

SECRETARIAT GENERAL

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DIRECTORATE OF HUMAN RIGHTS

DEPARTMENT OF THE EUROPEAN SOCIAL CHARTER

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 12 October 2015

MISSCEO(2015)6

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

17th Meeting
Strasbourg, 2-3 July 2015

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 network. The list of participants and Secretariat appears in Appendix I.

II. ADOPTION OF THE AGENDA

MISSCEO(2015)1
MISSCEO(2015)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. The draft Resolutions on the application of the European Code of Social Security, drawn up on the basis of Conclusions of the ILO Committee of Experts, had been adopted by the Governmental Committee of the European Social Charter and the European Code of Social Security, at its meeting on 18-22 May 2015 and would be submitted for adoption by the Committee of Ministers of the Council of Europe later in the year.

Information was also provided on the promotion of the European Code of Social Security ("Code") during meetings on non-accepted provisions of the European Social Charter ("Charter"), held in Belgrade, Serbia on 4 November 2014 and Podgorica, Montenegro on 5 May 2015. A Tripartite Seminar had also been held in Kyiv on 30 June 2015, with a view to Ukraine's ratification of ILO Convention No. 102 and the Code. A further meeting to promote ratification of the Code was due to be held in Zagreb, Croatia on 22-23 September 2015 and an event may also be organised in Bulgaria later in the year, in the context of the Bulgarian Chairmanship of the Committee of Ministers of the Council of Europe.

Mr Bopp also informed participants of the High Level Conference on the European Social Charter, held in Turin on 17-18 October 2014. Discussions during the Conference focused on the themes of austerity measures during times of crisis and the role of the Charter in the protection of social rights; the contribution of the Charter's collective complaints procedure to respect for social rights; and synergies between the law of the European Union and the European Social Charter. The Conference marked the beginning of the "Turin Process", in the context of which a Conference on the future of the protection of social rights in Europe was held in Brussels on 12-13 February 2015, under the aegis of the Belgian Chairmanship of the Committee of Ministers. A key objective of the Turin process was to improve the implementation of social and economic rights in Europe in parallel to the civil and political rights guaranteed by the European Convention on Human Rights. The main pillars of the Turin process were based on the promotion of additional ratifications of the Revised European Social Charter, wider acceptance of the collective complaints procedure and improved synergies between the Charter and EU law as well as an increase in the number of members of the European Committee of Social Rights (ECSR). Further information was available on the website: www.coe.int/socialcharter.

IV. INFORMATION ON MISSOC

Members of the new MISSOC team, Mr Terry Ward, MISSOC Project Director and Ms Loredana Sementini, MISSOC Coordinator, were present at the meeting. Ms Sementini gave a presentation on developments that were taking place in MISSOC. The European Social Policy Network (ESPN), established in 2014, brought together two networks of independent experts on social protection and social inclusion together with MISSOC. The project was managed by the Luxembourg Institute of Socio-Economic Research (LISER) (formerly CEPS-Instead) and Applica and its principal aim was to avoid duplication of work as well as taking advantage of synergies between independent experts and

government officials. The MISSOC operation remained largely unchanged and cooperation activities with the Council of Europe and ISSA would continue on a similar basis. The main output of the independent experts concerned country profiles on social policies, European Semester Reports and monthly flash reports on major social development policies as well as three thematic reports per year. The first two reports for the latest year focused on social investment (published in April) and support to long-term unemployed (to be published by mid-July). The third report, due in Autumn, would focus on the impact of the crisis on pensions. Reports could be consulted on the ESPN webpage of the EC website.

