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**Overview of recent trends and  
developments in social protection (2018)**

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## **1. 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 Armenia, Azerbaijan, Bosnia-Herzegovina, "The former Yugoslav Republic of Macedonia", Georgia, Moldova, Montenegro, Serbia, and Ukraine. The views and opinions expressed within this paper are those of the author alone and not of the member states nor 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
- Modernizing health care
- Need and family burden
- Signing co-ordination treaties

## **2. Regulating employment and active employment measures**

Most of the measures reported in relation to unemployment and activation concern adaptations of the calculation rules and the introduction of new labour activation rules, some of these measures targeting specific groups of unemployed. One country reported a more fundamental change with regard to the organisation of the unemployment insurance and one country adopted measure to target better youth unemployment.

## 2.1 Azerbaijan

Since 5 August, 2017 the Law “On Unemployment Insurance” is in force. This Law has two main objectives: first, to ensure the financial protection of the unemployed, and second, to reintegrate the unemployed into the labour market. This is achieved through the implementation of active labour market programs, such as training courses on changing qualifications and skills improvement, addressing in particular the younger generations among the unemployed.

The unemployment insurance contributions are compulsory and to be paid into the State Social Protection Fund (SSPF) which functions under supervision of the Ministry of Labour and Social Protection. Monthly contributions in the amount of 1% of the wage must be paid by both the employer (0.5% from the salary fund), and the employee (0.5% at the moment of the wage payment). This brings the overall contribution to the SSPF to 22.5% [of the wage] for the employer and 3.5% [of the wage ] for the employee.

Redundancies and liquidation of public or private entities result in unemployment generating benefit entitlement. The amount of the benefit will depend on the length of the period during which contributions have been paid. When insurance contributions have been paid for a period from three to five years the beneficiary will receive 50% of the lost monthly salary. This will be 55% of the lost salary if when contributions have been paid for five to ten years and 60% when paid for more than ten years. If contributions were paid for less than three years the amount of the benefit will be equal to the national minimal monthly salary. In case of a first application for unemployment benefits the period of payment will be six months, in case of a repeated application – another three months more.

## 2.2 Serbia

Recent developments in Serbia mainly concerned the levels of benefit. In particular amendments of the Law on Employment and Unemployment Insurance of December 2017 resulted in a new calculation method for unemployment benefits. New minimum and maximum levels of the (gross) benefit have been set at 22,390 RSD and 51,905 RSD, respectively and are to be adjusted yearly according to the changes of the Consumer Price Index (CPI).

The basis for the calculation of the daily benefit has been set at 1,000 RSD (gross value) and is also adjusted annually with the CPI. The daily benefit is then calculated by multiplying the base with

the personal coefficient which represents the ratio of the wage of the beneficiary and the average wage for the previous 12 months. Finally, the monthly benefit is composed by multiplying the daily benefit with the number of days in the month for which the benefit is granted.

### 2.3 Ukraine

In Ukraine some specific labour support measures have been introduced for internally displaced persons. In December 2017 the Cabinet of Ministers of Ukraine adopted Resolution No. 935. This resolution was meant to revitalize the policy on the labour market. It improved the mechanism of securing work places for disadvantaged groups and increased in particular the social responsibility of employers in promoting employment measures for internally displaced persons.

### 2.4 Armenia

In order to simplify the establishment, modification and termination of labour relations (particularly for small employers engaged in entrepreneurship) a draft act has recently been proposed. It is meant to align the Labour Code with international treaties in the area of labour relations. It is expected that the draft act will be adopted soon.

Decision #534-N of the RA Government of April 17, 2014 was amended in order to: (i) optimise state employment programs securing employment for more beneficiaries with limited resources, and (ii) simplify the implementation process of the state employment program. In addition a program specifically meant for young unemployed mothers with low changes on the labour market was approved. This program consists of providing professional training, such as internships for up to six months, to improve work skills and competences.

Along the same line, the RA Law on Employment was amended on 6 December, 2017 introducing the right for child care support for young mothers on maternity leave for the care of a child under 3 years of age and wishing to return to work before the child turns two years old. For these mothers childcare facilities are provided so that they can more easily take up their work again.

