1999) ‘Social Protection as Social Risk Management: Conceptual Underpinnings for the Social Protection Sector Strategy Paper’, Social Protection Discussion Paper Series No. 9904. Washington DC: World Bank.**

A report defining the conceptual underpinnings, objectives and instruments of social protection, which the World Bank views under the rubric of Social Risk Management.

**Holzmann, R., J. Koettl and T. Chernetsky (2005) ‘Portability Regimes of Pension and Healthcare Benefits for International Migrants: An Analysis of Issues and Good Practices’, Social Protection Discussion Paper Series No. 0519. Washington DC: World Bank.**

An exploratory paper on the portability of pension and healthcare benefits for international migrants, based on available literature, new data, and case studies from main sending and receiving countries. The paper concludes that bilateral agreements seem to be the current best practice to ensure portability.

**Holzmann, R. and Y. Pouget (2010) ‘Social Protection for Temporary Migrant Workers: Conceptual Framework, Country Inventory, Assessment and Guidance’, study prepared for the Global Forum of Migration and Development, Marseille (27 October).**

A study that identifies good practices from 9 OECD countries plus Singapore, and 6 GCC countries, on social protection benefits for migrant workers and their families in the receiving and/or sending countries. This study also provides guidance on the design and composition of benefit packages.

**Holzmann, R., L. Sherburne-Benz and E. Tesliuc (2003) ‘Social Risk Management: The World Bank’s Approach to Social Protection in a Globalizing World’. Washington DC: World Bank.**

This paper outlines the developmental aspect of social protection, defines the concept of social risk management (SRM), explains the focus on

vulnerable groups and reviews labour market interventions and pensions through the lens of SRM.

**ILO (2012a) ‘Text of the Recommendation Concerning National Floors of Social Protection’. Geneva: International Labour Organisation.**

The General Conference of the International Labour Organisation’s recommendation for all countries to implement a minimum of social protection.

**ILO (2010b) ‘World Social Security Report 2010/11: Providing Coverage in Times of Crisis and Beyond’. Geneva: International Labour Organisation.**

A comprehensive look at how countries are investing in social security, how they finance it, and effectiveness. This report examines the ways that the EU, OECD and ADB monitor social protection, includes a typology of national approaches to social security, and lessons to be learned about short- and long-term management of pension schemes.

**ILO (2010a) ‘International Labour Migration: A Rights-Based Approach’. Geneva: International Labour Organisation.**

A comprehensive discussion of issues of labour migration. It brings together the elements of a rights-based approach to labour migration as identified by its constituents. This report highlights ILO perspectives on labour migration, the connections between migration and development, decent work for migrant workers, the normative framework for protection of migrant rights, the governance of international labour migration, and the role of social dialogue and international cooperation.

**Jousten, A. (2012) ‘The Retirement of the Migrant Labour Force: Pension Portability and Beyond’, CESifo Working Paper No. 3995. Munich: CESifo.**

An analysis of the retirement pensions of migrant workers, discussing the impact of European social security coordination mechanisms on individual decision-making.

**Jousten, A. and P. Pestieau (2001) ‘Labour Mobility, Redistribution and Pensions Reform in Europe’, CEPR discussion Paper No. 2792. London: Centre for Economic Policy Research.**

This paper looks at mobility in the beginning of the working life and whether such mobility changes redistributive patterns of national pensions systems in the EU.

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This report investigates global demographic trends and highlights interrelation between labour market and social protection policies. It recommends removing obstacles for the return of migrants to the source country by making social security benefits portable.

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A comparison between the EU and China as internal migration areas of virtually free movement.

**Lu, B. and J. Piggott (2012) ‘Meeting the Migrant Pension Challenge in China’, Working Paper 2012/32, ARC Centre of Excellence in Population Ageing Research. Sydney: University of New South Wales.**

This paper proposes a mechanism to ensure pension mobility for Chinese migrant workers, independent from the three existing pension schemes.

**MacAuslan, I. (2011) ‘Crossing Internal Boundaries: Political and Physical Access to the Public Distribution System in India’, in R. Sabates-Wheeler and R. Feldman (eds) *Social Protection and Migration: Claiming Rights Beyond Borders*, pp. 183-211. London: Palgrave Macmillan.**

This book chapter analyses the physical and political access of internal migrants to formal social protection, using a case study of Indian migrants’ access to India’s Public Distribution System.

