DIRECTORATE OF SOCIAL RIGHTS, HEALTH AND ENVIRONMENT
DEPARTMET OF SOCIAL RIGHTS

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

26th Meeting

Strasbourg, Monday 13th October 2025
Council of Europe (Palais de l'Europe, Room 16)

(9h 30 – 17h CET)

MEETING REPORT

I. OPENING OF THE MEETING

Mr Henrik Kristensen, Head of the Department of Social Rights / Executive Secretary of the European Committee of Social Rights, opened the meeting and welcomed the MISSCEO correspondents.

He welcomed Ms Daniela Urse, the MISSCEO consultant who took up the position in spring 2025 and thanked the MISSCEO correspondents for all their work in compiling the annual tables which are of great importance to produce a pan European view of social protection in Europe thus complementing the MISSOC information stemming from EU countries.

Mr Kristensen underscored the difficult situation Europe is currently facing: military aggression towards a Council of Europe member State, the rise of authoritarianism which curbs social inclusion and is detrimental to the most vulnerable in society relying on social protection.

In this context he highlighted the Secretary General's New Democratic Pact for Europe which promotes social justice as the first line of defense for democracies currently facing erosion. He also informed the correspondents of the High Level Conference of the European Social Charter on 18-19 March 2026 in Chisinau which aimed to strengthen the social rights framework of the Council of Europe.

Mr Kristensen underlined that the work of the MISSCEO, in conjunction with the ECSR and the ECSS, is needed more than ever in these difficult times to guarantee social rights and he drew attention to the ECSR's review on the "Cost-of-Living Crisis" which highlights the need for Charter compliant responses to such crises.

He noted that the subjects on the agenda for the current meeting were extremely relevant topics eg the "Gig Economy", as often those working in this economy face poorer social protection, and "AI" which is gaining ever increasing importance in workplace.

Mr Kristensen reiterated the importance and value of the MISSCEO network and wished the correspondents a good and productive meeting.

II. ADOPTION OF THE AGENDA

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The agenda was adopted without amendments.

III. INFORMATION FROM THE SECRETARIAT

Ms Eilean Mackie, MISSCEO Coordinator, provided information on recent MISSCEO developments.

She regretted that contact with the Albanian correspondent had been sparse over the course of the year and that the correespondent had not been in a position to attend the meeting and hoped that Albania could be welcomed back to the MISSCEO network next year.

Ms Mackie expressed great pleasure that Ms Daniela Urse had accepted to work as the MISSCEO correspondent and thanked Mr Leppik in his absence, for his valuable years of work with the network.

Ms Mackie reiterated the reasons for the decision to hold the meeting in October in 2025: owing to the change of consultant and change of staff within the department, the schedule for submitting the tables had to be postponed. She opened the floor to correspondents for their views on the schedule as to whether they would prefer a return to the pre 2025 schedule for 2026. The correspondents agreed that the former schedule was preferable with the meeting to be held in June and a two-month deadline given to return tables. It was agreed that in 2026 the "normal" schedule which had existed pre-2025, would be resumed.

IV. DEVELOPMENTS IN MISSOC

Ms Nicole Fondeville, Coordinator of MISSOC intervened online providing information on recent developments in the MISSOC network.

She noted that the next update of the MISSOC information would be published at the beginning of 2026. A review of the guidelines of one of the tables is carried out annually, the latest concerned long-term care. A comparative exercise is also carried out annually and last year it covered the self-employed and non-standard workers.

Regarding Table XII, Long Term Care, the objectives of this new revision were to

- clarify points/questions which could cause confusion
- ensure completeness of information and consistency, and comparability between tables and countries

Regarding the comparative exercise, there was a:

- focus on the social protection of the self-employed and 'non-standard' workers and
- for MISSOC, it provided an opportunity to check whether the information in the tables is clear and understandable, as well as complete and comparable.

In respect of future work at MISSOC

- currently the guidelines are under revision with an aim to integrate information on self-employed and non-standard workers in the main tables (it should be finalised at the next MISSOC meeting in November 2025) + review of Table I (Financing)
- a comparative review is ongoing on Table IV (Maternity/paternity) and Table IX (Family benefits) (the results should be presented at the next MISSOC meeting in November 2025)

V. GENERAL COMMENTS CONCERNING THE MISSCEO TABLES BY THE CONSULTANT

Ms Daniela Urse, Consultant, provided general comments regarding the MISSCEO tables.