### 2.5 “The former Yugoslav Republic of Macedonia”

In September 2017 the minimum wage was increased to 12,000 denars net amount (the official poverty line) or 17,130 denars gross. It applies to employees in all sectors including the textile and leather sector, which traditionally pay lower wages. Thus, all employees are paid the same level of the minimum wage. To mitigate the financial impact of the increase of the minimum wage,

companies under certain preconditions were offered the possibility to receive financial compensation from the national budget from 500 denars to 2000 denars, for the period from September 2017 to February 2018, depending on the amount of the paid monthly net salary. For the period March-August 2018, the state aid will be reduced to 50% of the said amounts.

In February 2018, the Government adopted a revised Action plan for youth employment 2016-2020 and introduced the Youth Guarantee (YG). Thus, the Government has committed to take measures to ensure that young people up to the age of 29 receive a good quality offer of employment, continued education, an apprenticeship or a traineeship within four months of leaving school or becoming unemployed.

The Youth Guarantee includes initiatives that directly target young people (e.g. job placement, training) and reform of the current systems and structures in relation to both education and labour market (e.g. employment or education services access and quality). Key reforms and initiatives are structured in four pillars:

1. Early interventions, meaning the educational reforms required to ensure that young people leave the education system with the skills needed for labour market entry.
2. Outreach activities, meaning identification, contact and engagement of young persons (not in education, employment nor training), offering individualized support and referral to the YG;
3. Activation, with direct reference to the capacity of the employment services to provide effective and individualized services for labour market integration of the young people;
4. Labour market integration measures, meaning further strengthening of the coverage and participation of unemployed young people in services and active employment measures.

Implementation of the Youth Guarantee involves partnerships at national and local level between all stakeholders (employers, employment services, education and training institutions, local government, youth organisations, etc.). In the first phase the Youth Guarantee will be piloted in three municipalities.

### **3. Social risks and social benefits: automatisisation, deinstitutionalisation and introduction of IT in administrative processes**

#### 3.1 Montenegro

The Information System for Social Welfare (SWIS) is a capital project of the Montenegrin Government. It has enabled the implementation of the reform of the social welfare system with the aim of providing the poor and socially vulnerable persons with the highest quality of social and family protection, both in terms of cash benefits and social services. The SWIS provided quality reporting, business analytics and statistics, which are used to further create a social protection policy.

The SWIS project significantly improved the centres for social work on an institutional, technical and personnel level. From 1 January, 2015 the information system is operational in all centres for social work, their local units (23 locations) and in the ministry .

The information systems of the institutions of social and child protection are now connected with the information system of the centres for social work. As of September 2017 the SWIS includes all centres for social work, as well as institutions for social and child protection. The SWIS addresses citizens who are beneficiaries of social and child protection rights, as well as those who have submitted requests for exercising their rights, regardless whether they want cash benefits or services.

The system supports the automatic exchange of data between nine institutions: the Pension and Disability Insurance Fund, the Health Insurance Fund, the Real Estate Directorate, the Tax Administration, the Employment Office, the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Agriculture and the Veterinary Administration. This way, evidence is collected from the registries of the competent institutions serving to determine the property, income and status of individuals or families. Social workers are now relieved from administrative work and therefore can dedicate more time to work with beneficiaries.

Rationale for access to property data, data on the income status of the applicant and his family members, their employment status and other data, is that it provides fairness and targeted assistance.

### 3.2 Armenia

In 2017 further informatisation activities have been carried out in the Armenian pension scheme. They were meant to broaden the scope and improve the accessibility of the online pension provision services , as well as to simplify the administrative processes associated with the pension payments.

In the area of childbirth the following has been realised as of 2018:

- Online submission of applications for the one-off allowance for the birth of the child (including the child benefit granted from 3rd and subsequent child onwards), for the child allowance for care, and for the burial allowance in the event of death of the infant;
- Introduction of an information exchange system with the Civil Registry authorities on birth entries and on the determination of parental rights. The system includes the initiation of an e-query to the Civil Registry information system, the receipt of necessary social data, and the entry of these data in the E-pension Information system and the decision making based upon on these processes (i.e. the granting or declining of the mentioned child (care) allowances and burial allowance).
- Launching of an information subsystem ensuring the registration of employment books and creating e-copies for the inclusion of the information entered in the employment books in the state pension system database.

