



INTERNATIONAL LABOUR ORGANIZATION

Final Evaluation Report

On the Project Entitled:

Extending Social Security to African Migrant Workers and their Families

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At the end of the day, this MIGSEC Terminal Evaluation Report and everything good and accurate about it are the property of the ILO. All errors, mistakes and inaccuracies are mine, the External Evaluator's.

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LIST OF ACRONYMS AND ABBREVIATIONS

ILO	- International Labour Office
ROAF	- Regional Office for Africa
ILC	- International Labour Conference
OCA	- Afro-Malagasy Common Organization
CIPRES	- Conférence Interafricaine de la Prévoyance Sociale
ECOWAS	- Economic Community of West African States
EAC	- East African Community
MoU	- Memorandum of Understanding
SADC	- Southern Africa Development Community
MIGSEC	- Extending Social Security to African Migrant Workers and their Families
RBSA	- Regular Budget Supplementary Account
P&B	- Programme and Budget
PPM	- Project Planning Matrix
PPME	- Project Planning Monitoring and Evaluation
OVI	- Objectively Verifiable Indicators
ITCILO	- International Training Centre of the international Labour Office
SS	- Social Security
MIGRANT	- International Migration Programme (of the ILO)
ECASSA	- East and Central Africa Social Security Association
AU	- African Union
CTA	- Chief Technical Advisor
EU	- European Union
DWCPs	- Decent Work Country Programmes
TUC	- Trades Union Congress
HLTF	- High Level Task Force
ILO-ROAF	- ILO Regional Office for Africa
ILO SECSOC	- Social Security Department (of ILO)
XBTC	- Extra-budgetary Technical Cooperation
UN	- United Nations

EXECUTIVE SUMMARY

Based on the information and data made available to the evaluator by the project managers, collaborators, beneficiaries and stakeholders, the following is a summary of the evaluator's assessment of the results, achievements, challenges and lessons of MIGSEC—"Extending Social Security to African Migrant Workers and their Families"

I. Brief Background Information

MIGSEC was financed with RBSA-Funds provided by the Government of the Federal Republic of Germany, and implemented by the ILO Regional Office for Africa (ROAF) in Addis Ababa under the technical guidance of the International Migration Programme (MIGRANT) in Geneva.

The independent evaluation exercise — carried out from 12th to 23rd December, 2011, involving desk research and field investigations in Addis Ababa and Dakar — was designed to measure the extent to which project objectives have been met, and assess how the project outcomes have contributed to the overall ILO's P&B strategic objectives.

Due to time and budgetary constraints, the evaluator was able to visit only 2 of the project countries, travelled to Ethiopia for meetings with the Project Management Team, and to Senegal for interviews with project stakeholders. The meetings with the Chief Technical Advisor and the International Migration Specialist in Addis Ababa gave the evaluator deeper insights into MIGSEC than could have been possible through desk research. The interviews with stakeholders in Dakar, Senegal were also very useful in shedding light on the Senegalese experience under MIGSEC.

II. Findings and Conclusions

Project Relevance and Strategic Fit

1. MIGSEC was very relevant to the policies and efforts of, particularly, the EAC countries towards enhancing social security coverage in their Community. Considerable collaborative work was also done with CIPRESS, particularly, in Senegal and Mali in the area of capacity building and preparing draft social security agreements. But there was practically no direct collaborative work between MIGSEC and ECOWAS, the reason being that ECOWAS was not quite responsive to initial contacts made by MIGSEC. SADC, on the contrary, showed keen interest in tapping the resourcefulness of MIGSEC to address social security coverage challenges amongst its member states.

2. MIGSEC's outcomes are directly linked to the achievement of the Decent Work Agenda for Africa, which acknowledges that social protection is a powerful instrument to reduce poverty and improve people's lives. MIGSEC was, therefore, not just only relevant to the Decent Work Agenda in Africa, but, indeed, served as a vehicle for the realization of the African Agenda.

3. Some important ILO projects in developing countries may not necessarily be of interest to donor countries. That makes it important to have supplementary funds such as RBSA-funds available to finance projects of low donor interest. This was most probably the case with MIGSEC, which sought to address the social security challenges of African migrant workers, about a third of whom gravitate towards the developed world. The ILO therefore had to resort to RBSA-funding provided by Germany. Without ILO's innovative RBSA-funding concept, MIGSEC would, probably, not have seen the light of day.

Logical Framework

4. The activity line-up of MIGSEC was in all cases relevant to the attainment of the target output, and the outputs in their turn were mostly relevant to the attainment of the set outcomes. The project outcomes worked together to attain the development objective or project purpose "To improve national and regional strategies for the extension of social security coverage to African migrants and their families" These linkages reveal the practical logic of MIGSEC. The project, however, did not outline any objectively verifiable indicators (OVIs), and that was not good enough for monitoring and evaluation purposes. The mid-term review process provided a real opportunity to formulate OVIs, but that opportunity was not utilized.

Project Progress and Effectiveness

5. MIGSEC succeeded in achieving nearly all the planned project activities, outputs and outcomes. The few unachieved activities and outputs were mainly due to inactivity or non-responsiveness on the part of the project countries, or due to constraints within their domain. MIGSEC, therefore, creditably performed its duty of providing the technical assistance required to prepare social security agreements. But the responsibility rested with the project countries to decide, develop, conclude and execute social security agreements between and amongst themselves.

6. In the light of the foregoing, it is fair to conclude that MIGSEC was very effectiveness in reaching out to its indirect beneficiaries, i.e. government officials and representatives of employers' and workers' organizations who participated in capacity building training programmes, attended workshops, had hands-on training in drafting agreements, etc.

Resource Efficiency

7. Starting from the contract negotiations, through ticket reservation, to the modest office settings of the project in Addis Ababa, the evaluator thought it tenable to conclude that the management of MIGSEC applied project resources cautiously to avoid waste. Besides, the expenditure details of MIGSEC as captured in the "Project Financial Report for the Biennium 2010 – 11" did not give the evaluator any cause for concern regarding the prudent management of the financial resource of the project.

Project Management

8. The CTA and the Migration and Social Protection Specialist showed enthusiasm, resilience and deep knowledge about the project; and expressed keen interest in the

evaluation findings. They were full of extolment for the reliable technical backstopping from MIGRANT in Geneva.

9. A second phase of MIGSEC may require the services of a second project officer with good trade unionism and collective bargaining background to focus on the integration of migrant workers in the Labour Unions of host countries. Migrant labour integration in the labour unions of host countries will go a long way to help ensure that migrant workers' social security rights are protected in practice.

Reporting System

10. The RBSA-funding notwithstanding, MIGSEC's reporting system should have been more structured than it turned out to be. A well structured reporting system is good for several reasons other than meeting the reporting requirements of the donor(s). For instance, quarterly progress reports generated by the project management team are critically important for the effective internal monitoring and evaluation of project implementation. It is therefore important that future RBSA-funded projects take into account the need for quarterly narrative reporting for internal consumption.

11. Generating basic quarterly narrative reports on project implementation should not require more time input than the routine time input of the project management team, and would not take more stationery and logistical inputs than available for project implementation. Clearly therefore, there is no significant economy in avoiding quarterly narrative reports. Besides, the internal monitoring and evaluation significance and benefit of such reports far outweigh the savings in not having them.

12. The mid-term progress report did a good job citing concrete country experiences to drive home the complementary role MIGSEC played to enhance the results of the Decent Work Country Programmes (DWCP). But its failure to identify implementation challenges and to suggest ways of overcoming them made it fall short of passing for a mid-term project evaluation report.

Capacity Building

13. MIGSEC's training programmes in Turin and in Dakar helped strengthen the capacity of tripartite partners in Africa to plan, develop, and implement specific measures to extend social security coverage of migrant workers and their families based on international standards and good practices.

14. Action plans prepared and presented by participants at the training programmes and the expression of national priorities during subsequent missions constituted useful guidelines for MIGSEC's implementation, as the project refocused on countries that were more in a position to define their national strategy for the extension of social security to migrant workers and their families.

The Overall Picture

15. MIGSEC by its design was a good project with very ambitious but realistic targets and a wide geographical coverage. It was also the first of its kind, and so quite clearly

needed to have been given the benefit of learning from the findings of a mid-term evaluation conducted by an independent evaluator midway into project implementation.

16. MIGSEC created a strong awareness, amongst the recipient governments, of the plight of African migrant workers, both within and outside Africa.

17. In recent times, female migration is on the increase almost leveling off 50-50 with male migration, and, in Africa, that brings to the fore the problem of the high vulnerability of female migrants to abuse, including human trafficking for such socially unacceptable practices like child prostitution.

18. On the whole, the evaluation exercise was successful, as the evaluator had the full cooperation of the Evaluations Unit and the Project Management Team in Addis. Despite initial arrangement failures in Dakar, the field visit to Senegal was also successful, thanks to the hard work of the local ILO staff acknowledged in the evaluator's acknowledgement.

III. Lessons Learnt

Nine (9) main lessons are deducible from the MIGSEC experience, namely:

1. The ILO has been dealing with labour migration issues since its inception in 1919, adopting a rights-based approach to labour migration policy. But in Africa, all that while, nothing concrete really happened. MIGSEC was the first bold step forward that delivered a firm message to the world that African countries are capable and willing to stand up for the rights of their citizens working in other economies.

2. Drawing lessons from the MIGSEC experience, it is clear that it will require the concerted, long and resiliently sustained effort of African countries to achieve extended social security coverage for migrant workers within Africa and abroad.

3. A number of ILO Conventions to protect migrant workers including conventions on social security have not been ratified by many African countries due to various national limitations. MIGSEC has demonstrated that one good way to overcome national limitations to the social security rights of migrant workers is to work through, and help strengthen, existing bilateral and multilateral treaties such as EAC, CIPRES, SADC and ECOWAS.

