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**Overview of recent trends and
developments in social protection (2017)**

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Introduction

This paper seeks to identify recent trends and developments in social protection across those member states which make contributions to the Council of Europe publication ‘Mutual Information System on Social Protection of the Council of Europe’ (the MISSCEO member states for the purpose of this text). The paper is based on information provided by the national correspondents who have reported recent changes in legislation and social policies within their state. This edition relies upon country reports submitted on behalf of Albania, Armenia, Azerbaijan, Bosnia Herzegovina, “The former Yugoslav Republic of Macedonia”, the Russian Federation, Serbia, Turkey, and Montenegro. The views and opinions expressed within this paper are those of the author alone and not of the member states or the Council of Europe. All efforts have been made to confirm the accuracy of the information contained within this report and the author is much obliged to the member states for the assistance they have provided. Due to the limited number of states that are within the network of MISSCEO and the variety of the undertaken measures, it has been decided to group the trends under the following common description headings:

- Regulating employment and active employment measures
- Social risks and social benefits (general)
- Long-term benefits: pensions and disability schemes
- Sickness and maternity
- Modernizing health care
- Need and family burden
- Signing co-ordination treaties

Regulating employment and active employment measures

From Ukraine, it was reported that the composition of the minimum wage (apart from being a wage settlement in labour law, still an important element in the calculation of social security benefits) has been updated profoundly. It was also reported that insurance payments were being provided again in case of a labour accident and that a further decentralization of income and work control procedure to the local level has taken place. In Turkey, a specific unemployment scheme for the self-employed groups has been introduced; whereas in “The former Yugoslav Republic of Macedonia”, the labour policy on work activation has been continued and expanded to work incapacity through a comprehensive vocational rehabilitation programme.

Ukraine revised its calculation of the minimum wage on the basis of the Law "On Amendments to Certain Legislative Acts of Ukraine" (No. 1774-VIII) adopted by the Government on December 6, 2016. It provides the introduction of a new methodology for determining the minimum wage and takes thereto into account the following two main principles:

- the establishment of a minimum salary (tariff rate) in the amount not less than the subsistence minimum established for able bodied persons on January 1st of the calendar year; and,
- the prohibition to use the minimum wage as the estimated value in the construction of salary schemes, the determination of fees for the provision of administrative services, the court fees, and in the composition of the tax amounts.

The adoption of the above mentioned Law allowed, on January 1st, 2017, the approval of the minimum wage at UAH 3.200, which corresponds to the size of the actual living wage. This is done for the first time since the independence of Ukraine. Together with the introduction of the Law, the previous scheme on the calculation and granting of insurance payments to victims at work was reintroduced in 2017.

Finally, the local bodies received more competences to have control over employment and remuneration in companies. It is believed that this transfer of powers will reduce unregistered employment and payment of wages in envelopes.

In *Turkey*, an Insolvency (Unemployment) Insurance specifically for the group of self-employed has been passed by law in 2017. Its implementation is foreseen for January 1st, 2018. For the new insolvency insurance, 2 % is paid by the insured (self-employed) and 1 % is paid by the state. The maximum insurable earnings are set to 2 times the minimum gross wage.

There will be an insolvency insurance system for the self-employed who went bankrupt or closed their business. Entitlement conditions are minimum 600 days of insolvency insurance contribution in the last three years and permanent work during the last 120 days prior to unemployment. A monthly allowance is paid to the beneficiary. The daily amount of this allowance is 40 % of the daily average of the last 4 months' gross income. This amount cannot exceed 80 % of the gross minimum wage.

The duration of the benefits is calculated as follows:

- 180 days for those with 600 days of insolvency insurance contributions in the last three years,
- 240 days for those with 900 days of insolvency insurance contributions in the last three years,
- 300 days for those with 1.080 days of insolvency insurance contributions in the last three years.

“The former Yugoslav Republic of Macedonia”, went on implementing the employment policies as defined in the annual Operational Plan 2016 for labour market services and active employment programs and measures. The Operational Plan for 2017 was also adopted and its implementation has been initiated. Jobseekers are offered employment services or measures according to the degree of their employability, as assessed by the Employment Service Agency (easy employable persons, hard employable persons, very hard employable persons). The programmes include measures for employment through entrepreneurship, programs and measures for subsidizing jobs, and various types of trainings. Special attention has been paid to the employment of young people.

