

# Social protection and international mobility of workers:

## Challenges and good practices in the European Union and Ibero-America



6 and 7 November 2023 in  
Alcalá de Henares (Spain)



*Photo from the University of Alcalá*

Con el apoyo:



# 1. Introduction

Labour mobility is one of the central features of today's labour markets and takes many forms, posing major challenges.

Millions of people around the world leave their home countries each year in search of work. Sometimes they simply want a better job, but most, driven by poverty and insecurity, look for any job.

Migration and labour mobility are key drivers of globalisation and have a considerable impact on the world economy. Every year, migrant workers send back to their countries of origin large amounts of remittances which, estimated at US\$160 billion, or US\$250 billion including informal remittances, sustain families and communities and, at the same time, contribute to economic growth and prosperity in destination countries.

Across the board, migrants face numerous challenges including often poor working conditions and discrimination. The demand for migrant workers is increasing, not only for highly skilled jobs in information technology or other professions, but also in low-paid, low-skilled work in agriculture, cleaning and maintenance, construction, domestic service and health care.

Many migrants work in precarious and unprotected conditions in the informal economy. At the same time, there is concern about the loss of key skills (brain drain) in developing countries which, for various reasons, are now also generating new lines of mobility. Migration has many forms and orders and today new motives beyond the economic and political (climate migration is just one example) are being confronted.

Labour mobility ensures the efficient and optimal use of labour, yet barriers to mobility are being erected between potential migrants and labour market demand in destination countries. This situation results in human trafficking and smuggling of migrants being a highly profitable market at the expense of serious violations of human and workers' rights.

In this regard, there is no doubt that migration policies that are not based on respect for human and workers' rights impose high costs on individuals and societies. There is evidence that between 10 and 15 per cent of current migration involves irregular situations, entering or working in countries without authorisation. The global challenge is therefore the formulation of policies and mechanisms in order to regulate and manage labour migration and to ensure that it contributes positively to the development of countries of origin and destination and to the well-being of those who migrate. Monitoring and respect for rights, as well as the principle of equality, is therefore crucial.

On the other hand, information and communication technologies (ICTs) have revolutionised work and daily life in the 21st century, generating new forms of mobility. They allow people to connect with friends and family - but also with work colleagues and bosses - at any time; however, they also facilitate the intrusion of paid work into the spaces and times reserved for personal life. The decoupling of paid work from traditional office spaces has been a crucial factor in this development. Today's office work and, more broadly, knowledge-based work is largely Internet-based and takes place virtually anywhere and at any time. This new spatial independence has transformed the role of technology in the work environment, offering new opportunities and posing new challenges, including cross-border work.

The spatial and temporal flexibility arising from ICTs has the potential to alter the way we work and live. Specifically, the literature suggests that the location, mobility and intensity of ICT use may have implications for working conditions and other outcomes. Research is increasingly focusing on the benefits and drawbacks of new ICTs in relation to working time, individual and organisational performance, work-life balance, and occupational health and safety. Policy makers and labour relations practitioners have started to become aware of the implications of "anytime, anywhere" ICT-based work. Some initiatives have emerged in some countries at the national level, such as changes in legislation and social partner programmes and agreements. However, most policies and programmes exist at the organisational level and there are not yet clear parameters to ensure international protection and regulation.

Social dialogue is now, more than ever, essential to lay the foundations for workers' rights in this changing environment, in which the right to disconnect is emerging as a new necessity to ensure not only work-life balance, but also to avoid the mental health problems that have already been shown to be associated with it.

New figures (digital nomads, for example) alternate with more classical migration and the mobility of workers generates a whole world of new challenges, particularly in terms of social protection, calling into question the basic principles of equal treatment and protection of acquired rights.

All these new forms of professional activity mean that a new legal framework has to be created at international level, both from the point of view of labour law and social security law. Moreover, it is also necessary to bear in mind the rules on health and safety at work, which now have to be adapted to the fact that work is carried out at the worker's home. The first challenge facing legislations is to determine which law will be applicable in cases where the actual performance of work takes place in a country other than the one in which the recruitment has been carried out or in which the company has its head office. The decision adopted will have a direct impact on social security obligations and rights and, therefore, on the protection of workers.

The articulation of a social protection floor in all countries is undoubtedly an incentive for socio-economic development and a foundation for social cohesion; which, in turn, favours that development, making their economies more efficient or productive. It is these minimum protections that can guarantee extended and efficient protection for people who work irrespective of their national origin. This statement, which might at first sight seem contradictory, has an explanation.