**MacAuslan, I. and R. Sabates-Wheeler (2011) ‘Structures of Access to Social Provision for Migrants’, in R. Sabates-Wheeler and R. Feldman (eds) *Social Protection and Migration: Claiming Rights Beyond Borders*, pp. 61-90. London: Palgrave Macmillan.**

This book chapter provides a framework to analyse migrant access to different sources of social provisioning, using illustrative examples of market and non-market distributions, and charity or network-based relations.

**Magalhaes, L., C. Carrasco and D. Gastaldo (2010) ‘Undocumented Migrants in Canada: a Scope Literature Review on Health, Access to Services, and Working Conditions’, *Journal of Immigration and Minority Health* 12(1): 132-151.**

This review of peer-reviewed and grey literature explores the concept of undocumentedness in Canada, identifies gaps in existing knowledge and sets out some recommendations.

**McLaughlin, J. (2009) *Trouble in our Fields: Health and Human Rights among Mexican and Caribbean Migrant Farm Workers in Canada*. Ottawa: Library and Archives Canada.**

This book assesses the structural vulnerabilities, including health concerns, of migrant workers from Jamaica and Mexico working in Canada as part of the Canadian Seasonal Agricultural Workers Program.

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This report looks at the access to social protection for Mexican migrant workers by analysing the principal international and national legal instruments.

**Messkoub, M. and D. Davin (2000) ‘Patterns of Migration Under the Reforms,’ in T. Cannon (ed.) *China’s Economic Growth: The Impact on Regions, Migration and the Environment*, pp. 56-90. New York: Palgrave.**

This book chapter reviews the history of migration control in China and its demise from increased demand for labour in rapid developing cities. The authors conclude that further marketisation of the economy inevitably requires more labour mobility.

**Millard, D. (2009) ‘The Portability of Social Security Benefits: The Position of Non-citizens in South Africa and the Southern Africa Development Community’, in U. Becker and M. Olivier (eds), *Access to Social Security for Non-citizens and Informal Sector Workers: An International, South African and German Perspective*, pp. 143-161. Stellenbosch: African Sun Media.**

This book chapter is a comparative legal study of the social protection systems in all countries of the SADC (South Africa, Botswana, Kenya, Lesotho, Malawi, Mauritius, Namibia, Seychelles, Swaziland, Tanzania, Zambia and Zimbabwe), and provides recommendations on protection of non-citizens.

**Mkandawire, T. (2001) ‘Social Policy in a Development Context’ Social Policy and Development Programme Paper No. 7. Geneva: United Nations Research Institute for Social Development.**

This paper argues that social policy must be rethought to involve overall and prior concerns with social development, not just safety nets.

**National Pension Service of Republic of Korea (2012) ‘Concluding Memorandums of Understanding to Improve the Application Procedures for Immigrant Workers: A Case of the National Pension Service’, Good Practices in Social Security. Geneva: International Social Security Association.**

A description of best practice from the National Pension Service of South Korea, which concludes Memorandums of Understanding with the social security institutions in various countries to ensure that migrant workers receive benefits.

**Olivier, M. and O. Dupper (2012) ‘Political and Regulatory Dimensions of Access, Portability and Exclusion: Social Security for Migrants, with an Emphasis on Migrants in Southern Africa’. Perth: International Institute for Social Law and Policy.**

This paper focuses on rights, regulation and a normative understanding of migrants’ entitlements, in particular in relation to social protection, and with specific reference to migrants in Southern Africa, i.e. intra-SADC (Southern African Development Community) migrants.

**Pasadilla, G. and M. Abella (2012) ‘Social Protection for Migrant Workers in ASEAN’, CESifo Working Paper No. 3914, paper presented at CESifo Venice Summer Institute, Workshop on Portability of Social Benefits, Venice.**

This paper examines the portability of social protection in East Asia, particularly in the ASEAN area, and analyses possibilities for bilateral or multilateral cooperation by assessing existing national social security schemes.

**Pigeon, C. (2004) ‘Reforms in the Coordination of Social Security Systems for People Who Move within the European Union’, paper presented at the International Social Security Association European Regional Meeting on Migrants and Social Protection, Oslo (21-23 April).**

This paper calls for the harmonisation of social security systems of European Community member countries, with each member drawing up its own legislation.