The so-called "Macedonia employs 2" project was implemented in the second half of 2016. It provided tax incentives for the employment of certain categories of unemployed persons (persons aged ≤ 35 , 35-50, 50-58, ≥ 58 , and persons from vulnerable categories). Employers are exempted from the payment of compulsory social insurance contributions or personal income tax over a period of three to five years depending on the category of unemployed persons employed.

In addition to the programs and measures from the Operational Plan, other programmes have been financed such as loans for self-employment, loans to legal entities opening new jobs, loans for the self-employment of young people up to the age of 29 and loans to legal entities opening new jobs for young people up to the age of 29.

Complementing the undertaken activation policies, the Ministry of Labour and Social Policy undertook activities to develop and introduce vocational rehabilitation and personal assistance services, which are important for the integration of persons with disability into the labour market and their inclusion in the community.

Standards for the delivery of vocational rehabilitation services were developed and each potential provider of vocational rehabilitation must meet certain requirements to be eligible. Different models of vocation rehabilitation were piloted such as community-based vocational rehabilitation services, day-care vocational rehabilitation, medical rehabilitation accompanied with vocational rehabilitation, vocational rehabilitation supported employment, and comprehensive vocational

rehabilitation services. The experiences gathered from the pilot tests will be used to introduce and finance the service in the social protection system that will be reformed in the forthcoming period.

Furthermore, a system of personal assistance following the principles of the UN Convention on the rights of persons with disabilities has been designed and piloted. The demands and needs of the users as well as the demands of employer representatives, stakeholders and other relevant institutions were the cornerstone of the development of this service. In the initial phase, the service was developed and tested with persons with a higher level of physical impairment and mild intellectual disabilities, aged 18 to 64.

The standards for the provision of personal assistance service are based on the following principles: equal access for all the users; user-centred approach; promotion of the users' independence and autonomy; users' participation in everyday life in their natural environment and local communities; respect for their human rights; promotion of partnership between service providers at all levels.

In the pilot and initial phase, the role of service providers will be taken by the Centers for Social Work and it is expected that, as the service develops and expands in later phases, private businesses will enter the scene. The Ministry of Labour and Social Policy will be in charge of financing, regulation and monitoring, while the Centers for Social Work will be the responsible bodies for processing and assessing applications for the personal assistance service as well as for referring the users to the service providers.

The pilot testing and preparatory work will provide a base for the introduction of the personal assistance into the system of social protection of persons with disabilities as a regular programme in 2018.

Social risks and social benefits: automatization, deinstitutionalisation and introduction of IT in administrative processes

From Albania, a further simplification of the (entitlement) procedures was reported by the use of an enhanced automatization process and an integrated national register in the social assistance and welfare regimes; furthermore, the country proceeded with the deinstitutionalisation of the social care services at local level. A similar evolution in care deinstitutionalisation has been reported from "The former Yugoslav Republic of Macedonia". Armenia, from its side, invested in the

establishment of “one stop shops” at the local level, which integrates the provision of social services at one single address point.

Albania managed to simplify the eligibility criteria in the provision of welfare and social services by creating an integrated national electronic register and by using the (poverty) score formula in the selection of beneficiaries. It is reported that it ensures more transparency in the delivery of benefits, avoids abusiveness, guarantees more equality and efficiency and, in the end, guarantees a better use of state budget funds by targeting better the poor families. A more efficient use of the Management Information Systems (in the administration) enables now the staff to cross-check information with other national data systems in order to verify -in real time- statements made by applicants. The further development of the Management Information System infrastructure and equipment has been scheduled; all 9 districts will be granted the necessary equipment that will allow a comprehensive IT-based system of economic aid delivery.

At the same time, the Social Services Reform has focused on the decentralization process and the deinstitutionalisation of social care services. Consequently, new typologies of community services have been introduced while, at the same time, new social services structures have been created at the local level providing better quality services to the community by a professional staff.

