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DIRECTORATE OF HUMAN RIGHTS

DEPARTMENT OF THE EUROPEAN SOCIAL CHARTER

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 20 September 2014

MISSCEO(2014)7 Final

**MUTUAL INFORMATION SYSTEM ON SOCIAL PROTECTION
OF THE COUNCIL OF EUROPE
(MISSCEO)**

16th Meeting
Strasbourg, 26-27 June 2014

MEETING REPORT

I. OPENING OF THE MEETING

Mr Karl-Friedrich Bopp, Head of Division, in the Chair, opened the meeting and welcomed participants, in particular those who were new to the MISSCEO network. The list of participants and Secretariat appears in Appendix I.

II. ADOPTION OF THE AGENDA

MISSCEO(2014)1rev
MISSCEO(2014)2

The agenda, which appears in Appendix II, was adopted.

III. INFORMATION FROM THE SECRETARIAT

Mr Karl-Friedrich Bopp provided information on recent developments at the Council of Europe which were of relevance to the MISSCEO network. Good cooperation had taken place with MISSOC, the Mutual Information System on Social Protection of the EU, and the two networks together continued to provide a pan-European picture of social protection systems. Concerning the monitoring of application of the European Code of Social Security by the 21 Contracting Parties, the draft Resolutions approved by the Governmental Committee of the European Social Charter and European Code of Social Security (GC) for the period 1 July 2011 - 30 June 2012 were adopted by the Committee of Ministers in 2013. The national reports for the following cycle, 1 July 2012 - 30 June 2013, had been examined by the International Labour Organisation (ILO) and the draft Resolutions, drawn up on the basis of the ILO Conclusions, were adopted by the GC in May 2014 and would be submitted for formal adoption by the Committee of Ministers later in the year.

With regard to the European Social Charter, the Conclusions 2013 of the European Committee of Social Rights (ECSR) concerning Group 2: "Health, social security and social protection", including Article 12 on the right to social security, had been published on the website (<http://www.coe.int/socialcharter>). A simplified reporting procedure had been introduced in 2014 for countries having ratified the Collective Complaints procedure. Participants were also informed that a High-level Conference on the European Social Charter would take place in Turin on 17-18 October 2014 and were provided with an overview of the main themes. Further information is available on the website of the European Social Charter.

Mr Bopp then referred to activities relative to MISSOC which included a contribution to the newsletter and participation in two MISSOC meetings, in Vilnius (October 2013) and Athens (May 2014). Further information on the powerpoint presentations made on these two occasions appears under item X of this report.

Finally, participants were informed of the recent re-election of Mr Thorbjørn Jagland as Secretary General of the Council of Europe.

IV. INFORMATION ON MISSOC

Mr Michael Coucheir, Team Leader of the MISSOC Secretariat, gave a powerpoint presentation on developments in MISSOC, which included further information on the bringing together of the networks of MISSOC, ASISP and the Experts on Social Inclusion. He said that a call for tender had been launched in September 2013 and the CEPS/Instead and Applica consortium was the successful bidder to whom a smooth transition would be ensured during the summer period. He provided information on the establishment of the European Social Policy Network (ESPN), which would include independent experts as well as governmental experts. The MISSOC operation would remain largely unchanged by the new structure and liaison with the Council of Europe would continue. Concerning MISSOC tables, the update in July 2013 was completed on time in three languages, providing data for

32 countries, including Croatia. The January 2014 update was undergoing final quality checks before the deadline of 30 June, and the July 2014 update was initiated which would include changes to table VI on Old age.

Concerning the guidelines, a review was being carried out with the aim of improving quality and comparability of tables and the revision in 2014 had been finalised for Table VI on Old age. This included a focus on the scope of pensions and the introduction of a new category on “back-purchase of insurance periods”. Discussions were underway for a revision to Table XII on Long-term care to address a number of issues which would entail structural changes as from 2015. The revision of the MISSOC Guides, an ongoing process with the aim of making them more citizen friendly, was carried out by a communication agency with work by journalists as well as input and validation by MISSOC Correspondents. The Guides should be available towards the end of 2014 in all the required languages, taking into account specific terminology used in different countries.

With regard to the MISSOC Analyses 2013, the report on means testing was published in December 2013 and the report on external aspects of social security was published in April 2014, both available on the website (<http://www.missoc.org>). Concerning the latter report, M. Coucheir explained its structure and provided information concerning a questionnaire which correspondents had completed in this respect. The MISSOC Analysis 2014 on user charges in health and long-term care was under preparation and would be published on the website in summer 2014. Finally, Mr Coucheir provided information on improvements to the MISSOC website and comparative tables database, which had become more attractive, modern and user-friendly. New aspects included an integrated e-newsletter, tables displayable on mobile devices, adjusted search functions, flip Excel and an integrated glossary.