4. The challenges confronting the maintenance of the social security rights of migrant workers are many, including the unavailability of mutual administrative assistance to the partner countries (origin and host). The MIGSEC experience proves that ILO is the best organization, both in terms of its expertise and mandate on labour issues in general, and its motivational interest in labour migration matters in particular, to play the role of international administrator.

5. One of the factors hampering the preparation and implementation of social security agreements between and amongst African countries is lack of the capacity required to draw, negotiate and implement workable agreements. MIGSEC was therefore correct in pointing to the need to strengthen the capacity of social security policy makers and administrators.
6. MIGSEC was ILO's first practical attempt in Africa to give meaning to ILO Conventions 118 and 157, and considering the intricate socio-economic-political implications of altering the legislations and the regulatory frameworks of countries, it would be overly ambitious to expect that MIGSEC could have achieved more than it did within the time space of 3 years. The lesson here is that 3 years is insufficient duration for a legislations-influencing project.
7. The main limiting factor with voluntary insurance as an alternative means of extending social security coverage to African migrant workers is the fact that the contributors, who are mainly self-employed informal sector workers have to pay the entire contribution by themselves, as they do not have the benefit of employer's contribution, and that tends to discourage most voluntary contributors.
8. Learning from MIGSEC, it is abundantly clear that the coordination of social security negotiations is a very technical thing indeed, and particularly so that there were no previous experiences to draw lessons from in the African context. CIPRES is most probably one of the longest attempts at the coordination of social security systems in contemporary Africa, but CIPRES had not, itself, achieved much that could be emulated.
9. Considering the small proportions of people working in the formal economy in most African countries, MIGSEC realized the need to investigate and develop alternative approaches for extending the social security coverage of migrant workers and their families. The lesson learnt from the studies conducted under MIGSEC's sponsorship is that community based initiatives could be important alternative sources of social protection.

IV. Recommendations

1. MIGSEC Phase-I kick-started the processes that pave the way for the conclusion of bilateral and multilateral social security agreements in Africa, between and amongst African countries, and with countries outside Africa. It is recommended that MIGSEC Phase-II be sponsored and implemented to consolidate the gains of the Pilot Phase.
2. MIGSEC Phase-II should zero in on the countries and economic communities that showed real optimism and determination to conclude bilateral and multilateral social security agreements, and see them through to the actual signing of social security agreements; and may have to play the role of coordinator and international administrator of the operating agreements.

- 3.** The second phase of MIGSEC will require the services of another project officer with a good background in trade unionism and collective bargaining to focus on the integration of migrant workers into the Labour Unions of the host countries. Their integration into labour unions is one of the surest ways of ensuring that migrant workers' social security rights are protected in practice.
- 4.** A potent alternative to the multiplicity of bilateral agreements is the establishment of sub-regional social security conventions, with attractive incentive packages such as the payment of a proportion of the migrant worker's social security benefits to the country of origin.
- 5.** The campaign for equal treatment of migrant workers is beginning to yield positive results in the EU. In December 2011, The EU Parliament and the EU-Council passed the "Single Permit" Directive, directing member countries to, within 2 years, adapt their individual national laws to guarantee equal treatment of legally employed migrant workers. This is with regard to conditions of work, social security rights, including the right to have their pensions transferred to the migrant workers' countries of origin. With the support of the ILO, African countries must position themselves to take full advantage of this progressive development in the EU.
- 6.** A detailed logical framework is an integral component part of a well planned project. It justifies resource allocation by showing the linkages between project activities, outputs and outcomes. A logframe also facilitates monitoring and evaluation during project implementation, and comes in handy during final/terminal project evaluation. Therefore, more attention should be paid to the development of good logical frameworks in the planning of future projects, traditionally- or RBSA-funded.
- 7.** RBSA-funding is flexible in many ways including the relaxed reporting requirements. This is probably the reason why there was no narrative quarterly reporting under MIGSEC. Quarterly narrative reports are useful for project monitoring and evaluation, and the benefits in having these quarterly reports during project implementation far outweigh the savings in not having them. It is therefore recommended that all future RBSA-funded projects endeavor to deliver quarterly narrative reports for ILO's internal consumption.
- 8.** Throughout its implementation, MIGSEC had the benefit of working with many different experts and consultants. It is strongly recommended that MIGSEC creates a database of African experts on social security and migration before June 2012, when the project formally comes to an end. As MIGSEC does not have its own Website, the database could be posted on the Website of ILO-Migrant.

1.0 Project Background and Logic

1.1 Project Background

1.1.1 General Background

Social security is a basic human right enshrined in major international instruments such as the *Universal Declaration of Human Rights* (1948), the *International Covenant on Economic, Social and Cultural Rights* (1966), and the *International Convention on the Protection of the Rights of All Migrant Workers and Their Families* (1990). However, due to their peculiar circumstances, especially the length of their employment period and residence status, migrant workers are often unable to obtain social security coverage in the host country. At the same time, they risk the loss of entitlement to social security benefits in their home country because they have been absent. Migrant workers face these challenges to varied degrees worldwide, but the social security obstacles are particularly onerous for African migrant workers.

An International Legal Framework has been set up for the protection of migrant workers with specific instruments, namely: **C97** – Convention on Migration for Employment; **C143** – Migrant Workers Convention. Beyond these specific ILO Conventions to protect Migrant workers, additional instruments are directly related to migrant workers' social security and seek to promote equal treatment of nationals and non-nationals regarding the maintenance of social security rights. The specific instruments are:

- **C19**, Equality of Treatment (Accident Compensation) Convention, 1925;
- **C48** (Shelved) Maintenance of Migrants' Pension Rights Convention, 1935;
- **C118**, Equality of Treatment (Social Security) Convention, 1962;
- **C157** Maintenance of Social Security Rights Convention, 1982, and its **R167** Maintenance of Social Security Rights Recommendation, 1983.

Without touching the essential content of national laws, the principal objective of ILO Conventions is the protection of migrant workers' rights in a way that seeks to make bilateral and multilateral agreements supplement national regulations and, at the same time, overcome national limitations by the creation of links between several national schemes.

In 2001, the International Labour Conference (ILC) in its General Discussions on Social Security, re-affirmed ILO's commitment to work and secure social security coverage for all. Then in 2004, the ILC in its General Discussions on Migrant Workers, identified, as one of a range of urgently needed actions, specific measures to protect the social security rights of migrant workers. And clearly, MIGSEC emerged as one of such specific measures.

1.1.2 The African Context

In most countries in Africa, migrant workers may not be entitled to the same benefits as nationals even if they work in the formal economy. In promoting circular migration, specific mechanisms need to be implemented to guarantee that temporary migrant workers are not excluded from social security schemes. Even when temporary migrant workers are covered during their employment period by the host social security system,

their non-resident dependents often remain excluded from access to social security including health care. This can create severe problems for the family.

In the particular case of female migration, which accounts for almost half of the migration flows in recent times, migrant young ladies are highly vulnerable to human trafficking in Africa for such appallingly exploitative gains like child prostitution.

Despite the considerably high labour mobility within Africa, there are few African countries with working social security agreements between and amongst them.

It is therefore important to make concerted efforts in that direction, and the preparation and implementation of bilateral social security agreements will require strengthening the capacity of social security policy makers and administrators in Africa to ensure that the provisions and mechanisms they agree upon and put in place adequately meet the priorities and social context of migrant African workers (men and women) and their families.

Quite a few sub-regional social security conventions have been adopted in Africa, but they lack enforcement, including:

- The social security convention of the Afro-Malagasy Common Organization (OCAM) in 1971, which was ratified by seven out of the fifteen OCAM Countries, was probably one of the earliest sub-regional conventions. The ratifying countries were Zaire (DRC), Dahomey (Benin), Upper Volta (Burkina Faso), Niger, Senegal, Chad and Togo. The OCAM agreement covered old age, invalidity and survivors pensions, employment injury benefits and family and maternity benefits. OCAM was, however, dissolved in 1986, but the seven ratifying countries maintained the social security convention now being monitored by the CIPRES (Conférence Interafricaine de la Prévoyance Sociale).
- Together with the Protocol on Free Movement of Persons, Right of Residence and Establishment (1979), ECOWAS which was formed in 1975 is promoting the coordination of social security schemes covering migrant workers among its member states. Notwithstanding the several expert meetings held, no enforcement of the application of the Convention in the national laws of ECOWAS-member-countries has so far been achieved.
- In 1978, the Economic Community of Great Lake Countries (Burundi, Rwanda and DRC) ratified a General Social Security Convention covering old age, invalidity and survivors pensions and employment injury benefits.
- The Treaty for the Establishment of the East Africa Community (EAC) in 1999, involving Kenya, Tanzania and Uganda, provided for free movement of persons, labour, services, right of establishment and residence. Later in 2007, Burundi and Rwanda joined the EAC. Under Article 5 of the Protocol it was agreed to remove restrictions on the movement of labour and that social security benefits should be provided. Article 10 entitles the migrant workers to equal treatment.
- Yet another example is the Southern Africa Development Community (SADC), which is having discussions on social security coverage for migrant workers, but so far no concrete agreements have been reached. Under a non binding protocol the member states are requested to protect the migrant workers rights.

It is clear from the foregoing that, although conventions do exist in Africa, there is a real need for revitalizing the processes leading to the enforcement of agreements. And this was exactly what MIGSEC sought to do through its collaborative work with, particularly, the EAC countries.