Ms Urse, underlined the utility of the MISSCEO tables, particularly for researchers in social protection and those in government. These are very important resources and she stressed the value of the work undertaken by the correspondents.

As regards some technicalities, Ms Urse highlighted some areas for improvement to obtain the most accurate information for the database, as follows:

- If amendments are made the entire text from the previous year needs to be copied into the column of the current year and the amendments noted in track changes in the column for the current year. Either the old year with no changes remains in the database or the new year with changes is copied into the database. By only adding amendments to the new year's column valuable information will be lost.
- If percentages are quoted – the reference base for the calculation needs to be clarified. Moreover it needs to be noted whether the percentage is prescribed by law, or is an indicative value.
- Note must be made whether reference is being made to gross or net income
- Terminology: the aim is to have standard terminology but if national terms used, the general terminology in the guidelines should be used too to make it clear.
- If figures are outdated, clarification needs to be made that there has been no change otherwise the more recent figures should be given.
- Fields need to be completed with all essential elements (eg noncontributory periods credited or taken into consideration for old-age pensions).
- Information needs to be clearly expressed not ambiguous.
- Regarding the field of application – eg are all self-employed compulsorily covered by insurance? The information needs to be precise.
  (At this point some correspondents took the floor to say that in past previous consultants had advised to keep information general and focus on main areas. Ms Urse agreed that the information should be simple but should offer the full picture and convey accurate information to avoid ambiguity. Some correspondents also highlighted that the deadline had been very short this year owing to the exceptional circumstances mentioned earlier).
- If another table is referenced – it has to be ensured that the referenced table is very precise and complete.
- Only relevant information should be kept eg updates of legislation. Old legislation that no longer applies should be removed. There is no need to mention forthcoming legislation (draft legislation).
- Applicable statutory basis is the only field where reference to legislation is recommended. Elsewhere it is not necessary as table is read in its entirety.
- The basic principles field – refers to very specific elements (principle of entitlement etc – about the philosophy of the benefit).
- When pilot targeted programmes are mentioned, which are aimed at a limited number of beneficiaries, – only the "statutory and compulsory" should be mentioned to keep it relevant for a significant part of the population.
- It is important "not to duplicate" branches where there is a blurred differentiation between social policies. Eg maternity and parental benefit. Maternity/paternity is the period directly after the child's birth, whereas parental leave is taken up later at a period after the child's birth. They have to be kept separate and distinguished, with parental benefits included under Family benefits. Likewise, clear indications should be provided when they are part of a single parental benefit scheme. Ms Urse noted that few

countries report on paternity leave although it exists in most countries.
- Family benefit, free child care subsidies are worth mentioning.
- One off payments are to be mentioned with grants (not as allowances)
- Overlaps between fields – schemes of social assistance (minimum income guaranteed) should not be under family benefits. A social assistance scheme should be mentioned under a specific table only when it addresses that risk in a specific manner.

The Serbian correspondent mentioned that it is not always clear if something is an allowance or a grant or something in between – also those who help collate the information for the tables are not so familiar with certain aspects eg sometimes parental benefit it is a grant and an allowance. Hence it is not clear where to put it.

Ms Urse indicated that in such cases cross references should be used where sometimes it is a grant and an allowance.

The North Macedonian correspondent noted re parental/paternity leave, there is an issue as paternity leave is paid by the employer not part of social protection. Regarding the self employed, she continued, in the past the correspondents were encouraged to mention the main categories – but this field is now evolving. She suggested that perhaps the information on the main areas should be in the tables and self-employed in the annexe. She also queried the calculation process and asked for a recapitulation of other specificities.

Ms Urse replied that it should be mentioned whether it has been calculated by the correspondent and is not legislation. Regarding the term family pension, the consultant noted that the term survivor benefit should be employed as well. Regarding maternity leave, mention should only be made of those things which are mandatory for the entire population – if discretionary it should not be mentioned (ie it is then not statutory).

The correspondent from Moldova asked that these points be included in the explanatory note for next year ie that guidelines be revised.

The Turkish correspondent asked about which currency to use particularly in relation to inflation issues. Ms Urse replied to add the value in Euro – keep local currency – but add the value in Euro as reader know that the value is at the 1st January of the year concerned.