To the same token, “*The former Yugoslav Republic of Macedonia*”, went on with the process of deinstitutionalization social welfare and care. As of May 2017, the Ministry of Labour and Social Policy, in partnership with their local and central stakeholders, started with the revision of the National Strategy for Deinstitutionalization (DI) in the System of Social Protection 2008-2018. Deinstitutionalization, so far, was mostly limited to more able residents with mental/intellectual disability and the emphasis was on the intermediary structures (group homes, day centres). The new strategy will propose solutions aimed at developing a wider spectrum of community-based services that will prevent institutionalisation and will support the DI process, establish efficient internal and external monitoring systems of the process, empower local self-governments to embrace the DI process and their role in the community-based service provision, and emphasize personalised services that allow independent living (home care, personal assistance, personal planning and care coordination, mobile outreach services). The DI process will be also be extended to the old age and mental health issues.

Armenia, from its side, focused its administrative reforms on integrating the delivery of social services through 19 "one stop shops" which are officially labelled as territorial centres of complex social services (TCCSS). They have been located in renovated, technically well-equipped buildings.

Long-term benefits: pension and disability schemes

Overall, an increase in benefit amounts have been reported from several countries (Montenegro, Serbia, "The former Yugoslav Republic of Macedonia", and Albania) and the underlying reasons differ somehow. From its side, Armenia reported a further targeting of the pensions to the needy elderly (see also section Need and Family).

In June 2016, the Parliament in *Montenegro* adopted an amendment to the Law on Pension and Disability Insurance to raise the amount of pension. All pensions were extraordinary indexed by 3% and the minimum pension by 20%. In addition, a regular indexation was applied on January 1st, 2017 (At that occasion, the pension was indexed by 0.75%).

In *Serbia*, the amount went up but this as a consequence of an increased GDP. In the Budget System Law it is foreseen that there will be no pension increase until the pension expenditures/GDP ratio drops below 11%. Due to the improved financial situation and economic growth, an increase of 1.5% in December 2016 was allowed. In addition, all pension beneficiaries received 5.000 RSD as a one-off payment (around 20% of the average monthly pension) in November 2016.

Along with the amendments that allowed the increase of the pensions' provisions, the Law on Temporary Arrangement of the Pensions Payment Model was amended, increasing the limits for pension cuts. At present, the part of a single pension amount exceeding 25.375 RSD (increased from 25.000 RSD) is cut by 22%, while the part of the amount over 40.600 RSD (increased from 40.000 RSD) is additionally cut by 25%. The measure is still considered temporary but no end date has been determined yet.

In *Albania*, the pensions were raised in reality due to the coming true of the major pension reforms that were introduced in 2015. Concretely, the maximum old age pension according to the new formula was increased to 37.000 ALL from 24.000 ALL in 2014. Furthermore, there is now a legal obligation to index the pension according to the annual inflation. During 2016, pensions and other benefits increased with 1.6% for 635.000 people, with an annual fund of around 660 million ALL.

Finally, the economic development created the opportunity to award a new 6.000 ALL (new) reward to over 640.000 pensioners benefiting from social insurance schemes. This reward was followed by the significant increase in pensions from March 2017 onwards.

Finally, in “*The former Yugoslav Republic of Macedonia*”, the government resumed the application of biannual adjustments of the pensions according to a formula which depends on the cost of living and average wages (in a proportion of 50:50). As a result, the pensions were adjusted by 0,82%. The legal provisions regulating the biannual adjustments were suspended for several years in rows and pensions were increased every year by a fix amount for every pensioner. The new government intends to maintain the value of pensions by harmonizing them twice a year according to the above mentioned formula.

Sickness and maternity

The reported changes (from Turkey, Armenia and Albania) covered a variety of items such as the simplification of the labour accidents’ scheme for domestic work, the extension of the payment of maternity benefits to mothers staying-at-home, and the change of assessment tools in case of disability.

In *Turkey*, the Mandatory Work Accident and Occupational Disease Insurance has been simplified with regard to the enrolment of domestic workers employed less than 10 days at private houses. If a natural person employs/hires a domestic worker who works less than ten days within a month, he or she will have to pay the mandatory 2% work accident and occupational disease insurance premium based on the daily minimum wage. Reporting can be done through sms (short message service or text message). The employer also has the duty to make monthly social security declarations using the official form no later than the end of the month during which the domestic service was rendered. Using the sms service, provided by the social security institution, the employer can pay the contribution by cell phone bill. Through this application, bureaucracy is reduced and real employers do not have to go to social security centres for declaration. The implementation of the application started as of January 1st, 2017.