The MISSOC comparative tables would continue to be updated twice a year. The January 2015 update would be online by mid-July 2015 and the July 2015 update was scheduled to be online in January 2016. Regarding methodological work, as a main aim was to continuously improve usability of the tables, measures had been taken to ensure comparability and completeness of information as well as steps to take into account user needs and address difficulties. Revision of the Guidelines aimed to clarify selected items and respond to policy needs of the Commission. Periodic updating of the Guidelines for specific tables continued to be carried out which involved a more in-depth review. Examples were provided of clarification of terminology, definitions and explicit reporting requirements in Table VI 'Old-age' and Table XII 'Long-term care'. Examples of responding to Commission policy needs were also provided, which included issues related to the Gender Pension Gap and Housing Benefits. The periodic updating of the Guidelines currently concerned Table VII on Survivors' benefits, which was motivated in part by consideration of the gender pension gap, and proposals for revision would be discussed at the next network meeting. Explanations were provided with regard to communication with correspondents and users, which was ensured through regular updating of the website, an online survey tool and the setting up of working groups for Guideline revision. Measures were underway which reflected a shift from basing communication mainly on Guidelines to a questionnaire approach.

The Chair thanked Ms Sementini for having provided a very informative update of MISSOC developments. A discussion took place on a number of points which had been raised during the presentation, which included aspects of the questionnaires, a possible shift to reflect EU policy which went beyond technical cooperation, the complexity of providing information related to housing benefits and the identification of potential website users. Mr Ward explained that a number of issues had been addressed through the questionnaires with the aim of ensuring the best possible comparison of provisions in the different national systems and completeness of information, whilst the definitions and concepts remained an important feature of the guidelines.

V. INFORMATION ON MISSCEO

MISSCEO(2013)6

Ms Sheila Hirschinger welcomed participants, in particular Ms Godinjak, the current replacement correspondent for Bosnia-Herzegovina who had previously carried out pioneer work for the MISSCEO network, and Mr Ward and Ms Sementini from MISSOC, whom she thanked for having provided a very interesting overview of current developments in MISSOC.

Concerning MISSCEO work carried out since the last meeting of the network, updating of the national contributions had gone smoothly and according to plan. All the tables were finalised in 2014, the English and French versions were put in the database and the information appeared on the website www.coe.int/socialsecurity. The MISSCEO Info 2014 document, providing an overview of recent trends and developments, prepared by the Consultant, Professor Paul Schoukens, on the basis of information provided by the correspondents, was also published on the website. The preparation of the 2015 comparative tables was progressing well and all the updated tables were at various stages of finalisation. The 2015 edition of the tables included a new category, on a similar basis as MISSOC, which concerned the "back-purchase of insurance periods". Another development which was underway, as decided at the last meeting, was the preparation of an information document on coordination agreements. Correspondents were reminded that the appendices to the tables were also due to be updated in 2015, namely the organisation chart and the information on self-employed.

Ms Hirschinger also explained, for the benefit of the new MISSOC team, the working methods of MISSCEO. The tables were updated once a year by correspondents, then transmitted to the secretariat and the consultant for checking and discussion of any questions before final revision. Changes to the structure of the tables to reflect a similar change in MISSOC were decided on during the annual MISSCEO meeting. For this reason, it was useful to receive the revised version of the MISSOC Guidelines, indicating the changes which had been introduced. The annual meeting also provided an opportunity for the correspondents to work in small groups to discuss comparability in selected tables. Ms Hirschinger expressed the wish to improve visibility of MISSCEO through the MISSOC website and finally, she thanked the correspondents and the consultant for the excellent work which had been accomplished.

VI. GENERAL COMMENTS ON COMPARABILITY

The consultant, Mr Schoukens, said that the comparison of the tables had improved over time and a compromise had been reached on most aspects, including definitions and concepts. It was agreed that the consultant would provide guidance on information to be provided in the tables and the correspondents would judge for themselves on the extent of information, for example the listing of acts.