Considering the small proportions of people working in the formal economy in most African countries, it is important to develop innovative strategies for extending the social security coverage of migrant workers and their families, such as community-based approaches. In this direction, MIGSEC had the objective to assess the feasibility of extending social security coverage to migrant workers and their families, particularly those left behind in the country of origin, through micro insurance initiatives financed with remittances made by the migrant workers themselves. Another mechanism that MIGSEC sought to assess was voluntary insurance offered by the national social security schemes of origin countries to their nationals working abroad.

1.2 Project Logic

The Overarching objective of MIGSEC is to strengthen national and regional strategies for the extension of social security coverage to African migrant workers and their families. The project also proposes to strengthen the regional mechanisms to effectively prepare or reinforce the compliance of regional social security conventions to accompany the regional integration process in Africa.

The project strategy consists in working with the governments and social security institutes, in consultation with the social partners, to map out national and regional strategies to extend social security for migrant workers (men and women) and their families. To achieve its objective, project activities focus on consolidating information knowledge on social security and labour migration in the region, building institutional capacities of entities responsible for social security policies, implementing operational measures to offer social security benefits to migrant workers and their families.

The project logic is embodied in its design. Reviewing MIGSEC's design and logic requires a close look at:

- Available pre-MIGSEC information on migrant workers, social security and decent work as the background information that informed the project concept.
- The inputs, activities, outputs, and objectives/outcomes linkages in the logical framework of the project.

1.2.1 Pre-MIGSEC Information on Migrant Workers and Decent Work

At the stage of project objectives formulation, the project planners had the benefit of available data on the approximate numbers of migrant workers globally. Estimated by the ILO to be over 95 million in 2005, the sheer immensity of global migration served as a guide to the design of MIGSEC. The Decent Work Agenda in Africa (2007-2015) — the ILO's tripartite contribution towards making measurable progress in achieving the Millennium Development Goals in Africa by 2015 — further informed the formulation of

MIGSEC's outputs and outcomes, as they have been linked to the objectives of the Decent Work Agenda for Africa.

The African Agenda reiterates that migrant workers and their families in Africa constitute a large population of women and men whose productive potential is considerably weakened by the complete absence (or inadequacy availability) of social protection, which is a powerful instrument for poverty alleviation and the improvement of people's living standards. The Agenda further asserts that gender differences as reflected in the proportions of men and women covered by statutory social security schemes, give cause for concern. For instance, whilst about 15 percent of the economically active male populations in Ghana and Zambia, and 8.1 percent in Senegal, are covered by social security schemes, the proportions of women covered are 7 percent, 5 percent, and 2 percent for Ghana, Zambia and Senegal respectively. This clearly shows that women covered by social security schemes are less than half their male counterparts in all the 3 countries taken at random. These and other gaping disparities in gender balance revealed in the African Agenda for Decent Work must have informed the strongly gender sensitive design of MIGSEC.

MIGSEC design also had the benefit of the knowledge that whilst the rather irregular migration flow from Africa to Europe has dominated news coverage and public attention, most Africans migrate from one African country to another. Therefore, MIGSEC responded with the planned determination to support the drafting, negotiations and implementation of social security provisions and agreements amongst African countries. Conclusive evidence of this can be seen in MIGSEC's energetic implementation collaborative efforts in the East African Community.

1.2.2 Logical Framework

The project document made available to the evaluator did not contain an elaborate logframe presentation (or Project Planning Matrix (PPM)). The document, however, had clearly stated project outcomes (immediate objectives) and the outputs required to deliver them; and identified the activities that would produce the required outputs.

The evaluator's assessment is that the activity line-up was in all cases relevant to the attainment of the target output, and the outputs in their turn were mostly relevant to the attainment of the set outcomes. Then the project outcomes work together to attain the development objective or project purpose "To improve national and regional strategies for the extension of social security coverage to African migrants and their families"

To provide for a means of measuring the attainment of project outputs, the project document ought to have given some Objectively Verifiable Indicators (OVIs). Indicators, means of verification, and the underlying assumptions guiding the logical framework of the project were all conspicuously omitted in the project document.

Conclusion: *The practical logical linkage from project activities, outputs, outcomes through to project purpose as formulated and executed during implementation is perfect, but the absence of objectively verifiable indicators was not good enough for monitoring*

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and evaluation purposes. Admittedly, it is sometimes difficult to identify quantitative and qualitative indicators at the project conceptualization and design stage, but in the case of MIGSEC, the mid-term review process provided a good opportunity that was not used.

2.0 Evaluation Purpose, Scope and Clients

2.1 Evaluation Purpose:

“The purpose of the evaluation is to assess the extent to which the project has achieved its objectives with special focus on its relevance, effectiveness, impact, sustainability and efficiency. Based on the assessment, the evaluation will also highlight lessons learnt from the project and draw up recommendations on how to better address the social protection of migration workers to meet the constituent needs. The evaluation will also highlight lessons for projects covered by the RBSA funding.”

2.2 Evaluation Scope:

“The evaluation will cover the full project period from the commencement up to the time of evaluation (October 2008 - December 2011). The evaluation will cover all countries covered by the project. Key evaluation questions should take into consideration the project’s contribution and constraints and difficulties encountered in achieving the project outcomes, with special attention to the following areas:

- Contribution of the project to the overall programme of the International Migration Programme and to migration-related P&B outcomes and indicators;
- Contribution of the project to the Decent Work Agenda for Africa, Regional Decent work Programmes and Decent work country programmes.
- Contribution of the project to promotion of the ILO common principles of action: contributing to a fair globalization, working out of poverty, advancing gender equality, implementing international labour standards, and expanding the influence of social partners, social dialogue and tripartism.”

2.3 Evaluation Clients:

“The principal clients for this evaluation are: the constituents and project partners in target countries and regions, the donor (Republic of Germany), ILO project management team, the ILO technical unit at the Regional Office for Africa and Headquarters (International Migration Programme and Soc/Sec Department), ACTRAV, ACTEMP, ILO field offices and ILO technical units which are partners in the project’s implementation.”

The evaluation purpose, scope and clients stated above have been quoted verbatim from the Terms of Reference, the full text of which is attached as **Appendix 3**.

2.4 Source of Authority

This final evaluation report was written, at the request and sponsorship of the International Labour Office (ILO), by Stanley Asangalisah (Chief Executive Officer of CENDA Associates Ltd. — Accra-based Consultancy Company) in the capacity of Independent External Evaluator. The evaluation exercise was carried out in accordance with ILO External Collaboration Contract No ROAF/EXCOLL/13/2011, signed on 6th December, 2011.

2.5 Evaluation Limitations

The following were the main organizational and technical limitations of the evaluation:

- Due to circumstances beyond the control of both ILO and the external evaluator, there was practically no time for the evaluator to adequately prepare for the field work.
- The sheer volumes of project related material in both English and French required a lot more time than was allowed for desk research, resulting in time management difficulties for the evaluator.
- MIGSEC had by far more collaboration with the East African Community (EAC) than any other group of countries. The evaluator's field visits did not include the EAC Secretariat in Arusha, Tanzania to learn from the EAC's involvement, experiences, expectations and challenges working with MIGSEC. Therefore, the evaluator's understanding, impressions, findings and conclusions on EAC's involvement with MIGSEC are limited to only literature review.

Conclusion: *All the above limitations and constraints notwithstanding, the independent evaluator is satisfied those useful findings have been made, leading to objective conclusions.*

3.0 Evaluation Methodology

The final evaluation of MIGSEC involved the collection, collation and analysis of data from 2 sources—Desk Research and Field Investigations; and report writing.

3.1 Desk Research

The desk research component entailed the review and close study of a wide range of reports in English and French, including the Project Document; Country Reports; Training Programmes course contents and reports; Consultancy Research Reports; Biennium Project Financial Reports, etc.

The bulk of the desk research documents were collected during the field visit and interaction with the Project Management Team in Addis Ababa. The sheer volumes of the reports reviewed resulted in a prolonged desk research period that stretched far beyond the time allotted to desk research.

3.2 Field Investigation

Due to time and budgetary constraints, the evaluator was able to visit only 2 countries: Ethiopia for meetings with the Project Management team, and Senegal for interviews with project stakeholders.

The meetings held with the Chief Technical Advisor and the International Migration Specialist in Addis Ababa gave the evaluator deeper insights into MIGSEC than desk research could have offered. The meetings and interviews held with project beneficiaries in Dakar, Senegal were also very useful in shedding light on the Senegalese experience within the framework of MIGSEC and CIPRES (Conference Interafricaine de la Prevoyance Sociale).

The field visits should have included a visit to Arusha in Tanzania to learn from the collaborative arrangements and experience of the East African Community (EAC) member countries, namely: Burundi, Kenya, Rwanda, Tanzania and Uganda.

***Conclusion:** On the whole, the evaluation exercise was successful, as the evaluator had the full co-operation of the ILO Evaluations Unit and the Project Management Team in Addis. Despite initial arrangement failures in Dakar, the field visit to Senegal was also successful.*

3.3 Report Writing

At the end of the desk research and field visits, a comprehensive evaluation report is written in following with a standard report writing format acceptable to the ILO. The resulting report is designed to be concise and straight to the point, spelling out the evaluator's impressions, views and judgment on issues and project results with supporting information/data from real project cases as reported on in various reports, and/or observed on the field. To give them a contextual belongingness, the evaluators' findings, conclusions and recommendations are first stated in italics under the relevant headings and sub-headings of the report, before being summarized in Sections 7.0 below.

4.0 Evaluation Findings

4.1 Relevance and Strategic Fit

4.1.1 Introduction

Project Relevance examines whether the project purpose and main objectives/goals were in line with the concerns, needs, priorities and policies of the recipient countries, communities or groups. It further examines whether the project was successful in solving/resolving the identified problem the project was launched to address.