As general comments of the past year, the consultant mentioned that general developments that were apparent which fell into two categories: cost containment measures and measures at protecting the most vulnerable groups. Regarding cost containments – a number of countries modified the indexation mechanism in order to save resources. Others suspended the minimum pension indexation, or temporarily bypassed the statutory pension mechanism and applied a temporary fixed indexation rate, or changed from biannual to annual adjustment.

VI. TOUR DE TABLE OF THE MISSCEO NETWORK REPRESENTATIVES CONCERNING LATEST DEVELOPMENTS ON SOCIAL PROTECTION IN THEIR RESPECTIVE COUNTRIES + COMPARATIVE TABLE EXERCISE (continued)

The **Azeri correspondent**, indicated that 5 major social reform packages were implemented in her country between 2018-2025 resulting in:

- an increase minimum wage by 3.1 times
- minimum and average pensions have risen by 2.9 and 2.6 times, respectively.
- social benefits and pension payments have expanded five-fold.
- 2.5-fold increase in targeted state social assistance

She also highlighted the impact of digital transformation of Azerbaijan's social protection system ensuring greater efficiency and convenience for users in particular via the DOST Agency which encompasses 161 social services, 91% of which are digitalized.

The correspondent form **Bosnia and Herzegovina** drew attention to some significant changes to the legislative framework of social protection in the Federation of Bosnia-Herzegovina, Republika Srpska, and Przko district in 2024-25.

Republika Srpska is working on amendments to the law on support for unemployed parents of four or more children in order to harmonize the provision of the law with the decision of the Constitutional Court of the Republika Srpska.

A new law as regards the social card was adopted in 2025 and should contribute to more efficient exercise of social protection rights and services and fairer distribution of public funds.

There has also been an improvement in the collection of data on social economic needs of disadvantaged persons especially persons with disabilities, national minorities as Roma etc.

Of note too, is the significantly improved collection of reliable data on child poverty rates, and violence against children.

In the Federation of Bosnia and Herzegovina a law has been introduced in social services, which regulates the licensing and financing of service providers. The law on uniform principles of material support for persons with disabilities was also adopted. Amendments to the law on pension and disability insurance ensure the stability of the pension funds in Federation.

The district of Bosnia and Herzegovina adopted amendments to the law on social protection that allow for the retroactive payment of benefits of care and assistance from others and expanded the criteria for child allowance by linking them to the minimum wage and the number of family members.

The **Georgian correspondent** highlighted the pension indexation mechanism, which represents a key component of the ongoing pension system reform in Georgia, a mechanism which links adjustment to relevant economic indicators such as inflation and economic growth.

Georgia is currently undertaking a comprehensive reform of its targeted social assistance program, to alleviate poverty particularly by refining the eligibility and targeting criteria.

With the support of the World Bank, the draft methodology for socioeconomic assessment has been developed and piloted.

The protection and promotion of rights of persons with disabilities remains a key priority with increasing financial support and expansion of access to supportive services. Legislation has been introduced to establish indexation rules for the social assistance packages for individuals with recognized disability status.

From 2025, within the framework of the policy of decentralization of social services, the provision of personal assistance services was delegated to municipalities to enhance efficiency of social service delivery at the local level.

Strengthening of social protection system for the working age population of Georgia is foreseen and the feasibility of introducing an unemployment insurance system is being considered.

The correspondent from the **Republic of Moldova** noted that during 2024, the Republic of Moldova made substantial progress in strengthening its social protection system through targeted reforms and through progressing digitalization.

At the same time, energy compensation programs, pension indexation, enhanced child and family benefits and employment measures significantly contributed to poverty reduction and social inclusion.

Energy compensation, during the winter of 2024-2025 was transferred directly either to beneficiaries' bank accounts or through postal offices ranging from between 15 and 70 euros per household. This sum was based on several factors like household income, number of members, social status, and the type of primary heating source. Additional support was implemented from February 2025 to mitigate the impact of increased electricity tariffs.

As of April 1st, 2024, pensions and some social benefits were indexed with 6% indexation coefficient, which was applied to most parts of the pension that did not exceed the average monthly salary for the economy forecast for 2024.

The amount of minimum disability pension was raised .

As regards, the social aid program, the case management was implemented starting with 1st January 2025. This mechanism applied exclusively to social aid beneficiaries and aims to enhance the effectiveness of the social program.

Regarding children's support, the Republic of Moldova has made substantial progress in this dimension starting with 1st January 2024, single allowance at birth was increased from 597 euros to 1,039 euros and from 1st January 2025, it constitutes 1,100 euros.