**Ruiz, N. (2008) ‘Managing Migration: Lessons from the Philippines’, Migration and Development Brief. Washington DC: World Bank.**

This paper looks at the institutions that manage migration in the Philippines, by regulating overseas deployment recruitment, and providing protection and representation through a migrant welfare fund.

**Sabates-Wheeler, R. (2009) ‘Social Security for Migrants: Trends, Best Practice and Ways Forward’, Working Paper 12, Project on Examining the Existing Knowledge of Social Security Coverage. Geneva: International Social Security Association.**

This paper draws out best practices for providing social security coverage to migrant workers, but also identifies areas where best practice cannot be easily implemented. It illustrates how social security access and provisioning have very specific remits for migrants, reviews the ways in which migrants are able to access (or are constrained from accessing) social security arrangements, and provides recommendations as to how to extend and strengthen social insurance entitlements for migrants.

**Sabates-Wheeler, R. and R. Feldman (eds) (2011) *Migration and Social Protection: Claiming Social Rights Beyond Borders*. London: Palgrave Macmillan.**

This book is a collection of studies of not only formal law surrounding the welfare aspects of migration, but also the relations between host countries and migrants, featuring case studies of migrant workers from developing countries.

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This book chapter reviews the meaning of social protection and how it relates to migration, looks at how migrants can or cannot access social security arrangements, and the coverage of existing bilateral and multilateral social security arrangements.

**Song, J. and J. Hou (2007) ‘Management of the Floating Population in Beijing: Seen From the Perspective of Policies and Regulations’ (in Chinese), *Shichang yu Renkou fenxi [Market and Demographic Analysis]* 13(3): 14–23.**

This paper provides a review of the policies and regulations with regard to internal migrant workers in Beijing.

**Stepan, M. and Q. Lu (2012) ‘How to Avoid Social Policy Becoming a Source of Inequality for the Internal Migrant Workers within the EU and in the P.R. China?’, paper presented at Joint Annual Conference of the East Asian Social Policy Research Network (EASP) and the United Kingdom Social Policy Association (SPA), University of York, UK (16-18 July).**

This paper compares the legal and administrative arrangements to guarantee internal migrant workers access to public pensions and

portability of entitlements within the EU and within China – both of which display a territorially fragmented public pension system.

**Tamagno, E. (2008) ‘Strengthening Social Protection for ASEAN Migrant Workers through Social Security Agreements’, Working Paper No. 10. Geneva: International Labour Organisation.**

This report shows the importance of social security agreements between ASEAN countries to strengthen the social security protection of migrant workers, and proposes specific measures to begin the process of concluding agreements.

**Truong, T., D. Gasper and J. Handmaker (2013b) ‘Migration, Gender, Social Justice and Human Insecurity’, in Truong, T. et al. (eds) (2013) *Migration, Gender and Social Justice: Perspectives on Human Insecurity*, pp. 3-26. Heidelberg: Springer.**

The opening chapter for a set of 19 case studies, from East, West and South Asia, Central and South America, West Africa and Western Europe.

**Truong, T., D. Gasper, J. Handmaker and S. Bergh, (eds) (2013a) *Migration, Gender and Social Justice: Perspectives on Human Insecurity*. Heidelberg: Springer.**

This book presents and synthesises the findings of 19 research projects in Asia, Africa, Europe and Latin America on issues surrounding gender inequality and social justice in migration. The authors compare context-specific forms of social inequality, explore legal liminality and how social constructions of femininity and masculinity affect migrants, and identify connections between rights violations and accountability in various contexts, to try to improve the administration of migration.

**UNDP (2009) *Overcoming Barriers: Human Mobility and Development -- Human Development Report 2009*. New York: United Nations Development Programme.**

The report investigates migration in the context of demographic changes and trends in both growth and inequality. It also presents more detailed and nuanced individual, family and village experiences, and explores less visible movements typically pursued by disadvantaged groups such as short term and seasonal migration.

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**van Ginneken, W. (2010) ‘Making Social Security Accessible to Migrants’, paper presented at World Social Security Forum 30<sup>th</sup> International Social Security Association General Assembly, Cape Town (29 November - 4 December).**

This paper discusses various approaches to enhancing migrants’ accessibility to social security in both developing and developed countries, such as affiliation to the social security systems in the country of employment, bilateral and multilateral social security agreements, and social security schemes for migrants in their own countries of origin.