The Chair thanked Mr Coucheir for having provided a very detailed update of MISSOC developments and expressed gratitude for his excellent cooperation with the MISSCEO network.

A discussion then took place on several aspects of Mr Coucheir’s presentation, in particular the introduction of a new category on “back-purchase of insurance periods”, which appears under point VI of this report.

V. INFORMATION ON MISSCEO

MISSCEO(2013)6

Ms Sheila Hirschinger thanked members of the MISSCEO network for their national contributions and welcomed in particular the new correspondents to the MISSCEO network from Azerbaijan, Bosnia-Herzegovina and Turkey. Work which has been carried out since the last meeting of the network included the 2013 update of the comparative tables which were uploaded into the database at the end of the year. The national contributions in 2013 also included an update of the appendices to the tables, ie the organizational structure of social protection systems and a description of social protection of self-employed. The introductions to the comparative tables had been finalised and all the updated information appeared on the social security website (<http://www.coe.int/socialsecurity>). “MISSCEO Info 2013”, prepared by the consultant on the basis of texts submitted by correspondents on the evolution of social protection in their respective countries was also published on the website. The 2014 cycle was underway and all the updated tables had been received. She thanked Mr Michael Coucheir for having provided very useful information on developments in the MISSOC tables and guidelines.

Participants were reminded that the appendices to the tables (the organizational charts and information on self-employed) would be updated every two years rather than on an annual basis. Correspondents would be requested to provide updated versions of these at the beginning of 2015.

Concerning consultancy work, Ms Hirschinger said that a call for tenders had been organised in 2014, valid for a five year period. She was pleased to say that, at the outcome of the procedure, Professor Paul Schoukens was awarded the role of consultant to the MISSCEO network. Finally,

Ms Hirschinger said that she was looking forward to future work with the network and thanked participants for their fruitful cooperation.

VI. NEW CATEGORY ON “BACK-PURCHASE OF INSURANCE PERIODS”

Concerning the new category on “back-purchase of insurance periods” in the MISSOC Table VI on Old age, referred to by Mr Coucheir in his presentation (point IV above), Mr Schoukens believed that it was important for the MISSCEO network to adopt a similar change. He asked correspondents to reflect on whether the possibility existed in their country for people to purchase retroactively insurance periods, for example, due to absence when working in another country. He pointed out the importance of bearing in mind the difference between back-purchase and voluntary payment of insurance. A round table discussion took place from which it emerged that there were schemes in some MISSCEO countries for particular periods, such as studying, working abroad, child care and military service, whilst in other countries the possibility of back purchase did not exist. The schemes, when they did exist, were subject to different rules and conditions in the countries concerned. Mr Schoukens observed that the rules for back-purchase had generally become stricter due to financial constraints.

After discussion, the network decided to include a new category on back-purchase of insurance periods into MISSCEO Table VI on Old-age as from the 2015 edition.

VII. GENERAL COMMENTS ON COMPARABILITY

Mr Schoukens raised the following points of particular importance which had arisen from the comparison of national contributions in the current year:

- a problem of comparability of information in tables was related to categories covered, whether these concerned all of the population, a specific category of the population or a number of categories. A good approach would be to provide information on the basic principles of the system to specify whether all residents were covered in a universal system or if specific categories were mentioned in the legislation. If specific categories were mentioned, then it would be important to provide a definition of the categories concerned;
- the listing of legal acts varied considerably, with some tables containing long lists whilst others mentioned just one or two. It was important to ensure that information was only provided for acts which were in force and not to include those which were no longer valid;
- concerning long term care and guaranteeing minimum resources, the tables were gradually becoming filled up with information and a more complete picture of the situation had emerged. Correspondents had made good efforts to provide information in the relevant place and to specify when it did not apply;
- with regard to corrections which appeared in the column containing corrected text, the updated information was often limited to changes so it was not clear if the rest of the information in the original column was to be included. Correspondents were asked to check this aspect as there was a risk of information being lost when the tables were uploaded into the database;
- as it was the responsibility of the state to cover social security financing, it would be useful for comparability to provide the reader with a brief explanation of the reasoning behind the financing as mentioned in the guidelines;
- the information in the table on Maternity/Paternity was not always clear, as sometimes specific benefits were mentioned for the father although they were in the context of parental benefits, which either parent was entitled to. It would therefore be important to distinguish between such categories for clarity;
- as far as general principles were concerned, it would be helpful to clarify personal scope.