Armenia started from 2016 paying stay-at-home mothers maternity allowances. Maternity allowance and the childbirth lump sum allowance (directly paid sum) are paid exclusively on bank accounts (in a non-cash way).

Albania amended (Law no. 44/2016 dated 21 April 2016 "On some amendments and additions to Law no. 9355, dated 10 March 2005 "On social assistance and services") the assessment of disability. For the time being, the reform is preceded by a new pilot scheme for disability assessment based on the bio-psycho-social model through the Management Information System (see above section IT Administration) for disabled beneficiaries. This process is designed to be pilot tested and, then, to become expanded in the whole country.

Modernizing health care

Main reforms reported relate to the further aligning of the legislation towards the EU-acquis standards in the field of public health (Bosnia-Herzegovina and Montenegro) and the adoption of measures (i.e., exemption direct payment health care contributions and/or treatment costs) for specific groups of needy persons (Turkey and Albania).

Bosnia-Herzegovina launched a series of amendments in its (public) health legislation and invited the constituent entities and/or cantons to prepare the necessary regulations to have them implemented. The (proposed) changes are mainly due to the alignments of the regulations of the EU-acquis in public health. They relate, among others, to the limitation of the use of tobacco and other products for smoking, the treatment of infertility, the transplantation of organs and tissues, and the procedures for the listing of medicines in the covered health care packages.

Likewise, in *Montenegro*, the Ministry of Health undertook action to upgrade and modernise the health system and also to improve the economic and financial sustainability of the system in order to have it better aligned with the EU regulatory frameworks. The Parliament adopted two new laws, i.e., Health Insurance Law and Law on Health Care to have the content of the covered health care package regulated in a more transparent manner.

In *Turkey*, specific regulations were adopted to address the issue of non-payment of health care premiums by families facing financial constraints. The objective is to decrease the number of households who do not have access to healthcare services due to their failure to pay their insurance premiums. Since 2012, the government pays the premiums for people whose per capita income is less than one-third of the gross minimum wage, while people on higher incomes pay according to a sliding scale. Prior to recent changes, monthly premiums in 2017 were 71,10 Turkish Liras (TRY, €18) for people with a per capita income less than the gross minimum wage, 213,30 TRY (€54) for people with a per capita income up to twice the gross minimum wage, and 426,60 TRY (€108) for

people with a higher than twice the gross minimum wage per capita income. People who did not apply for means-testing were automatically considered to be in the top income bracket.

In 2017, premiums were simplified and significantly reduced. The monthly premium is now set at 53 TRY (€13.5- 3% of monthly gross minimum wage) regardless of the income bracket (except for people with a per capita income less than one-third of the minimum wage, whose premiums are still paid by the government).

Albania, from its side, by decision of the Council of Ministers no. 946 (28 December 2016 "For some additions to the Decision No.955, dated 29 December 2014") defined additional categories of insured individuals that are exempted from direct payments of health services. Concretely, have been added to the category of non-contributing persons: persons benefiting from disability payment and persons suffering from chronic diseases (according to the list approved by order of the Ministry of Health) in so far they use the first alternatives of the reimbursed medicine list.

Need and Family

A multitude of measures regarding social assistance and family welfare have been reported. Although there is no common pattern to be discerned, some countries (Ukraine, Armenia and Azerbaijan) reported that an extended and better coverage of the beneficiaries was achieved by raising the overall budget and/or the individual social assistance benefits.

In *Montenegro*, the Constitutional Court declared the (recently) introduced scheme for mothers with multiple children unconstitutional. In 2016, the Law on Social and Child Protection was amended by the Center for Social Work amendment. With this Law, which was adopted in the Parliament without any fiscal impact analysis, some new rights in social and child protection system were introduced. One of them was about a monthly compensation of 336 EUR entitled to mothers who gave birth to three or more children. The right was considered to be acquired by a woman who had given birth to three children and who had completed at least 25 years of professional service, or alternatively, to a woman who had given birth to four or more children and had achieved, at least, 15 years of service. The benefit could not be granted when the woman earned a professional income ; the possibility to enjoy the benefit simultaneously with a pension, was also excluded.