**Wang, Z. (2011) ‘Social Security for China’s Migrant Workers’, *International Labour Review* 150(1-2): 177-187.**

This article points to the absence of integrated social protection for Chinese rural migrants as compared to urban residents as a constraint on private sector development. Although the government’s answer is tighter law enforcement, the author calls for institutional reforms.

**Werding, M. and S. McLennan (2012) ‘International Portability of Health-Cost Cover: Mobility, Insurance, and Redistribution’, paper presented at CESifo Venice Summer Institute, Workshop on Portability of Social Benefits, Venice (July).**

This paper clarifies the implications of mobility for typical systems covering health costs and the requirements, which have to be met to ensure full portability. When individuals are internationally mobile, compensating payments are needed based on changes in expected net costs in both of the health funds involved.

**Williams, A. (2008) ‘Social Security for Migrant Workers: the Barbados Experience’, paper presented at the International Social Security Association Technical Seminar in the English-speaking Caribbean, Bermuda (18-20 May).**

A description of how documented and undocumented migrant workers in Barbados access social security entitlements, including experience with the CARICOM agreement.

**Wise, D. (2002) *Social Security Programs and Retirement around the World: Historical Trends in Mortality and Health, Employment and***

***Disability Insurance Participation Reforms.* Chicago: University of Chicago Press and NBER.**

This book is collection of cross-country analyses of the effects of disability insurance programs on labour force participation by older workers.

Drawing on measures of health comparable across countries, the authors explore the extent to which differences in the labour force are determined by disability insurance programs and to what extent disability insurance reforms are prompted by the circumstances of a country's elderly population.

**Wong, R. and C. Gonzalez-Gonzalez (2010) 'Old Age Disability and Wealth among Return Mexican Migrants from the United States', *Journal of Aging and Health* 22(7): 932-54.**

This paper examines the old-age consequences of international migration, focusing on disability and wealth from the perspective of the origin country. It finds profound gender differences: return migrant women are more likely to be disabled, while return migrant men are wealthier than comparable older adults in Mexico.

**World Bank (2009) 'Social Protection and Labour at the World Bank, 2000-2008'. Washington DC: World Bank.**

A review showing progress made by the World Bank in understanding the importance of social risk management for poverty reduction and its contribution to equitable and sustainable growth.

**Zhu, Y. and L. Lin (2013) 'From 'Integration into Cities' to 'An Integrated Society': Women Migrants' Needs and Rights in Fujian Province, China', in T. Truong, D. Gasper, J. Handmaker and S. Bergh (eds) *Migration, Gender and Social Justice: Perspectives on Human Insecurity*, pp. 153-172. Heidelberg: Springer.**

This book chapter looks at the rights issues of Chinese women migrants, recommending their inclusion into a broader system of rights that is portable and that extends beyond the municipality or locality level, as these arrangements affect decisions to participate or not in social security programs.

## Additional resources

**Abrar, C. (2011) 'Bangladeshi Labour Migrants in the Gulf: Coping with a Large Unmet Need for Social Protection', in R. Sabates-Wheeler and R. Feldman (eds) Social Protection and Migration: Claiming Rights Beyond Borders, pp. 262-82. London: Palgrave Macmillan.**

This book chapter details the problems faced by Bangladeshi workers who migrate to Gulf states. They develop self and collective protection mechanisms, but are still in dire need of both formal and informal forms of social protection.

**Boccagni, P. (2011) 'Social Protection as a Multi-Actor Process in Ecuadorian Migration: Towards a Transnationalism of Social Rights?', in R. Sabates-Wheeler and R. Feldman (eds) Social Protection and Migration: Claiming Rights Beyond Borders, pp. 210-231. London: Palgrave Macmillan.**

This book chapter is a comparative analysis of migrants' practices and resources of social protection within Ecuador-Europe migration flows in general, and the Ecuador-Italy flow specifically.

**Bragg, R. and R. Feldman (2011) 'An Increasingly Uncomfortable Environment': Access to Health Care for Documented and Undocumented Migrants in the UK', in R. Sabates-Wheeler and R. Feldman (eds) Social Protection and Migration: Claiming Rights Beyond Borders, pp. 143-163. London: Palgrave Macmillan.**

This book chapter is a summary of existing and proposed restrictions of entitlements to free healthcare in the UK via the National Health Service, and implications of these restrictions for both documented and undocumented migrants.