Indeed, the cost of providing social security coverage, however minimal it may be, could lead one to think that it slows down the economic development of states. However, there is a broad consensus on the need to protect working people and their families; the higher the economic level of the country, the greater the need, so that social security systems form part of the institutional framework of any efficient market economy, giving rise, among other things, to the social cohesion that is necessary for long-term economic development.

In fact, there are studies by the International Labour Organisation (ILO) that demystify the disparity between equality and efficiency, which means that social protection systems demonstrate their effectiveness as vehicles for poverty reduction and prevention, and also as reducers of income inequality. If this is applied across the board and extended to all countries, we will be able to address new situations.

The world community is gradually assuming greater responsibility for the provision of ba-

sic social security services and benefits. This idea, i.e. the need for states to take action to establish minimum standards to ensure basic social security for all, has been advocated by international organisations for decades. The general trend is to move from minimum threshold coverage to universal coverage. Although this is the prevailing philosophy, the reflection of this has never been codified in an international convention because of the difficulties that this initiative presents, especially for those countries that are developing or whose poverty levels are very high.

At the same time as minimum income systems are being developed in the countries of the European Union in general, it is important that these benefits are accompanied, and even conditioned, by inclusion in the labour market and in society in general. In this way, the aim is to prevent citizens from becoming "minimum income professionals". At the same time, work is also beginning to be done on the so-called "social investment", i.e. the return to society of the investment made in social protection.

In parallel, the need to invest in the qualification of workers, including migrants, in order to achieve their full integration into the labour market of the host country is becoming increasingly evident. This also contributes to the fight against the irregular market, exploitation and the informal economy. In fact, to underline the importance of these policies, the European Union will dedicate the 2023-2025 biennium to Skills.

This is why work to guarantee this protection, without prejudice to regional (EU, Council of Europe, MERCOSUR) or international efforts, involves the development of new strategies ranging from the establishment of minimum floors to the development of agreements and treaties that guarantee levels of protection. To this end, social dialogue at different levels is essential.

Likewise, in the Ibero-American sphere, it is of great relevance the "Ibero-American Multilateral Convention on Social Security", which is already applied in 13 countries in the region (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, El Salvador, Spain, Peru, Portugal, Uruguay, Paraguay, Dominican Republic). This instrument, which allows the contributions in several countries to be put together, facilitates access to pensions and, therefore, promotes labour formalization.

This event is part of this concern and seeks to share experiences and practices in two regions affected by the same problems, but with different aspects. This event also provides continuity to the debates held at the first meeting, which took place in 2010, in the same facilities.

This sharing will help to advance reflection and generate knowledge and understanding as a basis for dialogue and cohesion.

## **2. Objectives of the Meeting**

This event is articulated in thematic blocks that are identified in the attached programme and aims to:

- Identify common problems and differences.
- Examine different aspects of mobility in the two regions.
- Identify opportunities and experiences.
- Analyse the challenges faced by both regions in the current labour and migration environment.
- Propose some points for joint work.

The event will be a space for exchange and possible synergies. The results of the dialogue will be compiled in a document that will subsequently be shared among the interested parties and disseminated among the institutions with competence in the field.

## **3. Format and methodology**

The Meeting will be attended by the authorities responsible for social security and social protection in the countries of the European Union and Ibero-American countries, as well as representatives of international organisations and experts. Those interested and who register for the activity will also be able to participate in person. The event will also be broadcast live.

## **4. Date and venue**

The Meeting will take place on Monday 6 and Tuesday 7 November, in person, at the facilities of the University of Alcalá, in Alcalá de Henares (Spain) with the support of the Spanish Agency for International Development Cooperation (AECID).

## 5. Programme

Limited on-site capacity. Access will be on a first-come, first-served basis. A certificate of attendance will be issued.