Mr Schoukens raised the following aspects:

- information relating to pensions, in particular, calculations, had been of concern for a number of years. The calculations were often very detailed, sometimes involving a mathematical formula, however the logic behind the pension system was often not clear, such as the link to the number of years worked or the level of income. Correspondents were asked to bear this aspect in mind during the comparative exercise in the current meeting, in order to compare, for example, the basic principles;
- with regard to information on coordination agreements, the preparation of a document on this subject had been decided following similar work carried out by MISSOC. The preparation of an information table was underway, with the main objective of providing the reader with basic principles. It was still to be decided how much information should be put into the table and the item would be discussed later in the meeting (see item VIII);
- concerning the new category on back-purchase of contributions which had been added to the tables in 2015, some problems of definition had arisen, which were similar to difficulties identified for partial pensions. In most cases, correspondents had filled in the box and in some cases, clarification had been requested. When no information had been supplied, the correspondents had been asked to indicate in the table if such contributions did not exist.

Mr Schoukens would be contacting correspondents individually concerning a number of specific questions concerning the tables.

VII. EVOLUTION OF NATIONAL SOCIAL PROTECTION SYSTEMS

Correspondents were invited to provide a brief presentation of the main developments in their national social protection systems. The main aspects which emerged from the round-table presentations focused on measures to improve the social protection of the most vulnerable categories of the population. Such measures included an increase in minimum support benefits, targeted social assistance schemes, support for internally displaced persons (IDP), children at risk and Roma as well as projects for persons with disabilities, including the mandatory provision of workplaces. Reforms to pension systems were of importance with the aim of better protection of the most vulnerable pensioners and improving communication to the public. A number of reforms included restructuring and improving the efficiency of systems, introducing a higher pensionable age and measures to ensure financial sustainability. Improvements to computerised systems related to social security were being carried out as well as measures to facilitate administrative

procedures. Labour reforms had been introduced with the aim of increasing the access of unemployed persons to the labour market, including free-lance workers in social insurance schemes and facilitating the official registration of domestic workers. Reforms were also underway in the health sector, which included measures to improve coverage and amendments to bring the situation in line with international standards.

The Secretariat thanked the correspondents for their presentations and reminded those who had not already done so, to send their texts on evolution of the national social protection system as these would provide a basis for the MISSCEO Info document being prepared by the consultant.

VIII. INFORMATION DOCUMENT ON COORDINATION INSTRUMENTS

MISSCEO(2015)3

Mr Schoukens recalled the background to the information document on coordination instruments, which had been inspired by work of MISSOC and the European Union in this field, as well as the aim of providing information relevant to Articles 12§4 and 13§4 of the European Social Charter. A questionnaire had been completed last year by two correspondents which had been the basis for discussion at last year's meeting. For the current meeting, Mr Schoukens had drawn up an analysis table of existing treaties which the correspondents had been asked to fill in prior to the meeting. The table contained information on the country with which the agreement was drawn up, the date of signature, the date of entry into force of the agreement and aspects of personal and material scope.

A discussion was held on the different aspects of the table, the extent of information to be provided and the main objective of the exercise. The Secretariat recalled that the information would be relevant to examination of national reports under the European Social Charter due in 2016 for Thematic Group 2 on health, social security and social protection, which included Articles 12 and 13. Correspondents had taken different approaches to filling in the tables, in some cases only crossing the boxes and in other cases providing some additional brief explanations, whilst others had provided detailed information. Mr Schoukens pointed out that some aspects of coordination between CIS countries were not clear. The correspondent from "the Former Yugoslav Republic of Macedonia" explained that she had prepared two versions of the table, one which was a shorter version showing the main principles of the coordination agreements and the other giving more detailed information. The correspondent for Serbia mentioned difficulties in deciding which information to include and said that a model table would be useful.

The network decided to take a two-step approach. Firstly, the tables would be prepared in 2015 on the basis of crosses in boxes to provide basic information as to which agreements existed and this would be published on the website at the end of the year. As a second step, in 2016, the tables would be developed with further information on the same basis as the short version prepared by the correspondent for "the Former Yugoslav Republic of Macedonia", providing a summary of the basic principles behind the agreements. These would be published on the website at the end of 2016.

IX. COMPARATIVE EXERCISE

The comparative exercise concerned Chapters VI "Old-age" and VII "Survivors". Correspondents were split into groups and discussed information contained in these two tables which had been extracted from the 2014 database, with a view to comparison.