In 2017 the methods for social case management in social assistance schemes have been improved. This was done through concrete case studies and visits to all local entities (marzes). The competent regional services for integrated social services now operate on a one-stop basis, and are housed in renovated buildings equipped with the appropriate IT systems. The centres accept applications in a single visit and has a unified system of document flow. The content description of the social case management information subsystem was developed, and software development is under way.

#### **4. Long-term benefits: pension and disability schemes**

Some countries (Montenegro and Serbia) reported changes that were mainly limited to adaptations in the calculation of benefits and/or to the indexation of benefits. In other countries



(Moldova, Ukraine and Azerbaijan) more far reaching pension reforms were carried out. One country, Armenia, reported some changes with regard to the disability scheme.

#### 4.1 Montenegro

As such, the regular indexation of the pensions was applied on 1 January 2018 leading to a pension indexation of 2.27%.

#### 4.2 Serbia

In December 2017 more amendments were made to the Budget System Law allowing adjustment of the pensions value with 5% (mainly) due to the improved national fiscal situation. In addition, all pension beneficiaries received an additional 5.000 RSD one-off payment (around 20% of the average monthly pension) in November 2017.

Along with the amendments that allowed the increase of the pensions the limits for pension cuts were also increased: from December 2017 the part of a single pension exceeding the amount of 26,643.75 RSD (previously this was 25,375 RSD) is now cut with 22%, while the part over 42,630 RSD (previously 40,600 RSD) is cut with 25%.

#### 4.3 Moldova

With the approval (in August 2016) of the Concept of the pension system reform a more general reform was introduced. The goal of this reform is to ensure a more equitable, sustainable and transparent pension system.

On the basis of this Concept a set of more complex and detailed amendments to the pension legislation have been launched, together with corresponding changes to the Information System of the National House of Social Insurance. Based on these aspects, the deadlines for entry into force for different actions have been established in a gradual manner, in order to achieve the proposed objectives:

- By 1 January 2017 the unification of the conditions and the adoption of a unique method of the pension calculation (calculated by a single formula) was (to be) implemented (some categories of citizens and special contribution records were however not part of this adaptation);

- By 1 April 2017 the amount of the minimum old-age pension became equivalent to the statutory guaranteed monthly minimum income (VLMG), established by law. The minimum pension is granted in the amount equivalent to the guaranteed monthly minimum income (VLMG) to persons who confirm a full contribution period if the calculated pension is below this level. In the context of establishing the minimum pension according to the new formula, the same amount of the minimum pension will be set for the national economy as well as for the agricultural sector. Furthermore, the insured income is now composed as follows: the insured monthly average income earned since 1 January 1999 is indexed based on the economic average salary increase ratio during the contributory periods until the year preceding the pension setting year. Valuation ratios for each year shall be approved by the Government on 1 April of each year. Finally, a new formula for calculating the pension is applied, ensuring a closer link between social insurance contributions and pension size. The new formula represents a simple and transparent mechanism enabling the creation of on-line tool whereby each person will be able to calculate his/her own pension.
- By 1 July 2017 the standard retirement age has been increased, be it that the set age will only be implemented in a gradual manner. The retirement age will increase with 4 months per year for men and 6 months for women, until reaching the standard retirement age of 63 years for men (will be reached 2019) and 63 for women (will be reached in 2028). At the same time, the total contribution period will be increased with 6 months each year up to 34 years for men (to will reached in 2018) and 34 years for women (will be reached 2024) necessary to obtain the old age pension.

#### 4.4 Ukraine

In order to to create a more fair system of pension insurance, the Law “On Amendments to Certain Legislative Acts of Ukraine on Increasing Pensions” was adopted in October 2017, addressing the following:

- the recalculation of previously assigned pensions;
- the introduction of uniform rules for determining the amount of retirement benefits;
- the cancellation of the special procedure allowing pensioners to combine pension with work income;
- the maintenance of the current retirement age and the introduction of the flexible retirement (age) depending on the length of the insurance period;
- the mechanism of the annual indexation (recalculation) of pensions; and

- the date on which the transfer of insurance premiums to the accumulative system of pension insurance will take place (1 January 2019).

The abovementioned measures enabled to raise pensions for 10.2 million pensioners from October 2017 onwards.

#### 4.5 Azerbaijan

On the basis of the Law of the Republic of Azerbaijan “On Changes to the Law on Labour Pensions” (July 1, 2017), the retirement age for both men and women was increased to 65 years, with a gradual increase with 6 months each year (till July 2021 for men and July 2027 for women). Currently the pension age for women is 60.5 years and 63.5 years for men.