4.1.2 Project Relevance

The relevance of MIGSEC has been assessed at 3 levels, namely:

- Relevance to the policies and efforts of African States and Economic Communities towards regularizing migration flows and ensuring social security protection for African migrant workers.
- Relevance of the project to the African Decent Work Agenda.
- Relevance of MIGSEC in terms of its strategic fit into ILO's RBSA innovative funding concept.

4.1.2.1 Relevance to Migration Policies in Africa

In order to identify the proper strategy for strengthening social security coverage for African migrant workers and their families, MIGSEC activities focused primarily on consolidating knowledge on the social security schemes of the targeted countries and the social security agreements already in place while also reviewing labour migration flows and sub regional protocols. In this respect, a background study was carried out to guide the intervention and select the countries in which the project activities could be the most relevant. A study on temporary and circular labour migration programmes in the region was also undertaken and, in particular, on the social security provisions they contain. The 3 main economic communities of African countries with migration policies as integral component parts of their Protocols, and with which MIGSEC struck a collaborative working relation were: EAC, ECASSA and SADC. MIGSEC also had some level of collaboration with CIPRES.

In the particular case of the East African Community (EAC), where the bulk of MIGSEC's collaborative interventions were made, a request was made by the EAC Secretariat for the ILO's assistance, through MIGSEC, for the drafting of the Annex on a Multilateral Social Security Agreement. A Draft Model Annex was prepared by the ILO and discussed at a regional workshop entitled "Social Security benefits within a Common Market" held on 19–23 October 2009 in Kampala. This workshop produced a tripartite consensus on a road map for the implementation of social security provisions in the framework of the EAC Common Market. The road map set out a program of meetings for 2010.

During a meeting of the High Level Task Force (HLTF) of the EAC in Nairobi 3-11 May 2010, a draft Annex on social security benefits in the Community was formulated as a

working document and recommendations were made to the Coordination Committee. The Annex was further refined in the next HLTF meeting held from the 7th to the 15th of June 2010. Further work was done by several other meetings culminating in the Nairobi 19th - 21st January “East Africa Community Technical meeting of Social security experts on the finalization of the draft Council Directive /Regulation for the coordination of social security systems within the an EAC Common Market” and the Arusha 15th to 17th June 2011 “Technical Meeting of Social Security Experts to Discuss the Way Forward on the Coordination of Social Security Systems within the EAC Common Market” This meeting among other things studied an overview of the actuarial studies undertaken by the partner states and developed the terms of reference for the consolidation of a Regional Actuarial Study by an independent consultant. The secretariat was directed by the Multisectoral Council to hire a Consultant by June 2011 to consolidate an actuarial study. Until February 2012 the secretarial was not able to hire an independent Consultant.

Conclusion: *MIGSEC has therefore been very relevant to the policies and efforts of the EAC countries towards enhancing social security coverage in their Community. Considerable collaborative work was also done between MIGSEC and ECASSA in the area of capacity building and preparing draft social security agreements in EAC Community. SADC, on the contrary, showed keen interest in tapping the resourcefulness of MIGSEC in addressing social security coverage challenges amongst its member states.*

4.1.2.2 Relevance to the African Decent Work Agenda

The Immediate Outcome No. 3c of the Programme and Budget for the 2008 to 2009 Biennium of the ILO states that “Labour migration is managed to foster protection and decent employment of migrant workers” And Immediate Outcome No. 7 of the *Programme and Budget for the Biennium 2010-2011* says that ‘More migrant workers are protected and more migrant workers have access to productive employment and decent work’ MIGSEC learns support to both Biennium outcomes within the African context by contributing to the advancement of the Decent Work Agenda in Africa and, in particular, the Decent Work Country Programmes (DWCPs) in the countries covered by the project.

The DWCPs in turn lead to decent work becoming national policy objective of governments and social partners by putting ILO’s expertise, knowledge, instruments and advocacy at the service of its tripartite constituents to advance the Decent Work Agenda of the individual countries.

At the regional level, the Decent Work Agenda in Africa (2007-2015) is the ILO’s tripartite contribution towards making measurable progress in achieving the Millennium Development Goals in Africa by 2015. MIGSEC’s outcomes are directly linked to the achievement of the Decent Work Agenda for Africa, which acknowledges that social protection is a powerful instrument to reduce poverty and improve people’s lives.

Conclusion: *MIGSEC was not just only relevant to the Decent Work Agenda in Africa, but, indeed, served as a vehicle for the realization of the African Agenda for creating decent work opportunities.*

4.1.2.3 Strategic Fit into ILO's RBSA-funding Concept

Regular Budget Supplementary Account (**RBSA**) complements ILO's Regular Budget (**RB**) from assessed contributions by Member States and voluntary contributions to ILO's Extra-budgetary Technical Cooperation (**XBTC**). The RBSA operates according to similar procedures as the Regular Budget procedures endorsed by the ILO's Governing Body. For each biennium, the Governing Body agrees on a targeted level of expenditures of RBSA, across the four strategic objectives and regions.

In 2008, the ILO established the Regular Budget Supplementary Account to support the Decent Work Agenda through flexible un-earmarked voluntary contributions to the ILO's technical cooperation programme. RBSA is an important means by which the ILO is enabled to allocate funds when and where they are most needed in an independent, flexible and fast manner. And from the donor's point of view, RBSA helps donors fulfill commitments to provide untied aid, consistent with the Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008), to increase aid effectiveness by reducing transaction costs for partner countries while improving country ownership and alignment.

Untied aid is also recognized to provide better value for money. Besides, some key areas of work in developing countries may not attract the required donor interest. It is therefore important to have funds available to fill gaps in these areas and countries so that the ILO can move important agendas forward in response to where needs remain most significant, such as was the case of the social security problems of African migrant workers, to which the ILO swiftly responded with MIGSEC on the back of RBSA provided by the Germans.

And so the independent evaluator's conclusion is that MIGSEC clearly fits very well into the RBSA innovation of the ILO.

4.2 Validity of Project Formulations

The objectives, outcomes and outputs of the project are quoted here for the purpose of easy reference to their exact formulation.

4.2.1 Development Objective

The development objective of MIGSEC is "To improve national and regional strategies for the extension of social security coverage to African migrants and their families."

4.2.2 Immediate Objectives (Project Outcomes)

The immediate objectives of MIGSEC are seven (7) as stated below:

1. Build knowledge on migrant workers and their families' social security coverage and on labour migration in Africa.
2. Strengthen institutional capacities for the formulation and implementation of social security strategies to cover African migrant workers and their families, within the overall African labour migration policy set-up;

3. Support the negotiation process of bilateral social security agreements within African countries as well as with extra-continental countries, consistent with the ILO legal instruments on coordination and ILO Multilateral Framework on Labour Migration;
4. Promote the inclusion of social security provisions into existing labour migration programmes and policies in Africa;
5. Revitalize regional mechanisms to effectively prepare, reinforce and ensure the application of regional social security conventions.
6. Assess the feasibility of implementing voluntary insurance schemes for workers employed abroad, consistent with the ILO Conventions and ILO Multilateral Framework on Labour Migration, taking into consideration the social impact of migration on the family and the shared responsibilities between men and women within the left behind household;
7. Assess the possibility to extend social security coverage of African migrant workers and their families through community-based approaches.

4.2.3 Outputs of the project

To attain the outcomes stated above, all together 19 outputs were targeted by MIGSEC. The numbering of the outputs has been so done as to easily identify them with the outcomes they help attain, as follows:

4.2.3.1 Output 1.1: A preliminary report titled "Strengthening social protection for African migrant workers through social security agreements" is available

4.2.3.2 Output 1.2: Reports that strengthen knowledge on social security coverage of migrant workers in selected countries in Africa and propose strategies to extend Social Protection of migrant workers are available

4.2.3.3 Output 1.3: A book "Extending social security to African migrant workers and their families: Diagnosis, policy options, lessons learned" is published.

4.2.3.4 Output 2.1: A training curriculum on strengthening the social protection of African migrant workers is developed jointly with the International Training Centre of the ILO (ITCILO)

4.2.3.5 Output 2.2: Training materiel on "Extending social security to African migrant workers and their families", jointly and co-financed by the ITC ILO is developed.

4.2.3.6 Output 2.3: A tripartite course on "Extending social security to African migrant workers and their families" is implemented into French and English

4.2.3.7 Output 2.4: Tripartite workshops on national Strategies for the extension of social protection to African migrant workers and their families are organized. (3 national workshops/year)

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4.2.3.8 Output 2.5: The extension of social security coverage for migrant workers and their families is promoted by National tripartite focal points.

4.2.3.9 Output 2.6: A database of African experts on social security for migrant workers is created.

4.2.3.10 Output 3.1: The negotiation of a bilateral social security agreement is advanced between African countries.

4.2.3.11 Output 3.2: The negotiation of a bilateral social security agreement is advanced between an African country and an extra-continental destination country.

4.2.3.12 Output 4.1: Temporary labour migration programmes in Africa are studied and possibilities to include SS provisions assessed.

4.2.3.13 Output 5.1: An assessment report on existing initiatives of extension of social security to migrant workers through voluntary insurance schemes is prepared.

4.2.3.14 Output 5.2: Recommendations to African countries interested in introducing voluntary insurance schemes for workers abroad are prepared and disseminated (primarily during national and sub-regional meetings).

4.2.3.15 Output 6.1: An assessment report on existing initiatives of extension of social security to migrant workers and their families through community-based approaches is prepared.

4.2.3.16 Output 6.2: Recommendations to African countries interested in promoting community-based approaches to enhance the SS coverage of their national workers abroad and their families still in their country of origin are prepared and disseminated during national and sub-regional workshops.

4.2.3.17 Output 7.1: Two sub-regional experts' seminar on labour mobility and social security coordination are organized. (2009, 2010)

4.2.3.18 Output 7.2: The negotiation of a multilateral social security agreement is launched and advanced in a targeted sub-regional economic community.