Mr Schoukens added that, overall, changes to the tables were mainly related to indexed benefits but there were very few fundamental changes, which may be due to the fact that the systems were relatively consolidated or perhaps related to other reasons. He observed that social protection systems in states often underwent changes in cycles. For more specific questions concerning the tables, Mr Schoukens would be contacting correspondents individually.

VIII. INFORMATION ON COORDINATION INSTRUMENTS

MISSCEO(2014)3

Participants were invited to discuss the preparation of a possible new information document on coordination instruments in the field of social security. A draft questionnaire had been prepared by Mr Paul Schoukens following last year's meeting, in coordination with Mr Claude Ewen, a consultant at the MISSCEO meeting in 2013 and Ms Slavkoska, correspondent for the "The Former Yugoslav Republic of Macedonia". Mr Schoukens explained the contents of the questionnaire and two completed versions were discussed which had been filled in by Ms Slavkoska, who had provided detailed information, and Ms Beqiri, who had taken a more general approach. Ms Slavkoska gave a summary of her approach, which was on a country by country basis, and mentioned some particular difficulties encountered. Ms Beqiri believed that it was important to provide a full list of agreements with some main principles which applied and said that further information, which was often of a more technical nature, could be completed on a step-by-step basis.

The Chair thanked the two correspondents concerned for their time and efforts in completing the questionnaires.

A discussion took place as to the type and extent of information that should be included in the questionnaire with a view to identifying the best approach. Mr Schoukens proposed that, as a first step, information should be limited to listing existing treaties with dates and at a later stage, the document could be developed with more detailed information. The Chair said that information could be put on the website and, given the concrete link between coordination agreements and Article 12, paragraph 4 of the Charter, the network should aim to have this available for the next cycle of submission of national reports for Group 2: Health, social security and social protection, which would be in 2016.

The network decided that, as a first step in 2015, the information document on coordination instruments would provide an overview of existing treaties, including dates of signature, ratification and entry into force. Mr Schoukens would prepare a table with guidelines for completion and correspondents would then be invited to provide a list of existing agreements.

IX. EVOLUTION OF NATIONAL SOCIAL PROTECTION SYSTEMS

Correspondents were invited to provide a brief presentation of the main evolution of their national social protection systems. A round table took place and correspondents provided information on developments in the second half of 2013 and the first half of 2014. Aspects which emerged included a range of reforms, particularly in the social and health fields, pension reforms, measures to increase minimum benefits, steps to improve employment opportunities and further assistance to vulnerable groups. In some cases, legislative reforms were underway and would be reported in future tables when they came into force.

Mr Schoukens thanked the correspondents for the information and expressed his support for the approach of only mentioning legislation which was actually in force in the tables. He followed up an aspect which had emerged from the presentations with regard to private insurance on a voluntary basis and a discussion took place on the different modalities for the organisation of private and state insurance in MISSCEO countries.

Correspondents were reminded to send their text on evolution of national social protection systems to the Secretariat if they had not already done so. The texts would be used by the consultant to prepare a document on recent trends and developments which would be published on the website.

X. PRESENTATIONS ON THE EUROPEAN SOCIAL CHARTER

Mr Karl-Friedrich Bopp made two powerpoint presentations on the Charter which were of relevance to the MISSCEO network and, as mentioned under point III above, were made on the occasion of two MISSOC meetings in 2013 and 2014. The first presentation entitled “The protection of social rights in times of austerity” provided information on rights guaranteed by the Charter, its main aims and an explanation of the reporting system as well as the Collective Complaints procedure. A particular focus concerned the application of the Charter and decisions by the ECSR following complaint procedures in the context of the economic crisis. The second presentation, “Social Protection under the European Social Charter - an overview following the 2013 Conclusions” included an explanation of the reporting cycle in four thematic groups and an overview of the provisions of Articles 12, 13 and 14 of thematic group 2 on “Health, social security and social protection”. Examples were provided of grounds of non-conformity as well cases where progress had been seen. The general outcomes of the 2013 Conclusions showed a higher proportion of violations linked to inadequate levels of social security and social assistance benefits compared to the previous reporting cycle, increased poverty in Europe and health care systems under growing pressure.

XI. COMPARATIVE EXERCISE

Correspondents were invited to split into groups for the comparative exercise which concerned Chapter 3: “Sickness - cash benefits” and Chapter 4: “Maternity/Paternity” in the 2013 database (<http://www.coe.int/MISSCEO>) with a view to examination from a reader’s perspective.