In partnership with UNICEF, the government of the Republic of Moldova allocated over 3.5 million euros to support various social assistance measures, including one-time and monthly cash transfers, benefiting more than 7,000 children from 3,000 families.

Also, in July 2023, the Parliament approved several key amendments on maternity and paternity and family benefits, which became applicable during 2024 allowing child allowances to be granted proactively without the need to submit application. Paternity leave was extended from 14 to 15 calendar days.

Under the restart social assistance reform all the social programs and services now incorporate the gender equality perspective. Moreover, as part of this reform, every regional district and municipal social assistance structure from Moldova has employed dedicated specialists focused on domestic violence and rehabilitation of crime of victims.

In order to improve universal health care, the health insurance benefits program has undergone a comprehensive revision in 2024 reducing administrative burden.

The **North Macedonian correspondent** focused on four main changes that happened in 2024/2025. She explained first that following government restructuring there were changes in the number of ministries and one change affected the former Ministry of Labor and Social Policy. Now competencies linked to employment, including insurance against unemployment, are now with the Ministry of Economy and Labor and the Ministry of Social Policy, Demography and Youth continues to be responsible for all social protection programs, pension, all categories of pension and disability insurance and family benefits.

The reform's aim was to improve public administration, increase efficiency of administration and also to better coordinate economic and labor policies.

In May this year, the parliament adopted a new law on engagement of individuals for work targeting non-standard workers with the aims of introducing a way of registration of such workers engaged in seasonal work and in occasional work, thus encouraging the formalization of informal work and improving access to social protection and to social security for these specific categories of workers or self-employed people. This targets seasonal and occasional work in specific sectors like agriculture, tourism, food services and households, where the household is the employer. The employer is obliged to pay all mandatory social contributions, including pension and health and additional health insurance against work injuries and occupational diseases for each day worked. Moreover, those workers will not lose rights if they become engaged under a formal contract and in addition they will receive additional insurance.

As regards progress with digitalization, integrated management information system for cash benefits and social services has begun to be rolled out, to improve the efficiencies of the administration, and also the targeting of both the benefits and the services.

With regard to pensions, there have been two amendments to the loan pension disability insurance affecting the indexation of the pensions. With the first round of changes, all pensioners received a fixed amount of increase of the pension and with the second change, all the pensioners are entitled to, again, a fixed amount of increase to keep in line with the cost-of-living increases.

The **Serbian correspondent** mentioned that apart from the change in the rhythm of the indexation of pensions the law on financial support of families with children was amended last year. It focused on a significant increase in the childbirth grant, which is received by mothers for the birth of the first four children as indicated in the tables submitted this year.

The Turkish correspondent noted the following with new regulations and changes in the system. 2024 was declared as the year of retirees in Turkey, 2025 has been declared the year of the family, by the presidency.

Various social security and support regulations have been implemented for employees, families, retirees and citizens with special circumstances because birth rates are going down.

A new development is permission to work part-time for civil servants following childbirth or adoption. Female civil servants who have given birth or civil servants whose spouses have given birth may work part-time from the end of their maternity or paternity leave until the beginning of the month, following the date on which child reaches compulsory primary school age. The situation applies also to parents adopting a child. In such cases their salaries are reduced to part-time salaries.

New maternity benefits also now apply provided that mother and father or both are Turkish citizens and reside in Turkey (5,000 Turkish lira will be provided for the first child, 1,500 Turkish lira per month for the second child and for the third and subsequent children, 5,000 Turkish lira per month).

There has been an increase in holiday bonus for pensioners who worked as public servants or employees: they receive a holiday bonus twice a year from 3,000 Turkish lira to 4,000 Turkish lira.

Legislative amendments were made in 2024 to improve the conditions of seasonal agricultural workers. In addition to encouraging the registered employment of workers and attempting to reduce unregistered work mobile health services are provided and temporary settlement areas are created to facilitate access to public services, such as social assistance, health and education for workers and their families.

Regarding general health insurance coverage, this now has been extended to cover trainee teachers at the National Educational Academy. Their spouses, children and parents are also covered by general health insurance as dependents.

Short-term insurance branch premium rates have been increased with law number 7524 dated July 2024, the premium rate for short-term insurance branch work accident, occupational disease, illness and maternity has been increased from 2% to 2.25%. This premium is paid in full by employers.