The first group (Albania, Armenia and Bosnia-Herzegovina) noted that a similar approach was apparent in the tables. There were mandatory schemes in the three countries and basic principles were similar although differences were noted between the systems. For example, the conditions for entitlement to benefits varied, a maximum limit which applied to pensions in Albania and Bosnia-Herzegovina but not in Armenia, and variations in methods of adjustment to living costs. The

method of presenting calculations also differed, either appearing as a formula or as a textual description. Mr Schoukens observed that if a formula was provided, it should be clarified and when the possibility existed of a partial pension, it would be useful to provide further explanations.

The second group (Georgia, Republic of Moldova, Montenegro and Ukraine) noted that the system in Georgia was more straightforward compared to the other countries as pensions were based on a flat rate for all beneficiaries. Possibilities for simplification were identified, such as reference to the retirement age for a standard pension in the Republic of Moldova and to the minimum pension in Ukraine. Differences were noted with regard to gender equality, as Ukraine was the only country with the same retirement age for men and women whilst in the other countries it was earlier for women. Differences were also observed in the rights of spouses to the survivors' pension. With regard to pensions, Mr Schoukens underlined the importance of clearly explaining percentages and calculations.

The third group (Russian Federation, Serbia, "the Former Yugoslav Republic of Macedonia" and Turkey) noted similar types of information in the tables although there were differences in the amount of detail provided which were mainly related to the varying complexity of the systems. There were also some differences in the presentation of basic principles, in particular, the source of contributions and financing of the system. With regard to calculations, most of the countries had entered formulas and definitions would help the reader understand the rationale. Some areas were identified where further information was required, for example, information relative to claimants and time limits for claiming benefits in the case of partial pensions. Mr Schoukens noted that the partial pension for the Russian Federation may be more appropriate under a different category, linking it to early pension or qualifying period.

X. PREPARATION OF THE 2015 EDITION

MISSCEO(2015)4

The preparation of the 2015 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 2015.
- 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 25 September 2015;
- 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 16 October 2015;
- The MISSCEO 2015 data would be sent for translation into French in October 2015;
- The MISSCEO data 2015 (English version) would be entered by the Secretariat into the Council of Europe database in December 2015;
- The French version of the MISSCEO 2015 data would be entered into the database in December 2015/January 2016.

XI. PLANNING OF THE 2016 EDITION

MISSCEO(2014)6

The following time schedule for the preparation of the 2016 edition was agreed:

- The information in the tables should reflect the situation on 1 January 2016.
- The Secretariat would request the national contributions in January 2016;
- The MISSCEO correspondents would update their national contributions by 8 April 2016;
- The comments on the national contributions would be ready by 16 May 2016;
- The 18th MISSCEO meeting would take place on 7-8 July 2016;
- 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 23 September 2016;
- The final version of national contributions would be ready after supervision by the coordinator of contents and the Secretariat by 14 October 2016;
- The data would be sent for translation into French in October 2016;
- The English version of the data would be entered into the Council of Europe database by December 2016;
- The French data would be uploaded in December 2016/January 2017.

XII. DATE AND PLACE OF THE NEXT MEETING

The 18th meeting of MISSCEO was scheduled for 7-8 July 2016 in Strasbourg.

APPENDIX I

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APPENDIX II

AGENDA

THURSDAY, 2 JULY 2015

- 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. EVOLUTION OF NATIONAL SOCIAL PROTECTION SYSTEMS
- VIII. INFORMATION DOCUMENT ON COORDINATION INSTRUMENTS

FRIDAY, 3 JULY 2015

- VIII. INFORMATION DOCUMENT ON COORDINATION INSTRUMENTS (contd)
- IX. COMPARATIVE EXERCISE
- X. PREPARATION OF THE 2015 EDITION
- XI. PLANNING OF THE 2016 EDITION
- XII. ANY OTHER BUSINESS
- XIII. DATE AND PLACE OF THE NEXT MEETING