These measures were challenged before the Constitutional Court as they reduce the women's participation in the labour market; consequently, they demotivate women from labour participation and may lead to a final exit from the labour market. Based upon these arguments, the Court

declared these new rights as unconstitutional and the government stopped to implement these provision from July 2017 on. Moreover, the government, in line with the case of the Constitutional court, stopped the entitlement for all women who gained this right during the period 1 January 2016 – 12 May 2017 (date of the Court case).

Another benefit created by the 2016 Act could, however, be fully implemented: the allowance for the parent or guardian who takes care of a person recipient of a personal disability allowance. This person is, regardless of employment or pension status, entitled to a financial compensation of 193,00 EUR per month.

The parent or guardian - who takes care of two or more persons with disabilities being, at least one of them, recipient of a personal disability allowance or of a care and support allowance - is entitled to compensation in the amount of 193,00 EUR, monthly, for each person individually.

In *Ukraine* the social assistance has been targeted as the subsistence minimum -(i.e., the basic state social standard for determining the size of state social guarantees) has been increased. In general, the subsistence minimum for 2016 (December 2016, as compared to December 2015) increased by 16.1%.

In March 2016, the government approved also the Poverty Reduction Strategy, which outlined the main directions and targets for reducing poverty by 2020. To improve the quality of citizens' service, the Pension Fund bodies approved the Strategy for the Modernization and Development of the Pension Fund of Ukraine for the period till 2020. The introduction of electronic pension cases has started, which has enabled an individual to apply for a pension regardless of the place of registration.

The government adopted a number of decisions aimed at strengthening the targeting of housing subsidies and encouraging recipients to make a more economical use of energy resources; in particular, the following reforms have been introduced:

- an automatic appointment of a housing subsidy for the next term, without an expressed request made by the citizens;
- a better measurement of the (economical) consumption by the population of energy resources, i.e., the gas norm is optimized taking into account the level of its actual consumption in the heating period of 2015/2016;

- a more enhanced and, at the same time, more fair approach in determining the incomes of individuals, taken into account when housing subsidies are allocated. In particular, insurance payments paid out to victims of a work accident are not taken into account.

The targeted social assistance has been addressed in *Azerbaijan* in terms of granting a more enhanced protection for low-income families. In order to increase the amount of allocations envisaged in the 2016 state budget, an additional 20 million manat were allocated from the President's Reserve Fund based on the Order of the President (dated January 25 2016) to strengthen the social protection of low income families in need of (targeted) social assistance.

Based on the Orders of the President Ilham Aliyev dated December 23, 2013 and April 30, 2014, over the past period of years 2014 - 2016, 2.063 invalids of war and persons having similar status were provided with "NAZ-Lifan" automobiles in Azerbaijan. Thus, in total 5,9 thousands of war invalids having the mentioned status have been provided with automobiles at the account of the state budget.

According to the "Law of the Republic of Azerbaijan on social services", 11.855 lonely and aged persons received mobile services and 1.102 persons had access to in-patient social facilities through the Ministry of Labour and Social Protection of Population.

Children with limited health abilities are getting the social services they are in need of in different care and rehabilitation services established in Baku and regions of the country under different projects. In 2016 more than 2.000 children received mobile social services under projects implemented based on social order. In total, 15 thousand persons a year are provided with mobile and in-patient social services.

In *Armenia*, the targeted social assistance schemes have been addressed as well.

The changes that took place in 2016 in the area of state allowances contributed to an improved targeting of the projects. Activities were continued directed at widening the scope of the state allowances and at improving the data received online in the families' security assessment system. The quantity of families receiving family or social allowances turned to 106.296 in December 2016.

Activities continued in 2016 aimed at improving the quality of life of children in difficult life situations and ensuring social protection guarantees, the development of alternative services network (through reorganization of social security institutions, orphanages and child care boarding institutions, welfare institutions), as well as improving the quality of services provided by children's

care and protection institutions. A number of legislative projects have been developed for this purpose. In particular, in May 2016, the “Concept for the development of an alternative service system for the care of children in difficult life situation in the Republic of Armenia” was adopted; actions were taken to improve the effectiveness of the process of introducing foster families.

Nearly 650 children without parental care have been cared for in six general and specialized institutions (orphanages) providing children’s day-care and functioning in the Ministry’s network. About 620 school-age children from socially insecure families (families registered in the system of vulnerability assessment) have been taken care of in seven childcare boarding schools and their care was separated from education.