The latest date for the recruitment for premium incentives for the employment of women, young people and those with professional certificate has been extended until the end of 2025.

The **Ukrainian correspondent** indicated some of the developments in Ukrainian social protection.

As of January 1, 2025, the maximum base for calculated unified social contribution has been increased to 20 minimum wages. The unified social contribution exception has been called for certain categories: sole proprietors, individuals engaged in independent professional activities and members of a farming household are not insured otherwise.

The introduction of a mandatory funded pension system is underway. Pension indexation was carried out in March 2025 to offset inflation. Conditions for retirement have been adjusted.

Since July 1, 2025, the Pension Fund of Ukraine has taken over the administration and payment of state social benefits, including for lower income families, people with disabilities and children with disabilities. Registration is shifting towards needs-based and status-based social assistance.

Legislation has been adopted to improve processing for providing social service. It introduces standards for case management, multidisciplinary teams, physical support for people with a disability and providing classification. The draft 2026 state budget allocates a 31% increase from prior to 2025 for the development of social services.

More administration is being streamlined and a digitalization process for receiving benefits is simplifying issues via a digital app.

It is worth noting that in September 2025, the government of Ukraine approved the 2025 action program and submitted it to the Verkhovna Rada of Ukraine setting out clear objectives and performance indicators. The four key areas of reform outlines in the program include security, economy, dignity, and recovery. In particular, this entails the introduction of a new pension system model, continued effort to reduce poverty, modification of the social protection framework, further development of the social service, and a transition to needs-based and status-based target assistance.

The **Montenegran correspondent** noted that the main change in Montenegro during the last year was in the field of financing. Owing to the reduction of the labor-related tax burden, Parliament adopted amendments to the law on mandatory social security contributions.

By adopting this law, the tax burden on labor was reduced through the decrease in pension and disability insurance contributions payable by both employees and employers from a total rate of 20.5% to 10%.

In the field of healthcare, the Parliament of Montenegro adopted amendments to the law on mandatory health insurance with the aim to include persons suffering from multiple sclerosis among the existing categories of insured persons entitled to have 100% wage compensation during temporary incapacity for work regardless of the cost.

There were no significant changes to the legal framework in the field of social and child protection in the last year, however in March 2025 the law was changed to revise the previous provision that limited eligibility for child allowances to five children per family, so that now all children in the family are entitled to receive the allowance.

The law on pension disability insurance introduced a new condition for exercising the right to an old age pension. According to this provision, all insured persons shall acquire the right to an old age pension if they have completed at least 25 years of insurance service, of which at least 15 years have been effectively spent performing manual handling of heavy metal in port and transport operations, for which the insurance service is calculated with extended duration.

Also, the regular indexation of pension was implemented three times in the course of last year, in January, May and September. The indexation of minimum pension was abolished because on January 1st, 2024, it was extraordinarily indexed by 52%, then in 2024 and 2025, the indexation of minimum pension was suspended.

VII. MISSCEO DATABASE

The correspondents were invited to provide comments on the current MISSCEO database and what improvements they consider could be valuable.

Following a feedback session from the correspondents, the following suggestion was made: to look into the possibility of selection of subcategories of a branch ie not just the entire table.

It was agreed that the secretariat would check if this were possible with the technical services.

VII. OVERVIEW OF GUIDELINES

The MISSCEO consultant proposed the following changes to the guidelines:

- Under Table I- Financing, rather than “Sickness and maternity benefits in kind” to change the title to “Financing healthcare” (in order to align with the MISSOC guidelines)

- Under Table I- “Financing- Financing principle”, it was proposed to add a field for “guaranteed minimum resources”.

- For all the insurance-based benefits, there is a field of application, where there are two categories: beneficiaries, and exemptions from compulsory insurance. Although for beneficiaries, it's clear what this means, for exemptions from compulsory insurance it could be clearer. There are two situations for exemptions and they need to be differentiated. In the MISSOC guidelines they renamed exemptions from compulsory insurance for persons not covered, whereas persons who are exempt from pay contributions but are covered by the system, they are mentioned within beneficiaries.

- As regards the category, voluntarily insured, which is relevant, it makes sense for insurance-based benefits. In healthcare, it is defined already. In other social policies, it is not defined. It is included in a field of application. Hence another category of voluntarily insured is proposed.

- As regards unemployment it also needs to be updated to introduce all the fields that need to be reported on and a category related to payment by the employer under employment-related injuries needs to be introduced.