4.2.3.19 Output 7.3: An online data base of good practices on social security strategies for migrant workers is launched.

Finding/Conclusion: *The development and immediate objectives/outcomes of MIDSEC, as well as its outputs have been very well formulated and are valid to the course of MIGSEC in particular, and the larger ILO as the workers' voice globally.*

4.2.4 Quantitative Project Targets:

The closest the project came to setting quantitative targets can be seen in the following statements mentioned in the project document and reiterated in the progress report mid-way into project implementation.

4.2.4.1 The conclusion of a multilateral social security instrument coordinating the social security systems of all the countries in a sub-region of Africa;

4.2.4.2 The conclusion of at least one bilateral social security agreement between two countries in Africa;

4.2.4.3 The conclusion of at least one bilateral social security agreement between a country in Africa and a destination country outside Africa;

4.2.4.4 The identification of community-based approaches to extend the social protection of African migrant workers and their families, and the implementation on a pilot basis of at least one such initiative involving ILO constituents and organizations representing migrant workers;

4.2.4.5 The identification of strategies to improve the social security coverage of temporary migrant workers;

4.2.4.6 The development of a core training course on social security strategies for migrant workers and their families, focusing on bilateral and multilateral social security agreements, in collaboration with the ILO's International Training Centre (ITC) in Turin;

4.2.4.7 Training material for social security and labour migration officers in charge of establishing social security strategies for migrant workers, in particular social security agreements;

4.2.4.8 A database of African experts on social security for migrant workers;

4.2.4.9 An on-line database of good practices on social security strategies for migrant workers.

Findings: *In an apparent reference to, particularly, the first 3 targets, the Progress Report admitted in a footnote that “The conclusion of a social security agreement, whether multilateral or bilateral, usually takes a minimum of three years from start to finish. Since considerable groundwork needs to be done before work towards an agreement can be initiated (identification of candidate countries, training of officials, development of model agreements), it is unlikely that agreements will actually be signed within the time span of MIGSEC. The expected output, therefore, is that substantial progress will be made by the time MIGSEC ends.”*

Conclusion: *The project management team was quite right in their assessment (in the progress report) that the targets to have agreements signed by the end of MIGSEC could*

not be met. But substantial progress has, indeed, been made during the pilot phase. Under the circumstances, the easy conclusion to draw is that MIGSEC set itself overly ambitious targets for the pilot phase of 3 years.

4.3 Project Progress and Effectiveness

4.3.1 Project Progress

This Section presents the evaluator's findings and assessment of project progress by evaluating the achievement of MIGSEC's outcomes, outputs and activities as summarized in Table 1 below. At the tail end of this analysis, an overall percentage achievement will be struck for the purpose of assessing project effectiveness.

Table 1: Findings on the Achievement of Project Objectives

Outcomes, Outputs and activities	Evaluation Findings
Outcome 1: Build knowledge on social security for migrant workers and labour migration in Africa	
Output 1.1 A preliminary Report titled "Strengthening social protection for African migrant workers through social security agreements" is available	<i>All of activities 1.1.1 to 1.1.3 were carried out culminating in the delivery of output 1.1. The report delivered by a Canadian consultant was quite detailed, providing useful information on existing bilateral agreements between African countries, and between African and European countries.</i>
1.1.1. Draft terms of reference for the report	
- Review of available labour migration data, social security schemes and national SS legislations, existing regional protocols, gaps, potential social security schemes coordination, proposed strategies to extend coverage	
1.1.2. Identify and recruit a consultant	
1.1.3. Revise and comment on the preliminary report	
1.1.4. Use the report to define the intervention and strategic approach in each country and sub-regions to extend the social security coverage of African migrant workers and their families.	<i>The full extent of the implementation of activity 1.1.4 could not be assessed.</i>
Output 1.2 Reports that strengthen knowledge on social security coverage of migrant workers in selected countries in Africa and propose strategies to extend SP of migrant workers are available	<i>Only 2 of the 4 reports were written. The contract for the report on Morocco was terminated as the draft did not meet the required standard, and the ECOWAS report could not be initiated. In fulfillment of Activity 1.2.5, three (3) papers are being edited for presentation to the</i>
1.2.1. Draft terms of reference for the 4 reports: (i) Morocco experience with SS Bilateral agreements; (ii) Diagnosis/Policy options and strategic approach to strengthen SP of Senegalese migrant workers; (iii) Analysis of existing multilateral social security instruments in Africa EAC-SADC; iv) Analysis of ECOWAS;	

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1.2.2. Identify and recruit the consultants	<i>next ILC meeting in June 2012, according to the MIGSEC office in Addis Ababa.</i>
1.2.3. Implementation of the reports	
1.2.4. Revise and comment the draft reports	
1.2.5. Adapt the format of the reports to produce International Migration Papers.	
Output 1.3: A book “Extending social security to African migrant workers and their families: Diagnosis, policy options, lessons learned” is published.	<i>The Book will come from the International Migration Papers mentioned above and other MIGSEC implementation results. But genuine fears have been expressed that there may not be adequate funds left to produce the Book.</i>
1.3.1. Prepare (TORS, recruitment of a consultant)	
1.3.2 Implementation of the report, revise the content and publish the book	
1.3.3. Translate the book into French language	
1.3.4. Dissemination of the research reports/book chapters through the ILO MIGRANT website and during regional events and meetings.	
Outcome 2: Strengthen capacities for the formulation and implementation of social security agreements and other policy options to extend the SS coverage of African migrant workers and their families	<i>The training programmes were developed and delivered in both English and French. Anglophone course participants numbering 23 went to Turin, Italy in May 2009, whilst 23 participants from the Francophone countries met in Dakar, Senegal in July 2009.</i>
Output 2.1 A training curriculum on Strengthening the social protection of African migrant workers is developed jointly with the International Training Centre of the ILO (ITCILO)	
2.1.1. Proceed to a training needs assessment in regards to social security gaps for migrant workers and their families	
2.1.2. Meetings and exchanges with the ITC ILO for the design of the training course	
2.1.3. Draft jointly with the ITC ILO the training course methodology and content	
<ul style="list-style-type: none"> ▪ <u>Objective of the Experts’ training:</u> Consolidate knowledge on labour migration and strengthen capacities for the preparation, negotiation, application and monitoring of social security strategies for migrant workers, in particular bilateral and multilateral agreements, voluntary insurance funds for workers abroad, on line with the relevant ILO Conventions and introduction on extension of social protection and community based-schemes initiatives. ▪ <u>Targeted audience:</u> labour migration and social security policymakers and administrators of social 	

<p>security institutes and social partners.</p> <ul style="list-style-type: none"> ▪ <u>Approach</u>: Experts’ training ▪ <u>Number of participants</u>: 20 to 30 participants for each course, Francophone and Anglophone ▪ <u>Duration</u>: Two weeks. ▪ <u>Location</u>: the English course should take place in Turin and the French course in Dakar. ▪ Participation of CIPRES (Francophone course) and the EAC Secretariat (Anglophone course). ▪ <u>Financial aspect</u>: two training sessions will be organized, in French and English, in 2009, fully financed by the project. In 2010, the course will be presented as an open course in the ITC ILO calendar; participants from Africa will be offered partial fellowships. The course could remain in the core activities calendar of the ITC ILO, after the French and English versions, adapted and proposed in several additional languages: Spanish, Portuguese and Arabic. 	
<p>Output 2.2 Training materiel on “Extending social security to African migrant workers and their families”, jointly and co-financed by the ITC ILO is developed.</p> <p>2.2.1. Identification of the list of modules included in the training manual on social security strategies for migrant workers and methodology</p> <p>2.2.2. Identify resources’ persons for the implementation of specific modules of the course</p> <p>2.2.3. Supervise and review drafting of the modules</p> <p>2.2.4. Prepare the training manual</p> <p>2.2.5. Translate the manual into French and adapt it to the Francophone countries context</p>	<p><i>All of that has been done by MIGSEC in collaboration with the ITC. The different modules in French and English are available.</i></p>
<p>Output 2.3. A tripartite course “Extending social security to African migrant workers and their families” is implemented into French and English.</p> <p>2.3.1. Logistical arrangements</p> <p>2.3.2. Finalization of the course budget</p> <p>2.3.3. Preparation of the tripartite course: selection of participants, finalization of the agenda and identification of resource persons</p>	<p><i>That has been done</i></p>

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2.3.4. Enrolment of participants and travel arrangements	
2.3.5. Technical preparatory forum with the participants	
2.3.6. Preparation of the course evaluation	
2.3.7. Implementation of the course	
2.3.8. Adjustment of the training content and validation of the training material, based on the evaluation of the first set of pilot courses (French and English)	<i>The course was repeated in 2010 as an open course offered by ITC, not directly related to MIGSEC...</i>
2.3.9. Course will be repeated in 2010 in English (possibly in French) and may then be part of the ITC ILO training calendar.	
Output 2.4 Tripartite workshops on national Strategies for the extension of social protection to African migrant workers are organized. (3 national workshops/year)	<i>A national workshop was held in Senegal from the 1st to 3rd March 2011. Mauritius had theirs a year earlier in March 2010, and Mali's national workshop slightly preceded that of Mauritius in February 2010. And according to the MIGSEC office in Addis, none could be organized in Zambia as the Zambians failed to decide on having one.</i>
2.4.1. Draft the terms of reference for each workshop, identify objectives, content, technical support needed etc.	
2.4.2. Plan the organization of the workshops: choice of the countries, participants, draft invitation letters, programmes.	
2.4.3. Implementation of the Workshops (Dakar 04/09; Maurice 09/09; Zambia 12/09; Mali 02/10; others as/if needed TBD)	
Output 2.5 The extension of social security coverage for migrant workers and their families is promoted by National tripartite focal points.	<i>There does not seem to be any National Tripartite Focal Point Committee existing anywhere among the project countries, even though the project impressed upon them to do so. Nonetheless, promotion of MIGSEC's agenda must have taken place to some extent as government officials from the various countries have participated in workshops and training programmes.</i>
2.5.1. Identify national tripartite focal points	
2.5.2. Organize meetings at the national level to promote stakeholders' participation and ownership	
2.5.3. Facilitate the constitution of national tripartite working groups that develop and implement strategies to extend the social security coverage of migrant workers	
Output 2.6 A database of African experts on social security for migrant workers is created.	<i>Throughout its implementation, MIGSEC had the benefit of working with many different experts and consultants, whose names, backgrounds and contact numbers, addresses, etc. are in MIGSEC's possession. The ITC has all this information on its database.</i>
2.6.1. Determine the criteria to insert an expert into the database (i.e. participation in MIGSEC Experts' training)	
2.6.2. Collect contact details and curriculum regarding the selected experts.	