### Inscripciones (en español):



### Registration (in English):



**Interpretation will be available: Spanish-English-Portuguese**

**Venue:** Universidad de Alcalá, Pl. de San Diego, s/n Alcalá de Henares (Madrid)  
Salón de Actos

Schedule	Monday, 6 November 2023
14:00 h a 14:30 h	Registration of participants.
14:30 h a 15:30 h	<b>Opening of the Meeting</b> <ul style="list-style-type: none"><li>• Ms. Margarita Vallejo Givés, Vice-rector of Postgraduate Studies, Teaching and University Extension of the University of Alcalá;</li><li>• Ms. Gina Magnolia Riaño Barón, Secretary General, Ibero-American Social Security Organization (OISS);</li><li>• Mr. Antón Leis, Director of the Spanish Agency for International Development Cooperation (AECID).</li></ul>
15:30 h a 16:00 h	<b>Framework presentation</b> <ul style="list-style-type: none"><li>• Mr. Danny Pieters, President of the European Institute for Social Security, Belgium.</li></ul>

16:00 h a 17:30 h	<p><b>Panel I: Migration and labour mobility: a human right.</b></p> <p><b>Introductory presentation:</b></p> <ul style="list-style-type: none"> <li>• Mr. Roberto Cancel, Migration and Development Expert, Regional Office of the International Organization for Migration (IOM) in South America;</li> <li>• <b>Moderates:</b> Ms. Gina Magnolia Riaño Barón, Secretary General of the OISS.</li> </ul> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Mr. Félix Peinado, Director of the Spanish office of the International Labour Organisation (ILO);</li> <li>• Mr. Carlos García de Cortázar, former Labour Counsellor at the Permanent Representation of Spain to the European Union;</li> <li>• Mr. Alfredo Cabrera, President of the Banco de Previsión Social (BPS), Uruguay;</li> <li>• Mr. Juan Manuel Cordero, Vice Minister, Ministry of Labour and Social Security, Costa Rica;</li> <li>• Mr. Jaime Dussán Calderón, President of COLPENSIONES, Colombia;</li> <li>• Mr. Adolfo Jiménez, Honorary President of the OISS.</li> </ul>
17:30 h	End of day 1
<b>Horario</b>	<b>Martes, 7 de noviembre de 2023</b>
09:00 h a 11:00 h	<p><b>Panel II: Policies and programmes in Europe and Ibero-America.</b></p> <p><b>Moderates:</b> Ms. Ana Mohedano Escobar, Deputy Secretary General of the OISS.</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Ms. Jeanette Enthofer, Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Austria;</li> <li>• Mr. Jaime Durán, General Manager, Long-Term Public Social Security Fund, Bolivia;</li> <li>• Mr Fernando Henrique Bittes Richards de Castro, representative of INSS, Brazil;</li> <li>• Mr. Hugo Cifuentes, representative of the Undersecretariat for Social Welfare, Chile;</li> <li>• Mr Daniel García Sánchez, Deputy Director, Management of IT, economic benefits of the Social Security system in its non-contributory modality and other short-term benefits, National Institute of Social Security (INSS), Spain;</li> <li>• Mr. Milton Hernández, representative of the General Directorate of the Salvadoran Social Security Institute (ISSS), El Salvador;</li> <li>• Mr. Francesco Maria Chiodi, representative of the International Italo-Latin American Organisation (ILLA), Italy;</li> <li>• Mr. Gabriel Bastos, Secretary of State for Social Security, Portugal.</li> </ul>

11:00 h a 11:30 h	Coffee break
11:30 h a 13:00 h	<p><b>Panel III:</b> The new challenges of workers' mobility in terms of social protection (teleworking, digital platforms, digital nomads, etc.).</p> <p><b>Moderates:</b> Ms. María Luz Vega, former ILO Senior Adviser.</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Mr. Juan Vázquez Zamora, Development Centre, OECD;</li> <li>• Mr. Joaquín Pérez, Secretary of State for Labour and Social Economy, Spain; ( to be confirmed);</li> <li>• Mr. Juan Pablo Parra Gutiérrez, Labour and Social Security Inspector and Head of Unit for the Fight against Transnational Labour Fraud, Spain;</li> <li>• Ms. María Luz Rodríguez Fernández, Professor of Labour and Social Security Law - University of Castilla-La Mancha, Spain;</li> <li>• Ms. María Jesús Herrera, Head of Mission in Spain, IOM.</li> </ul>
13:00 h a 13:45 h	<p><b>Closure:</b></p> <ul style="list-style-type: none"> <li>• Vice-Rector UAH (to be confirmed);</li> <li>• Ms. Gina Magnolia Riaño Barón, Secretary General, OISS;</li> <li>• Mr. José Luis Escrivá, Minister of Inclusion, Social Security and Migration, Spain.</li> </ul>
13:45 - 15:00 h	Cocktail lunch