- As regards, cumulation of the old-age pension with other social security benefits, there is currently no field for old-age pensions in the tables template, though this is mentioned in the Guidelines and is required for most of the other benefits and therefore needs to be introduced.

There is currently no field defined for the cumulation of the schemes granting guaranteed minimum resources with the social security benefits and earnings from work. Such a field needs to be introduced, in line with the guidelines applicable to most other benefits and in accordance with the MISSOC guidelines.

VIII. DISCUSSION ON THE GIG ECONOMY AND SOCIAL PROTECTION

Intervention by Prof. mr. Miriam Kullmann, Professor of Labour Law and Social Security Law, Utrecht University School of Law and member of the Council of Europe's European Committee of Social Rights.

Professor Kullmann made a presentation on the gig economy, platform work and what it means for social protection, making some connections with the European Social Charter and highlighting social protection issues and labor protection issues.

She highlighted the increasing number of people working on platforms and the challenges that ensued particularly as regards their classification, whether they are self-employed or not. She specified there is a lot of misclassification and also a high volatility of income and challenges arise particularly from task-based work which is fragmented hence not comparable to an hourly minimum wage or an hourly collectively agreed wage. Breaking up the hourly wage is problematic from a social protection perspective. If there is a high volatility of the income, and people work with piece rates, like minutes rates, then this obviously impacts the social security, which is usually linked to a standard form of employment. This creates a real challenge for states parties to find a way to protect platform or gig workers, given all these new elements that we see in the labor market.

Article 12 of the European Social Charter, outlines basic social security provision and whilst a very flexible instrument, the Charter is not a labor or social security instrument. It is a human/ fundamental rights instrument, different from what we know from our nation states and the national legal systems. The pedagogical language is different, allowing for a much broader interpretation than our national laws saying that everyone living in the territory of one of the states parties can have access to rights but there are exemptions in the Charter eg non nationals of a state party. At the inception of the Charter in 1961, the gig economy did not exist so these particular challenges could not be taken into account.

So when such developments take place the Charter is interpreted in the light of these specific new developments.

The ECSR is faced with many questions eg collective bargaining for the platform economy – whether it exists? Now platform work and the gig economy is being encompassed by the work of the ECSR which has noted challenges in that some member states do not allow reclassification of work relationships. Also the law says, in some countries, that gig workers or platform workers are self-employed under a civil law contract. The ECSR would like to see that the judges should have the opportunity to change that classification to allow these individuals to be protected under their national legal systems.

Professor Kullman outlined what social protection means under the Charter for these workers: there are many provisions that are relevant in a social protection context:

Article 1 on the right to work, having access to employment on a non-discriminatory basis, but also protection against arbitrary decisions or exclusion. As regards algorithms, dismissing people or deactivating accounts would be protected under Article 1.

Article 2 on just conditions for work, working time, rest periods, fair pay. This is is very difficult if you have a task-based job. The challenges include calculating the working time, holidays or vacations, for instance, rest periods, and other kinds of flexible arrangements.

Article 3 on healthy and safe working conditions, which is very important for eg bike carriers or Uber drivers.

Article 4 on the right to fair new remuneration ie that work should be paid fairly. Often piece rate task-based systems that systematically fall below a certain level, might be incompatible with Article 4 on the right to fair remuneration.

Article 12 on the right to social security, which obliges the states to establish and maintain systems that cover all kinds of workers. Excluding platform workers because they're classified as independent contractors then violates the principle of universality, social security protection.

Hence reclassification from that perspective is crucial in order to give them protection. Then there is also the need make systems future-proof. It is very complex as the more people are self-employed, the more income you need to generate for social protection, and the less protection is going to the people who pay for it, or it becomes more expensive.

Article 13, the right to social and medical assistance is related to social protection, as regards a minimum income and access to health care and are also all very relevant in the context of platform work.

Even though the Charter itself doesn't specifically refer to platform work, its logic applies to these types of workers, as it did before with part-time workers, with teleworkers, with all other kinds of workers which have been considered in its case law and conclusions.

Of note also is that under Article E, denying access to social protection purely because the contract is one of self-employment is not allowed. However, it's very difficult to imagine a system that works in practice with this task base, with algorithmic management.