The first group (Albania, Armenia and Azerbaijan) observed an overall good comparability of information but pointed out some differences, referring to the Labour Code, taxation of benefits and information in the maternity/paternity category. The second group (Bosnia-Herzegovina, Georgia, Montenegro and Serbia) observed similar approaches to social security systems between some countries which were related to historical background. They mentioned differences concerning reference to the Labour Law, different approaches to paternity leave/benefits and amounts of information which varied depending on the number of administrative entities. Group 3 (“The Former Yugoslav Republic of Macedonia”, the Federation of Russia, Turkey and Ukraine) pointed out some comparability issues, in particular where some tables included a long list of laws whilst others referred to the main laws and the fact that reference to exempted groups was made in some tables but not in others.

The correspondents agreed that the comparative exercise was useful as it provided the opportunity to have a detailed look at information that had been entered into the database for the chapters concerned.

XII. INTRODUCTIONS TO THE TABLES SUMMARISING THE PRINCIPAL CHARACTERISTICS OF THE SOCIAL SECURITY SYSTEMS

MISSCEO(2014)4

Correspondents were invited to discuss the follow-up to be given to the texts on introductions to the tables, which summarized the principal characteristics of social security systems. The secretariat recalled that these had been under preparation for a number of years and the texts, as they were finalised in 2013, had been published on the website and appeared in document MISSCEO(2014)4.

The correspondents considered that these texts were not designed to be updated on an annual basis and, as proposed by the consultant, agreed that a periodic updating on a five year basis would be appropriate. If, however, a correspondent wished to indicate major changes to their social protection

system which took place during the five year period, they could provide the Secretariat with an updated text. The network agreed that, on this basis, the next update of the introductions to the tables would take place in 2018.

XIII. PREPARATION OF THE 2014 EDITION

MISSCEO(2014)5

The preparation of the 2014 tables, including the deadlines for the various stages of production, was confirmed as follows:

- The information in the tables should reflect the situation on 1 January 2014.
- The MISSCEO correspondents would revise their national contributions in the light of the discussions held at the meeting and the content co-ordinator's comments, by 26 September 2014;
- The final version of national contributions following any further revision by the correspondents would be submitted by the co-ordinator of contents to the Secretariat by 10 October 2014;
- The MISSCEO 2014 data would be sent for translation into French in October 2014;
- The MISSCEO data 2014 (English version) would be entered by the Secretariat into the Council of Europe database in December 2014;
- The French version of the MISSCEO 2014 data would be entered into the database in December 2014/January 2015.

XIV. PLANNING OF THE 2015 EDITION

MISSCEO(2014)6

The following time schedule for the preparation of the 2015 edition was approved:

- The information in the tables should reflect the situation on 1 January 2015.
- The Secretariat would request the national contributions in January 2015;
- The MISSCEO correspondents would update their national contributions by 1 April 2015;
- The comments on the national contributions would be ready by 15 May 2015;
- The 17th MISSCEO meeting would take place on 2-3 July 2015;
- The MISSCEO correspondents would revise their national contributions in the light of the discussions held at the annual meeting and the comments of the coordinator of contents, by 25 September 2015;
- The final version of national contributions would be ready after supervision by the coordinator of contents and the Secretariat by 15 October 2015;
- The data would be sent for translation into French in October 2015;
- The English version of the data would be entered into the Council of Europe database by December 2015;
- The French data would be uploaded in December 2015/January 2016.

XV. DATE AND PLACE OF THE NEXT MEETING

The 17th meeting of MISSCEO would be held on 2-3 July 2015 in Strasbourg.

APPENDIX I

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APPENDIX II

AGENDA

THURSDAY, 26 JUNE 2014

- I. OPENING OF THE MEETING
- II. ADOPTION OF THE AGENDA
- III. INFORMATION FROM THE SECRETARIAT
- IV. INFORMATION ON MISSOC
- V. INFORMATION ON MISSCEO
- VI. GENERAL COMMENTS ON COMPARABILITY
- VII. INFORMATION ON COORDINATION INSTRUMENTS
- VIII. EVOLUTION OF NATIONAL SOCIAL PROTECTION SYSTEMS
- IX. COMPARATIVE EXERCISE

FRIDAY, 27 JUNE 2014

- IX. COMPARATIVE EXERCISE (continued)
- X. INTRODUCTIONS TO THE TABLES SUMMARISING THE PRINCIPAL CHARACTERISTICS OF THE SOCIAL SECURITY SYSTEMS
- XI. PREPARATION OF THE 2014 EDITION
- XII. PLANNING OF THE 2015 EDITION
- XIII. ANY OTHER BUSINESS
- XIV. DATE AND PLACE OF THE NEXT MEETING