With the changes in legislation a new notion of «minimum pension» was introduced, which is currently 110 manat.

Persons of pensionable age should either have a minimum pension capital on their individual accounts (15 840 manat as of July 2017) or at least 25 years of insurance record. Minimum pension capital is calculated as follows: 110 manat (minimum pension amount) X 144 months (expected number of months of pension payment) indexed by the percentage of average monthly salary growth over the country.

Before the enactment of the abovementioned law, the individual accounts of the insured persons reflected 50% of the paid contributions and the remaining 50% was spent to finance the basic part of pensions. According to the new law, the basic part of labour pensions has been restructured into the insurance part of pensions and the amount of contributions, reflected on individual accounts increased from 50% to 90%; the remaining 10% is used for administrative expenses. As a result, the insurance principle has been strengthened in the pension system as the amount of granted pensions became even more dependent on the contributions made to the social insurance.

In addition, the principle of “open account” was introduced in the individual accounts system. The essence of this principle is providing a maximum support of pension rights for an individual. Upon reaching the pension age, in the event the pension capital on the individual account of an insured person reaching the retirement age is less than a determined minimum or when the required minimum insurance record is insufficient, he/she has the opportunity to settle the difference and get lifetime eligibility for minimum pension.

An important change in the pension system is the possibility of recalculation of the pension amount of persons still working after reaching the retirement age, provided that the contribution payments lasted at least 72 months after January 1, 2006 (i.e. introduction of individual accounts for insured persons). The total amount, accumulated on the individual account, should be divided by 72 and the sum is added to the main amount of pension. As a result, pensions are increased by 146 manat on average. Every year the amount of the pensions is indexed by national average monthly salary growth rate.

#### 4.6 Armenia

During 2017, the legislative process to comply with the provisions of the UN Convention on the Rights of Persons with Disabilities was still continuing. Improvements were made to the RA draft law on the Protection of Rights and Social Inclusion of people with disabilities and also the socio-medical assessment system is in the process of being improved. In particular, the RA Government received a package of proposals for legal acts regulating the sector. These proposals focus mainly on the comprehensive needs assessment of the patient and the subsequent arrangement of medical recovery assistance in order to prevent progression of the disease, the onset or deterioration of a disability.

### 5. Modernizing health care

The reported reforms in the health care area, were rather limited and related to a whole series of the adoption and/or reform of the public health care acts of **Bosnia Herzegovina** to bring the current legislative framework more in line with the actual EU standards (with an eye to a possible EU accession) and some amendments made by **Montenegro** in the current social health care insurance in order to come to a full coverage of residents in the personal scope. This is done by prescribing the status of insured person to Montenegro nationals who are employed abroad if at that time they are not necessarily protected by a foreign insurance carrier; to persons performing work on the basis of a contract or an author's contract; to persons who are in custody or prison; to persons to whom has been imposed a measure of compulsory psychiatric treatment and also for those who are obliged to have their alcohol or drug addiction treated; for unemployed persons who received benefit from the Employment Office; and for all foreigners with approved permanent residence in Montenegro, who are not insured on another basis

## 6. Need and Family Burden

Like usual most (extensive) measures were taken in the fields of social assistance and family protection (Serbia, Montenegro, Georgia, Ukraine, “The former Yugoslav Republic of Macedonia” and Armenia). As they relate to rather various fields, they will be reported for each country specifically.

### 6.1 Serbia

In in December 2017 a new Law on Financial Support to the Families with Children was adopted followed by some additional amendments in June 2018. The Law, which entered into force on 1 July 2018, introduced several important changes to some rights in the field of the maternity and family benefits:

- Significant increase in the amount of the birth grant for the first, second, third and fourth child born in the family and an extension of the period of entitlement to the benefit for the third and the fourth child from the age of 2 to the age of 10:
  - First child – 100.000 RSD (39.503 RSD in 2017);
  - Second child – 240.000 RSD paid in 24 monthly instalments (154.473 RSD in 2017, also paid in 24 instalments);
  - Third child – 1.440.000 RSD paid in 120 instalments (278.038 RSD in 2017, paid in 24 instalments);
  - Fourth child – 2.160.000 RSD paid in 120 instalments (370.713 RSD in 2017, paid in 24 instalments).