The ECSR has adopted a very dynamic interpretation of the Charter and tries to adapt the provisions to modern labour market realities to cover many different kinds of workers and uses a very broad interpretation of the notion of worker i.e. a worker can be anyone performing work on an economic basis, for instance, for an economic activity. It is worth remembering that Charter obligations are directed to the states in the first place. Although case law is expanding it has not yet been applied to every kind of Charter provision yet. It is really a state responsibility as a signatory party to the Charter.

The Charter provides a robust and forward-looking social protection perspective for addressing the challenges of platform and gig work and reminds us that social protection, and especially social security, is not a privilege tied to a standard employment relationship. It concerns the human rights essential for human dignity, equality, and social cohesion and from the Charter standpoint, all work should be covered by effective social security schemes. Systems must evolve to match new forms of work organization and states must ensure that no one falls through the cracks simply because the law has not caught up with economic reality but these are challenging issues for every State.

A Q+A ensued following Professor Kullman's intervention. It was noted that in Azerbaidjan, there is an effort being made to ensure all workers have employment contracts although it raises challenges. Specific challenges were raised eg unemployment benefits for platform workers. Also raised was the issue or workers working on foreign platforms in another continent. The philosophy of the issue was also addressed as to whether different rules should be designed to cover gig workers or whether there should be an international framework designed for the gig economy. Moreover mention was made that insurances should be attractive for everyone, and be not too expensive. Policy makers needed to keep this in mind as the gig workers have to pay the entire contribution as it is not covered partially by the employer as is the case in traditional jobs. It was also noted that making small changes in one area of a State's system can unintentionally have a negative impact or other areas and that there is no one size fits all solution to this issue.

IX. DISCUSSION ON AI AND SOCIAL PROTECTION

Intervention by Mr Vadim Pak, Advisor in the Council of Europe's Digital Development Unit.

Mr Pak intervened on the Framework Convention on Artificial Intelligence, Human Rights, Democracy and Rule of Law and on the scope of AI in social protection. He acted as a legal advisor during the negotiations of the Framework Convention on AI.

Mr Pak underlined from the outset that looking at AI from the point of view of social protection and social rights is only one angle because the issue of AI and conceptualizing the problem requires a vision that is both technical and social ie a socio-technical approach. It's not entirely legal and it's not entirely technical.

He spoke to the Council of Europe's Convention on AI, which resulted from global work over a period of five to six years of negotiations. The Committee of Ministers wanted something quite nimble, quite agile, and open to innovation which resulted in a high level instrument which is in some parts very abstract, through necessity, and in some areas incredibly specific. The reason for that is the technical side is moving at unbelievable speed. The AI technology that was under discussion at the beginning of negotiations in 2021 was a type of technology very different from today's. Moreover it was a challenging process as conventions generally do not need to be updated for a decade but that is a challenge when technology is moving so fast. Hence on reading the convention, you end up with a text that is fairly, principle-based. Some issues are of course directly connected to human rights protection and have no meaning unless they are specific.

AI is designed to be extremely scaled and this has to be taken into account: it does not work well when it's just for 10 people, for 100 people, for 1,000 people. It works really well when it's for a million people. Economically it makes sense to make it for a million people, but then once you make it for a million people and it starts producing outcomes for a million people, and a percentage of these outcomes are human rights problematic and the state has to pay if there is a mistake. This leads to the idea of using the ex-ante approach – in order to embed human rights in AI, you need to create incentives, maybe sometimes force, but make it logical for people who design AI to think about AI consequences when they design AI.

The ex-ante approach, generally speaking usually ends up being heavy and is also imperfect.

In the European Court of Human Rights, Rule 39 procedure is ex-ante as is any kind of interim measure that any local court can make. It is imperfect, as it is very difficult to predict the future. However for AI, it happens to be the approach and it cannot be done in any other way. This underlines debates currently seen in Europe, but also around the world, about how to tackle AI.

Those who claim that we need to protect people more, somehow mean more ex-ante measures and stronger ex-ante measures. The downside of these arguments is that AI developers and those who develop and work on AI, are usually unhappy about this.

The framework convention resulted in a chapter with principles on how to handle AI and it is basically ex-ante principles, but these are principles, not specific rules.

The language of the conventions is in part technical, a language of risk management. a language of AI and to some extent, the language of human rights.

It is a human rights convention but does not create any kind of new substantive human rights law as human rights law is different in different countries. Rather it is a human rights enabling convention.