<p>Outcome 3: Promote and support the negotiation process of bilateral social security agreements</p>	
<p>Output 3.1 The negotiation of a bilateral social security agreement is advanced between African countries.</p>	<p><i>MIGSEC identified some countries with the policy and administrative capacity to negotiate, conclude and implement social security agreements. For instance, Mali showed interest in having bilateral agreements with Ghana, Cote d'Ivoire and Gabon; Senegal had identified Gabon and Cameroon even before the coming into being of MIGSEC. After the MIGSEC training programmes in Turin and Dakar, Ghana, Senegal, and Mali expressed some interest in social security agreements, but none of them was able to develop that interest into a signed agreement that is working.</i></p> <p><i>Therefore, all of activities 3.1.1 to 3.1.17 failed to take place.</i></p> <p><i>To start negotiations is a political decision of the countries concerned, and not within the ambit of MIGSEC's responsibility.</i></p>
<p>3.1.1 Identify African countries having the policy and administrative capacity (with MIGSEC training) to negotiate, conclude and implement a social security agreement. Determine the 'best candidates' for an agreement (migration flows sufficient to warrant an agreement, compatible systems, etc).</p>	
<p>3.1.2 Obtain the concurrence of two of the countries to engage in bilateral negotiations.</p>	
<p>3.1.3 Prepare a preliminary draft agreement to serve as a starting point for negotiations.</p>	
<p>3.1.4 Arrange dates and place for the first round of negotiations.</p>	
<p>3.1.5 Assist the delegations of the countries concerned to prepare for the negotiations.</p>	
<p>3.1.6 Assist the delegations of the countries concerned during the first round of negotiations (exchange of information on the countries' respective social security schemes, first reading of the preliminary draft of an agreement, preparation of a revised draft agreement reflecting decisions made during the negotiations, identification of the issues requiring further study before the second round).</p>	
<p>3.1.7 Assist the delegations of the countries concerned to carry out the analysis of the issues identified in the first round of negotiations.</p>	
<p>3.1.8 Arrange dates and place for the second round of negotiations.</p>	
<p>3.1.9 Assist the delegations of the countries concerned during the second round of negotiations (concurrence on all the provisions of the agreement, initialing of the text).</p>	
<p>3.1.10 Assist the countries concerned to obtain the approvals necessary under their respective national laws and practices to sign the bilateral agreement.</p>	
<p>3.1.11 Facilitate the signing of the bilateral agreement.</p>	

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3.1.12 Assist the social security institutions of the countries concerned to develop the capacity to administer the agreement when it enters into force, including the development of the necessary forms and procedures.	
3.1.13 Prepare a preliminary draft of an administrative arrangement for the application of the agreement.	
3.1.14 Arrange dates and place for the discussion of the administrative arrangement.	
3.1.15 Assist the delegations of the countries concerned during the discussions of the administrative arrangement (concurrence on all the provisions of the arrangement, initialing of the text, concurrence on forms and procedures)	
3.1.16 Facilitate the signing of the administrative arrangement.	
3.1.17 Assist the social security institutions and the social partners in the countries concerned to develop a communication plan to inform migrant workers about the agreement (benefits available, how to apply etc).	
Output 3.2. The negotiation of a bilateral social security agreement is advanced between an African country and an extra-continental destination country.	<i>1. After the MIGSEC Training Programme in Dakar, ILO had a meeting with the Senegalese Minister of Labour and he expressed Senegal's desire to have a social security agreement with Spain. As a follow up, the Director of MIGRANT in Geneva and the MIGSEC Migration Specialist in Addis had a meeting with the 1st Secretary at the Spanish Embassy in Dakar and it came to light that Spain was open to negotiations with Dakar. And during the negotiations Spain objected to the inclusion of health insurance, because health insurance is a tax-based and not social security-based contribution in Spain. But the Senegalese side insisted on including health insurance This difference between the 2</i>
3.2.1 Identify key destination countries outside Africa possibly prepared to conclude a social security agreement.	
3.2.2 Identify African countries having the policy and administrative capacity (with MIGSEC training) to negotiate, conclude and implement a social security agreement. Determine the 'best candidate' for an agreement (migration flows sufficient to warrant an agreement, compatible systems, etc).	
3.2.3 Facilitate contact between the African and extra-African countries to obtain their joint concurrence to engage in bilateral negotiations.	
3.2.4 Prepare, if required (i.e. if the non-African country does not offer to do so), a preliminary draft agreement to serve as a starting point for negotiations.	
3.2.5 Facilitate, as required, arranging dates and place for the first round of negotiations.	
3.2.6 Assist the delegation of the African country to prepare	

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for the negotiations.	<i>countries stalled the negotiations.</i>
3.2.7 Advise the delegation of the African country during the first round of negotiations (exchange of information on the countries' respective social security schemes, first reading of the preliminary draft of an agreement, preparation of a revised draft agreement reflecting decisions made during the negotiations, identification of the issues requiring further study before the second round).	<i>2. After its national workshop on extending social security coverage, Mauritius was assisted by MIGSEC to draw a draft agreement for negotiations with France, UK and Canada, but the negotiations have not taken place to date.</i>
3.2.8 Assist the delegation of the African country to carry out the analysis of the issues identified in the first round of negotiations.	
3.2.9 Facilitate, as required, arranging dates and place for the second round of negotiations.	
3.2.10 Advise the delegation of the African country during the second round of negotiations (concurrence on all the provisions of the agreement, initialing of the text).	
3.2.11 Assist the African country to obtain the approvals necessary under its respective national laws and practices to sign the bilateral agreement.	<i>All of these activities did not take place, because no country succeeded in going beyond agreement drafting and preliminary negotiations</i>
3.2.12 Facilitate the signing of the bilateral agreement.	
3.2.13 Assist the social security institution(s) of the African country to develop the capacity to administer the agreement when it enters into force, including the development of the necessary forms and procedures.	
3.2.14 Prepare, if required (i.e. if the non-African country does not offer to do so), a preliminary draft of an administrative arrangement for the application of the agreement.	
3.2.15 Facilitate, as required, arranging dates and place for the discussion of the administrative arrangement.	
3.2.16 Advise the delegation of the African country during the discussions of the administrative arrangement (concurrence on all the provisions of the arrangement, initialing of the text, concurrence on forms and procedures)	
3.2.17 Facilitate the signing of the administrative arrangement.	
3.2.18 Assist the social security institution(s) and the social partners in the African country to develop a communication plan to inform migrant workers about the agreement (benefits available, how to apply etc).	

<p>Outcome 4: Feasibility of social security provisions in temporary and circular labour migration programmes is assessed and strategies to improve SS coverage of temporary migrant workers designed</p>	
<p>Output 4.1. Temporary labour migration programmes in Africa are studied and possibilities to include SS provisions assessed.</p>	<p><i>A very good report on Social Security Provisions in Temporary or Circular Labour Migration Programmes was written by Ms. Kenza Dimechkie in July 2009. The report contains very good information on circular migration. And so activities 4.1.1 up to 4.1.3 were carried out, but not the rest of the activities from 4.1.4 to 4.1.7, as they tended to depend more on decision making by the governments of the participating countries and not the ILO/MIGSEC.</i></p>
<p>4.1.1 Draft terms of reference, identify and recruit a consultant to assist in the review of temporary labour migration programmes and prepare recommendations to include social security provisions into these programmes.</p>	
<p>4.1.2 Review by the consultant of temporary labour migration programmes and schemes on-going in Africa</p>	
<p>4.1.3 Identify, with the consultant, relevant temporary labour migration programmes or schemes in which social security is insufficiently considered</p>	
<p>4.1.4 Propose revision for inclusion of social security provisions in temporary labour migration agreements (to ensure social security coverage either in the country of origin or in the destination country, medical care, work injury - short term benefits) or other options like SS agreements (for long term benefits)</p>	
<p>4.1.5 Negotiate with governments, in consultation with social partners, for revision of the labour migration agreements</p>	
<p>4.1.6 Propose mechanisms to ensure efficiency of social security coverage of migrant workers under the temporary labour migration programmes, and specific measures adapted to the situation of women migrant workers.</p>	
<p>4.1.7 Provide technical guidance to social security institutes for implementation of the necessary mechanisms to enforce new provision on social security in targeted temporary labour migration programmes</p>	
<p>Outcome 5: Feasibility of voluntary insurance schemes in national SS systems of origin countries is assessed and recommendations proposed</p>	
<p>Output 5.1 An assessment report on existing initiatives of extension of social security by countries of origin to migrant workers and their families through voluntary insurance schemes is prepared.</p>	<p><i>A report entitled “Voluntary Insurance Provisions in National Social Security Schemes was written in March</i></p>