**Conte-Grand, A. (2005) 'Appropriate Social Security for Migrant Workers', paper presented at the International Social Security Association Regional Conference for the Americas, Belize (28-31 May 2006).**

A description of instruments currently used to maintain insurance rights for workers in different schemes in Argentina and Latin America, such as the multilateral MERCOSUR agreement.

**Fang, C., D. Yang and M. Wang (2009) 'Migration and Labour Mobility in China', Human Development Research Paper 2009/09. New York: United Nations Development Programme.**

A review of the nature of migration in China and the vulnerability of migrants, and main migration policy changes in the past three decades. An



analysis of the relevance of China's experiences for other developing countries in terms of migration policy.

**Global Economic Symposium (2011) 'Migration, Integration and Identity', Background Paper**, at: [http://www.global-economic-symposium.org/knowledgebase/the-global-society/migration-integration-and-identity/background-paper/migration-integration-and-identity/at\\_download/file](http://www.global-economic-symposium.org/knowledgebase/the-global-society/migration-integration-and-identity/background-paper/migration-integration-and-identity/at_download/file)

**Herrera, G. (2008) 'Migration and Trends in the Field of Social Policy in Ecuador, 1990–2005', Unpublished paper prepared for CeSPI.**

Accessed 14 May 2013 <<http://www.cespi.it/WPMIG/BREcuador.pdf>>

A review of Ecuadorian trends in social policies, social spending, international migration and social welfare policies.

**Holmes, R. and N. Jones (2010) 'Rethinking Social Protection Using a Gender Lens', ODI Working Paper 320. London: Overseas Development Institute.**

A synthesis of findings from a multi-country research project on gender and effectiveness of social protection in developing countries. This paper examines the extent to which existing social protection programming approaches reinforce women's traditional roles and responsibilities or contribute to a transformation of gender relations in economic and social spheres.

**ILO (2012b) 'Social Protection Floors for Social Justice and a Fair Globalization'. Geneva: International Labour Organisation.**

A comparative analysis of main trends in establishing social protection floors in ILO member states.

**ILO (2012c) 'The Situation of Workers of the Occupied Arab Territories'. Geneva: International Labour Organisation.**

A report of a high-level mission to the occupied Arab territories and Israel, for fact-finding and assessment of the position of working women and men in the territories.

**ISSA (2009) 'The Unified Law of Insurance Protection Extension for the Gulf Cooperation: A Case of the General Organisation for Social Insurance et al.'. Geneva: International Social Security Association.**

A summary report of the good practice of the GCC, which extends social security coverage to citizens of any GCC state who are working in any other GCC states.

**MacLaren, B., and L. Lapointe (2009) 'Making a Case for Reform: Non-access to Social Security Measures for Migrant Workers', FOCAL Policy Paper. Ontario: Canadian Foundation for the Americas.**

This paper looks at temporary migrant workers in Canada and their access to employment insurance, and recommends policy options like extending systematic access of regular employment insurance benefits, offering exit refunds where there is no access, or offering financial support and aid for sending government social insurance programs.

**Olivier, M. (2011) 'Political and Regulatory Dimensions of Access, Portability and Exclusion: Social Security for Migrants, with an Emphasis on Migrants in Southern Africa', in R. Sabates-Wheeler and R. Feldman (eds) Social Protection and Migration: Claiming Rights Beyond Borders, pp. 117-142. London: Palgrave Macmillan.**

This book chapter looks at the rights, regulation and normative understanding of migrants' entitlements to social protection, with specific reference to migrants within the Southern African Development Community (SADC). It finds that immigration law, status of migrant categories, and limitations in social security law restrict migrants' access to and portability of social security entitlements, especially asylum seekers and undocumented migrants.

**Sabates-Wheeler, R. and S. Devereux (2007) 'Social Protection for Transformation', *IDS Bulletin* 38(3): 23-8. Brighton: Institute of Development Studies.**

This article describes the 'transformative' potential of social protection to support social and economic goals of development.

**Sana, M. and D. Massey (2002) 'Seeking Social Security: An alternative motivation for Mexico-US migration', *International Migration* 38(5): 3-24.**

An analysis of the degree to which the absence of effective pension systems in Mexico generates motivations for migration to the US as a means of self-financing retirement.