In reply to a question regarding the need for such a convention and how the challenges for national states can be solved, Mr Pak underscored that scale in AI is immense and the scale of damage if AI is not done well is a serious issue. Working out how to do it well is a work in progress. Creating AI and governing AI are not the same issues. What is emerging is a sociotechnical approach, which needs new kind of breed of specialists. AI will likely take over a lot of the services that governments offer people and the human element from the chain will probably just disappear. One positive aspect of the convention is that lawyers and policymakers are creating a system of confidence, of trust. Trust creates confidence in people, and people feel that they are treated well. As regards signatories to the convention, most of Europe is on board plus there are signatures from Japan, from Latin America, from US, so there is a good dynamic.

Mr Pak also informed the correspondents about Huderia which was an attempt by the same committee that negotiated the convention to tackle this problem of ex ante and how you actually embed risk management into AI governance. If AI were compared to genetics you could say it can have potential defects. In effect with AI you get what you put inside. If you put in very precise detail you get better results. Also detail collection can create defects when you annotate the data, when you label the data, as it is technical and it needs to be done in a state-of-the-art way to have quality control.

There is also a difference in the type of AI: old school AI is rules-based, more algorithmic, the newer type like Chat GPT has more randomness embedded. At the moment AI has to be heavily tailored along the right parameters to produce useful results.

There are also issues regarding language and users of minority languages as if AI is created in a dominant language, users of minority groups become more vulnerable

Huderia is a methodology reflecting what designers of the system need to think about and what they need to know from the end user context,as they design it. It's a non-binding guidance, but if it is good it will be useful and it will become organically binding because people will use it.

There is also the Hudeira Academy developed by the Council of Europe to operationalize the principles of the Framework Convention throughout the lifecycle of AI systems ie a capacity building program, to test case studies by going through Huderia questions to see how the cases pan out by applying the principles. Also private sector engagement is encouraged in connection with Huderia.

In response to a question regarding examples of the countries who have implemented AI in social protection, Mr Pak although he could not reply specifically on social protection, from the work done on Hudeira, he said it was evident that pooling resources was key to exchange experiences as systems are developed to avoid mistakes.

In response to a question regarding concerns about the ethical challenges of AI and social protection, particularly regarding algorithmic bias, and whether this was addressed in the work of the convention, Mr Pak underlined that in the world of international AI governance, when “ethical” is used, it is like a substitute to saying legal. People insist on saying ethical because they don't want to regulate. The kind of problems you get when you apply AI, especially by government, are not ethical problems. These are legal problems, human rights problems. He pointed to a case, in a Western European country, where they started using a very simple algorithmic Excel spreadsheet, to find alleged fraudsters which produced lists of people, who were then traced by the authorities. As these people were impoverished they couldn't properly defend themselves against legal proceedings. This lead to serious consequences including suicides. This illustrates when you talk about this as bias, bias is not a legal term, nor a human rights term, it's invented and is particularly prevalent in the political discourse. What exists is the fact that because the technology is based on data, you can have blind spots resulting from the facts that you don't understand. Hence the limitation in the way you can use the technology resulting from the limited data collection, results in the incorrect outcomes. Bias is one aspect of the problem: it has to do with the fact that basically data technology has to be well aligned with end user context otherwise it will be skewed in some way and there will be some kind of blind spot.

In response to a question as to how AI can provide individual approaches as in social protection, in addition to legal procedures, which require individual approaches, Mr Pak underlined that a common approach would be that countries take the least riskiest path in decision-making where AI is used giving them maximum return, hence it is economical in nature rather than legal or technical. Hence AI could be used to deal with very straightforward requests and free humans up to deal with more complex matters of a specific nature.

X. PLANNING OF 2025 AND 2026 EDITIONS OF MISSCEO

Participants were invited to discuss the planning of future work.

The secretariat announced that the 2025 tables were being finalized as many had arrived late owing to the delayed schedule this year resulting for the unfortunate situation in 2024. Once finalized and agreed by the correspondent and the consultant the work of putting them online could begin, with the aim of publishing be the end of the year if possible. Translaton into French was also under consideration.

The comments made earlier in the meeting regarding next year's schedule would be fully taken into account and the secretariat would revert to the correspondents in due course as regards the 2026 schedule.

XI. ANY OTHER BUSINESS

None.

XII. DATE AND PLACE OF THE NEXT MEETING

The secretariat thanked all the correspondents and Ms Urse, the consultant, for their work over the course of the day.

The date of the 2026 meeting would be conveyed to the correspondents in due course.

The secretariat closed the meeting.

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