An additional one-off amount of 5.000 RSD is foreseen for the purchase of baby equipment for each of the first four children. This is paid along with the first instalment of the birth grant. Both benefits are adjusted on 1 January and 1 July with the change of the Consumer Price Index (as established in the previous six months).

The regular payment of the birth grant will be made on condition that the child is vaccinated and attends mandatory preschool and elementary school on a regular basis.

Other recently introduced measures:

- A new calculation of the maternity benefit and the child care benefit. The benefit is calculated as the average of the sum of the whole contribution basis on which the contributions for the beneficiary were paid including wages and comparable types of revenue earned in the period of 18 months (extension from 12 months in the previous Law) before taking the maternity leave or the sickness leave due to complications with the pregnancy. The maximum amount of the benefit has been set at three (previously five) times the average wage. No minimum amount is set (in past it was equal to the minimum wage if qualifying period of six months of employment was met).
- An extension of the scope of the maternity benefit in a form of a new benefit. According to the provisions of the new law the entitlement to the benefit (similar to the maternity benefit) is extended to the group of self-employed persons and to those working on different contracts during a period of 18 months before giving birth to a child and to those who were insured as a farmer during a period of 24 months before childbirth. The calculation of the benefit is the same as for the employed persons with the exception that for the farmers the benefit is calculated on the basis of the average of the contribution basis declared in the period of 24 months before being entitled to the right. Employed persons also earning an income based on other contracts in the period of 18 months preceding the maternity leave are entitled to both benefits (i.e. maternity benefit and the new type of benefit) simultaneously. For those who do not have right to the maternity leave the benefit is paid from the day of the childbirth.

## 6.2 Montenegro

Amendments to the Law on Social and Child Protection were made, not only for family benefits but also for the social assistance scheme.

New conditions for exercising the right to social assistance are set by the Amended Law. The parent who is capable for work and who supports a child is now entitled to social assistance for a whole year (and not up to nine months, as was prescribed by previous Law).

To encourage families and individuals to remain in rural areas the Amended Law sets more favourable conditions for exercising the right to social assistance relating to the ownership of cattle stock.

The Amended Law now allows beneficiaries to combine personal disability allowance (114, 88 euros) and care and assistance allowance (66, 53 euros); for future beneficiaries an integrated benefit personal disability allowance (in the amount of 181, 41 euros) will be granted. Entitlement to care and assistance allowance cannot be accumulated however with personal disability allowance.

The Amended Law increased the following benefits with 20%:

The amount of child allowance;

- The amount of the birth allowance for the supply of baby accessories for parents, adoptive parents, guardians or beneficiaries of the right to social assistance; for the other citizens the amount of the compensation remained unchanged..
- The compensation for a new born child for unemployed-, or student parents

The Amended Law also incorporated new provisions providing effective supervision of social inspection and child protection.

The Law on Enforcement Decisions of the Constitutional Court of Montenegro U-I No. 6/16 was adopted on 19 April 2017 after the Constitutional Court of Montenegro delivered a judgment concluding that some provisions of the Law on Social and Child Protection were conflicting with the Constitution of Montenegro and could therefore not be applied any longer. This Law regulate the status of beneficiaries of a benefit based from the third child onwards.

On the basis of the abovementioned Law, beneficiaries who terminated their employment continue to receive a monthly fee of EUR 193, EUR 264 or EUR 336 depending on amount of the net salary three months before the termination of employment and for a period of three, five years or until the acquisition rights to pension depending on the age of the beneficiary.

### 6.3 Georgia

The Georgian means testing scheme, introduced in 2005, has been revised recently. So far, more than 500,000 applicant households have had their means assessed on the basis of the original means testing scheme.. The so-called “rating score” – a comprehensive measure of neediness of the assessed households – has been assigned to each of them. Based on the rating score, households qualify for a number of publicly funded benefits, including cash allowances and health insurance.

Major changes in the assessment method were approved at the end of the December 2014. The new method is focused on new easily verifiable and potentially income generating items; (income, salary, land, car, another apartment/house). Previously used variables such as household appliances (refrigerator, heater, stove, TV etc.) do not influence the score. Subjective assessment of the social agent does not impact the score anymore as in previous methods. The method also takes into consideration family needs, such as persons with disabilities, persons suffering with chronic disease, children, elderly etc. Additional child benefit was introduced for children under 16. The new method has a differentiated system of cash benefit that is based on the score that shows the level of vulnerability.