Since January 2017, the applications for childbirth lump sum allowance, care allowance, maternity allowance, old age allowance, disability allowance, survivor’s allowance and labour pension can be submitted to any department of social security state service regardless of beneficiary’s registration location. In case of the birth of the first and second child, the application for receiving childbirth lump sum allowance can be submitted online.

In 2016, the ways of administering childbirth lump sum allowance and funds provided as a family capital have been revised. They have become more available, especially to residents of rural areas. These funds can be used for paying the interest rate and base amount for the agricultural loan provided to the parent, for buying an apartment or a house or other real estate in remote, borderline, high-mountain, mountain areas, and rural areas with up to 1.000 residents.

To achieve the goal of a better natality in *Russia* (“Improvement of demographical situation, state support for families with children”), a plan of measures was approved to implement in 2016-2020 the Concept of the Demographic Policy of the Russian Federation for the period up to 2025. The plan contemplates the following activities:

- the reduction of preventable causes of mortality;
- an increase of availability and effectiveness of medical care for elderly people, including the development of geriatric services;
- the provision of conditions for protecting the health of the population of the Russian Federation from the consequences of tobacco and alcohol consumption;
- the development of additional mechanisms for the economic stimulation of the birth of second and subsequent children; and,
- an increase of the affordability of housing for families with children.

As a result of the implementation of these activities by 2020, it is envisaged to increase the population to 147.5 million people; an increase in the life expectancy of individuals of both sexes to 74 years; and an increase in the total fertility rate to 1.87.

Within the framework of the goal "Targeted Approach to Social protection" some important documents were approved:

- the development of a network of social service organizations in the regions of the Russian Federation (the provision of social services including rural areas); and
- the provision of social and medical services in the form of social services at home for veterans and disabled veterans of the Great Patriotic War.

In "*The former Yugoslav Republic of Macedonia*", the "Program for subsidizing costs for energy consumption" envisages an increase of the subsidy for paid bills for consumed energy (electricity, timber, central heating, etc.) in 2017. As of July 2017, the subsidy will amount 1.000 denars for households receiving financial social assistance or continuous social assistance.

The Centers for Social Work have become the main administrative units in the social protection system, responsible for the administration of cash benefits and social work services. Their work has been subject to continuous improvements. In 2016, the focus was put on strengthening and improving their process of planning, monitoring and reporting. The management was provided with guidelines for more efficient preparation of the annual work program and with planning techniques. Additionally, norms and procedures have been devised for monitoring, which should enable an insight into the efficiency, quality of operations and the delivery of social services to beneficiaries.

Signing co-ordination treaties

Two countries (Serbia and Albania) reported a number of (bilateral) coordination treaties that recently came into place.

One of the main priorities of *Albania*, in this area, is the continuation of the negotiations in order to conclude the bilateral agreements on social security, specifically with the EU member states. The Social Security Agreements between Albania and Belgium, Luxembourg, Hungary, Czech Republic, Romania, “The former Yugoslav Republic of Macedonia”, has been ratified and entered into force. The signing of the agreement with Canada is expected and then the procedures for its entry into force. With Italy, a cooperation at the technical level has started to analyse and evaluate the social security systems in the two respective countries in order to continue with the negotiations on a bilateral agreement. Besides, the Ministry of Foreign Affairs has been required to initiate the procedures to conclude bilateral agreement negotiations with several countries such as Spain, Croatia, Denmark, USA, France, etc. Albania is also interested to start a cooperation with Bulgaria as it has noticed that many problems will be solved by drafting a new social protection agreement between the two countries.

In *Serbia*, a new Social Security Agreement with Romania was signed in October 2016 and has been adopted by the National Assembly. New agreements and/or administrative agreements with the Russian Federation, Greece, France and Australia are prepared and ready for signature. Finally, new rounds on negotiation with China and Quebec were held during the last year.

Regarding the negotiation process to join the European Union, Serbia has prepared the Draft of the Position for the Negotiating Chapter 2 (Free movement of workers). After receiving the comments from the European Commission, the final version is in preparation. The Draft of the Action plan, whose adoption is a condition for the opening of the Negotiating Chapter 19 (Social Policy and Employment), has been prepared and sent to the Commission.