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<p>5.1.1 Draft terms of reference; identify and recruit a consultant to prepare a study of voluntary insurance schemes for workers employed outside their country of origin (examples of existing voluntary schemes in Africa and elsewhere in the world, experience of such schemes, good practices, challenges and opportunities).</p>	<p><i>2009 by Mr Frank Hempel, Senior Legal Expert, working at the ILO Social Security Department. The report adequately discussed the different provisions in the countries studied. The pilot project on developing health micro insurance for migrant workers' families was initiated by the ILO and the Gates Foundation.</i></p>
<p>5.1.2 Implement the study</p>	
<p>Output 5.2 Recommendations to African countries interested in introducing voluntary insurance schemes for workers abroad and their families are prepared and disseminated during national and sub-regional meetings.</p>	<p><i>Recommendations from the report were disseminated during various meetings and national workshops.</i></p>
<p></p>	<p></p>
<p>Outcome 6: Feasibility of extending social security coverage to African migrant workers and their families through community-based approaches is assessed</p>	<p></p>
<p>Output 6.1 An assessment report on existing initiatives of extension of social security to migrant workers and their families through community-based approaches is prepared.</p>	<p><i>A study was carried out in the Matam area in Senegal by a Professor Alain Letourmy, who delivered a report entitled: "Faisabilite du montage d'une micro assurance de santé dans la region de Matam au Senegal, avec la contribution diaspora senegalaise en France" submitted in December 2011 and a meeting will be held in Dakar in January 2012 to discuss the report and pave the way for a pilot project to be launched. The Matam area happens to be the heaviest migration region in Senegal.</i></p>
<p>6.1.1. Draft terms of reference; identify and recruit a consultant to prepare a study on (micro insurance initiatives in Africa and the use of remittances for SS coverage of the families in the country of origin; Options for providing an access to basic social security coverage in the migration process: promotion of unilateral measures access to medical care etc.)</p>	
<p>6.1.2 Implement the study</p>	
<p>Output 6.2 Recommendations to African countries interested in promoting community-based approaches to enhance the SS coverage of their national workers abroad and their families still in their country of origin are prepared and disseminated during national and sub-regional workshops.</p>	<p><i>The pilot project is not implemented yet.</i></p>
<p>Outcome 7: Advance sub-regional integration</p>	<p></p>

<p>Output 7.1 Two sub-regional experts’ seminar on labour mobility and social security coordination are organized. (2009, 2010)</p>	<p><i>This has been done mainly with the EAC, where a number of sub-regional experts meetings have been held, the last of which was held in June 2011 in Arusha, Tanzania. At the last technical meeting of EAC social security experts, it was decided that a consultant be hired to consolidate the Actuarial Studies carried out by the individual EAC member countries. The meeting also developed a road map that shows the line-up of things to be done culminating in a high level meeting of the EAC Council of Ministers in April 2012 to consider the recommendations of the Actuarial study report. Experts who attended the meetings came from the Social security schemes, government Institutions, Employers and Employees organizations</i></p>
<p>7.1.1 Draft terms of reference for the sub-regional experts’ seminar; organize the seminar.</p>	
<p>7.1.2 Determine the agenda of the sub-regional experts’ seminar; identify international specialists and national participants to be invited; make all necessary arrangements in collaboration with the sub-regional organization targeted.</p>	
<ul style="list-style-type: none"> - <u>Objectives</u>: Reinforce inter-states cooperation on labour mobility and encourage coordination of social security legislation at the sub-regional level <ul style="list-style-type: none"> o Present: i) the sub-regional report and the challenges at regional and national level; ii) advantages of the coordination of SS security schemes; iii) negotiation process of a multilateral agreement; o Identify/develop i) different scenarios/political options to move forward coordination; ii) a regional action plan; iii) national action plans to move forward with the reduction of disparities and with coordination. - <u>Experts attending the seminars</u>: policymakers, administrators of social security institutes responsible for the design and implementation of bilateral and multilateral social security agreements and labour migration policies, social partners and members of the experts’ database on social security for migrant workers. - <u>Output</u>: Sub-regional Road Map for inclusion of social security concerns into sub-regional integration processes. Due to disparities in terms of social security benefits covered by each national scheme, a minimum benefits package should be included in the regional convention. 	
<p>7.1.3 Conduct the sub-regional experts’ seminar.</p>	
<p>7.1.4 Draft a report summarizing the key conclusions of the sub-regional experts’ seminar; develop a Road Map for inclusion of social security concerns into sub-regional integration processes, including the conclusion of a multilateral agreement on social security among the countries in the sub-region.</p>	

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<p>Output 7.2 The negotiation of a multilateral social security agreement is launched and advanced in a targeted sub-regional economic community.</p>	<p><i>This has been done to an appreciable degree with the EAC member countries.</i></p>
<p>7.2.1 Draft a list of information to gather (questionnaire); identify and recruit experts to prepare technical options for the coordination of national social security schemes and support the negotiation process.</p>	
<p>7.2.2 Collect/analyze all the information received, prepare a preliminary draft of a sub-regional multilateral agreement as a starting point for discussions.</p>	
<p>7.2.3 Arrange dates and place for a first round of discussions.</p>	
<p>7.2.4 Assist the delegations of the countries in the sub-region to prepare for the discussions.</p>	
<p>7.2.5 Assist the delegations of the countries in the sub-region during the first round of discussions (exchange of information on the countries' respective social security schemes, first reading of the preliminary draft of an agreement, preparation of a revised draft agreement reflecting decisions made during the discussions identification of the issues requiring further study before the second round).</p>	<p><i>Some form of all of this has been done to an appreciable degree with the EAC member countries through the social security experts meetings on the elaboration of a text on coordination of EAC social security systems.</i></p>
<p>7.2.6 Assist the delegations of the countries in the sub-region to carry out the analysis of the issues identified in the first round of discussions.</p>	
<p>7.2.7 Arrange dates and place for the second round of discussions.</p>	
<p>7.2.8 Assist the delegations of the countries in the sub-region during the second round of discussions (concurrence on all the provisions of the agreement, initialing of the text).</p>	
<p>7.2.9 Assist the countries in the sub-region to obtain the approvals necessary under their respective national laws and practices to sign the multilateral agreement.</p>	
<p>7.2.10 Facilitate the signing of the multilateral agreement.</p>	
<p>Output 7.3 An online data base of good practices on social security strategies for migrant workers is launched.</p>	<p><i>An online database on good practices on social security strategies has not yet been created. This has to be done before June 2012 when MIGSEC's Pilot Phase formally comes to a close. Such a database could be included in</i></p>
<p>7.3.1 Draft terms of reference; identify and recruit a consultant to collect and prepare good practices profiles.</p>	
<p>7.3.2 Review and analyze information and evaluate criteria to include the practice among good ones.</p>	
<p>7.3.3 Prepare the profiles according to the ILO MIGRANT template for good practices on labour migration and the ISSA good practices for social security.</p>	

7.3.4 Add the good practices into the on-line data base of good practices on labour migration of the ILO MIGRANT website, the GESS platform of SECSOC and the ISSA good practices for social security.	<i>MIGRANT good practices database, as showcasing on the protection of migrant workers is one of the objectives of MIGRANT's good practices database..</i>
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Conclusion: *At the end of the analysis on the achievement of project objectives, the evaluator is convinced that MIGSEC has achieved in the neighborhood of 90 percent of the planned project outcomes, outputs and activities. The evaluator further concludes that the unachieved outputs and activities were mainly due to inactivity or non-responsiveness on the part of the project countries, or due to constraints within their domain.*

4.3.2 Project Effectiveness

The effectiveness (or otherwise) of MIGSEC was examined from the standpoint of the extent to which the project has been able to achieve its outputs and outcomes and to reach out to its direct and indirect beneficiaries. A critical question is whether the project succeeded in changing the situation of the recipient countries and economic communities for the better with regard to enhancing the social security coverage of migrant workers and their families.

The assessment of the achievement of project objectives conducted in sub-section 4.3.1 concluded that MIGSEC achieved the main objectives of its planned activities, outputs and outcomes. On that score, MIGSEC has been very effective.

The second part of project effectiveness takes a critical look at whether MIGSEC succeeded in changing the situation of the project countries and economic communities for the better with regard to enhancing the social security coverage of migrant workers and their families. Considering the amount of capacity building and other preparatory works MIGSEC planned, sponsored and coordinated towards the conclusion of bilateral and multilateral social security agreements, it is fair to award MIGSEC very high marks on effectiveness in reaching out to the indirect beneficiaries, i.e. government officials and representatives of employers' and workers' organizations who participated in capacity building training programmes, attended workshops, had hands-on training in drafting agreements, etc.

But then, because of the technical point in the fact that none of the beneficiary countries actually signed a bilateral or multilateral social security agreement, it cannot be said that MIGSEC helped enhance the social security coverage of migrant workers and their families, and so was not able to reach out to its direct beneficiaries. But nonetheless, MIGSEC was able to make the lack of protection visible. A fair balance between the 2 results will be to say that MIGSEC was 50% effective with regard to the second level of effectiveness. ***Then, for want of a fairer way of assessing the overall effectiveness of MIGSEC, we strike a mathematical average placing MIGSEC at 70% overall effectiveness.***

4.4 Resource Efficiency and Results Based Management

4.4.1 Resource Efficiency

Resource efficiency is an objective measure of how quantitatively and qualitatively well project inputs — i.e. money, human resource, material items, and time — available have been converted into outputs/results of the project via project activities. If the old adage “Time is money” is anything to go by, then the overall time-efficient execution of the project is critical to the project’s resource efficiency.