Reassessment of all beneficiaries was completed in August 2017. A new method changed the composition of the eligible households; more households with children are eligible to receive benefits now.

The structure (amount) of benefit has also changed and is based on the scoring: the lower the score the more vulnerable the household so that they will receive more cash benefit.

More changes were introduced to the system:

- Requirement for working household members to get registered on [www.worknet.gov.ge](http://www.worknet.gov.ge) (when registered beneficiaries are able to receive all the information about the vacancies and will be able to receive support from Social Service Agency if needed);
- a waiver not to declare small income to Social Service Agency (one does not need to declare 150 Gel per household member per month. Previously, one would be taken off registration and would be restricted to get assessed for one year).

Due to the increase in prices for gas and electricity and also increase in Subsistence Minimum Amount (calculated by Geostat) changes were approved to the methodology of calculating the scores, which will enable the system to better cover those in need. As of May 2018 12% of the



population receives targeted social assistance, out of which 33% are children (under 18) and 55% women.

Furthermore, social services have been developed for the most vulnerable people (people with disabilities, children lacking parental care, victims of domestic violence and elderly). The improvement of the level of the services has been high on the agenda for last couple of years.

The Ministry of social affairs with its executive bodies and partners have been working on expanding and developing new services in the regions and partnering with professionals to develop and refine standards in order to provide quality services and support.

Several major steps have been taken under the framework of Child Care Reform in Georgia in recent years. Among those the most notable ones are:

- development and improvement of relevant legislation to reduce administrative barriers for the child's reintegration into biological family,
- the adoption and placement in foster care,
- the strengthening of the role of social workers in the realm of child care,
- the establishment of regional bodies of guardianship and care and the delegation of relevant powers to them, and
- the reduction of the number of large scale orphanages.

Changes in the legal framework such as new law on adoption and foster care, amendments to the law on social assistance and the government decree on child protection referral procedures redefined the system to better respond to the best interest of a child.

#### 6.4 Armenia

Also in Armenia the means testing system has been improved in the area of state allowances. Under the new procedure the behaviour of economically active persons is assessed in order to stimulate them to take up work while recognizing the presence of children in needy families.

The scope of online data in the system of state allowances was expanded, including the need assessment. In 2017 approximately 83% of the families registered in the need assessment system received each month family or social allowance, with the average allowance of 31350 drams. One-off monetary aid was extended to families eligible for family allowance: to 4900 families in

connection with the birth of a child, to 10,489 families with children enrolling in first grade and to 153 families related to the death of a family member.

## 6.5 Ukraine

In order to ensure effective state social support of the population (especially in relation to heating) a new version of the procedure for the appointment of housing subsidies (Resolution of the Cabinet of Ministers of Ukraine dated 27.04.2018 No. 329) was adopted. The rationale of this measure is:

- to stimulate the working population to legalize the relations in the area of remuneration and employment of the population (combat hidden economy);
- to promote a mechanism that is more fair taking into account household incomes, as property status will be taken into account;
- -to improve the access of internally displaced persons to subsidies by granting them a right to an appointment without the prior condition of having a contract of employment or lease.

In 2017, for the first time in full, people with disabilities were provided with means for medical rehabilitation. More than 400.000 units of rehabilitation devices were issued, in particular 13,800 wheel chairs, 73,400 prosthetic and orthopaedic products, and 36,500 rehabilitation devices.

Decree No. 189 of the Cabinet of Ministers of Ukraine of 14 March, 2018, determined the procedure for the purchase of specially equipped cars for disabled persons and children with an impairment in their musculoskeletal system.

Some resolutions of the Cabinet of Ministers of Ukraine introduced a new system of (technical) rehabilitation for disabled persons (for example Resolution of the Cabinet of Ministers of Ukraine dated March 14, 2018, No. 238).

In order to strengthen the social protection of children, orphan children and children deprived of parental care, a better support system has been introduced. *In concreto*, this means:

- a new Mentoring Institute for those who work with children in residential care, in order to support them and prepare them better for independent living;
- A new service for the temporary care of children in difficult living conditions - guardianship over a child, as an alternative to placement in a residential institution.