**Silvey, R. and R. Elmhirst (2003) 'Engendering Social Capital: Women Workers and Rural-Urban Networks in Indonesia's Crisis', *World Development* 31(5): 865-879.**

A feminist perspective on the view that social networks are resources during a crisis, that calls attention to the gendered power relations of social capital and social networks.

**Skelton, A. (2008) 'Social Security for Migrant Workers: the British Virgin Islands Experience', paper presented at the International Social Security Association Technical Seminar in the English-speaking Caribbean, Bermuda (18-20 May).**

A description of how documented and undocumented migrant workers in the British Virgin Islands access social security entitlements.

**Stalker, P. (2008) Protecting Migrant Workers: Governance of Labour Migration in Asia and the Pacific. Geneva: International Labour Organisation.**

A guide for countries in the Asia-Pacific region who wish to maximise the benefits of labour migration while minimising its costs.

**Thieme, S. (2003) 'Savings and Credit Associations and Remittances: The Case of Far West Nepalese Labour Migrants in Delhi, India', International Labour Office Social Finance Programme Working Paper No. 39. Geneva: International Labour Organisation.**

This paper explores issues of migrants between far west Nepal and Delhi, their participation in financial self-help associations and the impact of these systems on remittance patterns.

## Appendices

### Relevant research programmes and organisations

#### *Research programmes on migration and social protection*

Center for Comparative Immigration Studies, University of California, San Diego

<http://www.ccis-ucsd.org>

Centre for Research and Analysis of Migration (CReAM), London

<http://www.cream-migration.org>

Centre for Social Protection, Institute of Development Studies, Brighton

<http://www.ids.ac.uk/idsresearch/social-protection>

Centre on Migration, Policy and Society (COMPAS), University of Oxford

<http://www.compas.ox.ac.uk>

Cooperative Efforts to Manage Migration (CEME), University of California, Davis

<http://migration.ucdavis.edu/rs/ceme/>

DfID Research Programme Consortium: "Migrating out of Poverty"

<http://migratingoutofpoverty.dfid.gov.uk>

European University Institute, Florence

<http://www.eui.eu/DepartmentsAndCentres/RobertSchumanCentre/Research/Migration/Index.aspx>

Hamburg Institute for Social Research, Nation and Society, "Perspectives on Irregular Migration"

<http://www.his-online.de/en/research/nation-and-society/irregular-immigration/>

International Migration Institute, Oxford Department of International Development (QEH), University of Oxford

<http://www.imi.ox.ac.uk/>

Labour Mobility Program, Canadian Foundation for the Americas (FOCAL)

<http://www.focal.ca/en/programs/labour-mobility>

Migration Policy Institute

<http://www.migrationpolicy.org/>

Pension Research Council, Wharton, University of Pennsylvania  
<http://www.pensionresearchcouncil.org/>

Social Policy and Labour Markets, CESifo Group (Ifo Institute, Center for Economic Studies, and Munich Society for the Promotion of Economic Research) <http://www.cesifo-group.de/ifoHome/research/Departments/Social-Policy-and-Labour-Markets.html>

Social Protection, Overseas Development Institute, London  
<http://www.odi.org.uk/programmes/social-protection>

The Worker Institute, ILR School, Cornell University  
<http://www.ilr.cornell.edu/workerinstitute/research/>

Theorizing the Evolution of European Migration Systems (THEMIS),  
University of Oxford  
<http://www.imi.ox.ac.uk/research-projects/themis>

### ***Relevant international organisations***

Global Forum for Migration and Development (GFMD)  
<http://www.gfmd.org/en/>

International Social Security Association (ISSA)  
<http://www.issa.int>

International Labour Organisation (ILO)  
<http://www.ilo.org/global/lang--en/index.htm>

International Organisation for Migration (IOM)  
<http://www.iom.int/cms/en/sites/iom/home.html>

United Nations Development Programme (UNDP)  
<http://www.undp.org/content/undp/en/home.html>

United Nations Research Institute for Social Development (UNRISD) Social  
Policy and Development programme  
<http://www.unrisd.org>

World Bank: Social Protection & Labor website  
<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTSOCI/ALPROTECTION/0,,menuPK:282642~pagePK:149018~piPK:149093~theSitePK:282637,00.html>