The total number of orphans and children deprived of parental care as of January 1<sup>st</sup> 2018 amounted to 71,566 children, of which 65,393 were covered by family forms of education.

The change in the institutional care and education system involves the creation of a system that provides for the care and upbringing of the child in the family or in the family environment.

#### 6.6 “The former Yugoslav Republic of Macedonia”

The Law on Social Protection has been amended in order to improve the assistance and protection of persons with disabilities. The changes bring the current legislative framework more in line with the constitutional right to social security and the principles of social justice and solidarity.

Persons with disabilities are entitled to several types of social protection cash benefits depending on the type of disability. They include financial allowance for assistance and care provided by another person, the allowance for blindness and mobility, as well as the allowance for deafness. These benefits can now be obtained irrespective of the income of the person in need of assistance in meeting the basic life needs and for participation in the everyday community life. The change led to increased coverage of these programs. Furthermore, the amendments enable the parent of a child with physical or intellectual disabilities and with the most severe forms of chronic diseases to claim salary compensation for part-time work due to care of the child, regardless of the age of the child.

The requirement to submit opinion of medical consilium and a finding of at least three doctors specialists was waived in the procedure for claiming the allowance for assistance and care provided by another person. A person with moderate intellectual disability, in addition to those with profound disability may claim the benefit on the basis of an opinion issued by an expert committee established with the social protection institution which had assessed the type and degree of disability before the person/claimant turned 26.

For the first time a special program for providing personal assistance was introduced. This program is intended for persons with disabilities in order to contribute to their independent living, active and equal participation in the community and society as a whole. They will be assisted in performing everyday personal and domestic activities, participation in education and the labour market, or other activities a person with disabilities would normally do without support. This is in line with the National Strategy for Deinstitutionalisation 2018-2028 and the new Law on Social

Protection, both in preparation, which will promote the development of community-based and personalized social services.

Users of this program are persons with severe or the most profound physical disability and completely blind people who:

- are citizens of “The former Yugoslav Republic of Macedonia” with permanent residence or stay in the country;
- are aged 18- 64;
- due to their disability cannot or have difficulty in carrying out everyday activities related to independent personal and family life and active inclusion in the society, education or the labour market;
- live or wish to live in an independent or joint household outside the residential social protection institutions;
- are capable to independently decide about their needs and to guide the work of the personal assistant and
- need assistance in carrying out everyday activities for at least 20 hours per week.

The user uses the personal assistance service for up to 80 working hours per month. The time schedule of using the service is determined by the user, in agreement with the personal assistant and the Social Work Centre.

The Law on Child Protection was amended with regards to the first instance procedure for claiming the special allowance, which is granted to children with disabilities. Namely, the beneficiary must re-claim the benefit every year with the Social Work Centre on the basis of the opinion issued by an expert body on the type and degree of disability of the child. According to the amendments, if the opinion indicates a permanent condition, then the right to special allowance will be automatically extended (the parents do not need to apply for extension).

Furthermore, there were amendments to the Law on Pension and Disability Insurance to regulate the payment of family (survivorship) pension to a child with disability. The child with disability is entitled to a family pension after the death of the parent. However, the payment of the family pension will cease if the child who is a person with disability gets employment or becomes self-employed, based on which he/she is entitled to a mandatory social insurance. According to the

amendments, the payment of the family pension shall continue if he/she loses the job and as a consequence the mandatory social insurance stops.

Similarly, the child with a status of a person with disability, who has been in (self)employment before the death of the parent shall be entitled to a family pension after the death of the parent and in case of job loss or business failure. In the past, these persons were left without any means of subsistence, simply because they could not claim the family pension once they would start working or running a business.

## **7. Signing co-ordination treaties**

In Serbia, the Social Security Agreement with Romania entered into force on 1 April 2018. Serbia has furthermore signed three new Social Security Agreements: with Greece in July 2017, with the Russian Federation in December 2017 and with China in June 2018. Finally, new rounds on negotiation with France and Quebec (two rounds) were held.

As regards the negotiation process on the accession to the European Union, Serbia has prepared the Final Draft of the Negotiating Position for the Negotiating Chapter 2 (Free movement of workers). The Second Draft of the Action plan, which adoption is a requirement for the opening of the Negotiating Chapter 19 (Social Policy and Employment), has been prepared and sent to the Commission.