The key words here are the quantity and quality delivery of project outputs in relation to the monetary, managerial, material and time resources spent to attain them. And everything boils down to money, and since unit cost auditing is outside the scope of the evaluation assignment, the evaluator only looked out for any evidence of the economical (or extravagant) application of project resources. The evaluator’s observation, starting right from the contract negotiations, through ticket reservation, to the office settings of the project in Addis Ababa, is that MIGSEC management had a thrifty disposition— managed project resources cautiously to avoid waste.

Besides, a perusal of the “Project Financial Report for Biennium 2010 – 11” which contains the expenditure details of MIGSEC for the period in question did not give the evaluator any cause for concern.

The evaluator therefore has reasonable grounds to conclude that MIGSEC was resource efficient.

4.4.2 Results Based Management

The core management team of MIGSEC was made up of 3 officers, namely: the Chief Technical Advisor (CTA) and the International Migration and Social Security Expert based at the ILO Regional Office for Africa in Addis Ababa, and one migration specialist providing technical and administrative backstopping from the Migration Department in Geneva. The MIGRANT representative functioned more or less as the desk officer responsible for MIGSEC in Geneva.

The first CTA left after about 2 years of project implementation. The present CTA has a long experience working at the German Federal Ministry of Labour and Social Affairs in the capacity of Director in charge of the Department of European Employment and Social Policy. During his long service to his native country, he contributed immensely to the campaign for equal treatment of migrant workers and EU nationals with regard to social security rights. That campaign is now beginning to yield dividends, as the EU Parliament in December 2011 passed the “Single Permit” Directive, directing EU Member countries to, within 2 years, adapt their individual national laws to guarantee that legally employed migrant workers enjoy the same rights as EU-nationals with regard to conditions of work, including social security rights and the right to the transferability of pensions to the migrant workers’ countries of origin, or, for that matter any third country where the pension beneficiary chooses to live after attaining pensionable age. This means that all those EU Member States, which were exporting the pensions only to their nationals, now have to export the pensions also to the TCN. This will affect thousands of migrant

workers who returned or will return to their country of origin.

Finding: *MIGSEC was very successful in helping secure the acquired rights of TCN who returned or will return to their country of origin.*

The migration Expert, was engaged on the project much earlier than his senior counterpart, the CTA, but not from the beginning of the project. He demonstrates deep knowledge about the activities, results and constraints of the project. His designation is “International Migration and Social Protection Specialist” But in terms of job function, he is more like the “Project Management and Implementation Officer”.

Finding: *The Project Officer holds a Diploma in Project Management and a Master of Science Degree in Economics from the University of Connecticut, USA, as well as a Diploma at Law and Administration from the “Ecole Nationale d’Administration et de Magistrature”, Dakar, Senegal and a certificate on Actuarial Practice in Social Security at Maastricht University. Before joining MIGSEC, for 8 consecutive years he was the National Coordinator of an ILO Social Protection Extension Programme (STEP) in Dakar.*

Conclusions: *The key MIGSEC field implementation officers, the CTA, the Migration and Social Protection Specialist and the technical and administrative backstopping officer from International Migration Program (MIGRANT) showed enthusiasm, resilience and deep knowledge about the project and expressed keen interest in the evaluation findings, in an apparent readiness to learn from the Pilot Phase of MIGSEC and move on to an extended/second phase of the project.*

Phase-II of MIGSEC will require the services of a second project officer, preferably, with a good background in trade unionism and collective bargaining to take up some of the extensive travelling involved in managing the project, and to focus on the integration of migrant workers in the Labour Unions of host countries. This is one of the surest ways of ensuring that migrant workers’ social security rights are protected, not just on paper, but in practice

4.5 Effectiveness of Management Arrangements

4.5.1 Project Approach

MIGSEC’s strategic approach involved working with government and social security institutions, in consultation with the social partners, to map out national and regional strategies to extend social security coverage to male and female migrant workers and their families. And the implementation of MIGSEC took place in different countries under the coordinating role of the project management team based in Addis Ababa, and under the technical direction of the ILO’s International Migration Programme (MIGRANT) and ILO’s Social Security Department (SECSOC) in Geneva. The places where some key project activities took place include the ILO International Training Centre in Turin, Italy, where the capacity building training programme for English-speaking stakeholders took place; the EAC Secretariat in Arusha, Tanzania, from where

all the MIGSEC-EAC collaborative activities were planned and coordinated; and Dakar, Senegal, where all the Francophone social security policy makers and administrators had their capacity building training programme. The project's implementation environment was thus international, and project activities were developed in consultation with regional social security associations: CIPRES (Conférence Interafricaine de la Prévoyance Sociale), ECASSA (East and Central Africa Social Security Association).

4.5.2 Coordination and not Harmonization

The guiding principle for MIGSEC is coordination and not harmonization of the conditions for entitlement to social security benefits in the partner countries. Each partner country in a social security protection agreement is free to determine the conditions of entitlement under its laws, provided there is no direct or indirect discrimination against the nationals of another partner state. Social security coordination could be achieved through bilateral or multilateral agreements. It must however be noted that in the EAC treaty harmonization is foreseen, and coordination can in this context be seen as a first step in the direction of harmonization.

The underlying principles of social security coordination are:

4.2.3.1 Equality of Treatment. That is to say migrant workers have the same rights and obligations as nationals. It is also referred to variously as the principle of equal treatment or non-discrimination.

4.2.3.2 Application of one legislation. This principle seeks to ensure that a worker employed in the territory of a Partner State shall, with respect to that employment, be subject only to the legislation of that Partner State. This is to eschew the situation whereby a worker is entitled to double claims or is required to make double payments.

4.2.3.3 The principle of totalizing contribution periods allows the beneficiary to add up his/her coverage periods in two different countries in order to qualify for pension and other social security benefits if necessary.

4.2.3.4 The Export of benefits Principle means that cash social security benefits should be transferred from the country of entitlement to the country where the beneficiary chooses to live after acquiring the benefits.

4.5.3 Reporting Structure and Requirements

Even though no reporting structure and requirements were elaborated in the project document, a study of the reports and internal correspondences suggests that reports generated by project staff are directed to the Director, Regional Office, Addis Ababa with copies to the relevant departments, including MIGRANT in Geneva. Biennium financial reports including the MIGSEC budgetary allocations and expenditure details are generated in Geneva with inputs from Addis Ababa.

Findings:

1. *No quarterly narrative, or annual financial reports were observed by the evaluator, and only one narrative report covering the period 1st October, 2008 to 31st December, 2009 was seen.*
2. *The Biennium Financial Reports generated in Geneva are coded with abbreviations that the project management in Addis Ababa can hardly understand.*
3. *The probable reason for the absence of an elaborate reporting system is that the project is RBSA-funded and the policy governing RBSA funding is to reduce transaction costs by reducing the administrative and reporting requirements that are usually associated with earmarked funding.*

Conclusion/Recommendation: *The RBSA-funding notwithstanding, MIGSEC's reporting system should have been more structured than it turned out to be. A well structured reporting system is good for several reasons other than meeting the reporting requirements of the donor(s). For instance, quarterly narrative reports generated by the project management team are critically important for the effective internal monitoring and evaluation of project implementation progress. It is therefore recommended that future RBSA-funded projects take into account the need for quarterly narrative reporting for internal consumption.*

Generating basic quarterly narrative reports on project implementation should not require more time input than the routine time input of the project management team, and would not take more stationery and logistical inputs than available for project implementation. Clearly therefore, there is no significant economy in avoiding quarterly narrative reports. Besides, the internal monitoring and evaluation significance of such reports far outweigh the savings in not having them.

4.5.4 Mid-Term Evaluation Report

Apparently no mid-term evaluation of MIGSEC was carried out. The closest that project management came to getting a mid-term evaluation carried out was an internally written report entitled "Progress Report MIGSEC" and also variously referred to as MIGSEC Narrative Report – Draft4, covering the first 15 months of project implementation (i.e. 1st October, 2008 to 31st December, 2009). This report was internally generated to serve as a mid-term progress report and it was in 2 parts: Part-1 sought to deal with MIGSEC's "Overall contribution to Decent Work Outcomes" and part-2 looked at the "Status of implementation of outputs and activities"

Findings: *the mid-term progress report did a good job citing concrete country experiences to drive home the complementary role MIGSEC played to enhance the results of the Decent Work Country Programmes (DWCP). The report also stated clearly the level of achievement of MIGSEC's stated outputs and outcomes. But it failed to identify any implementation challenges and suggest ways of overcoming them; and that was where the progress report fell short of passing for a mid-term project evaluation report.*

Conclusions: *MIGSEC by design was a good project with very ambitious but realistic targets and a wide geographical coverage. It was also the first of its kind, and so quite clearly needed to have been given the benefit of learning from the findings of a mid-term evaluation conducted by an independent evaluator midway into project implementation.*

4.5.5 Project Implementation/Management Constraints

4.5.4.1 Procedural Delays in the ILO System:

The ILO's procedural requirements within the regional office in Addis Ababa and between Addis and Geneva were sometimes long winding, resulting in delays in the approval of project activities and the release of project funds.

4.5.4.2 Political Interference.

Political expediency sometimes unduly interfered with the work of MIGSEC in the project countries. A case in point is that MIGSEC facilitated the preparation of a draft social security agreement for Mauritius to negotiate bilateral agreements with France, UK and Canada in March 2010. Mauritius was very enthusiastic about the negotiations, but soon after the draft agreement was ready, there were general elections and a change of government in Mauritius, resulting in the indefinite suspension of the initiative.

4.5.4.3 Geographical/Demographical Challenges

MIGSEC spread itself thinly over practically the entire African continent with the attendant geographical and demographic challenges, including long travel distances (e.g. the flight from Addis to Dakar is nearly 10 hours), as well as cultural and language differences and barriers that inhibit the sharing of experiences amongst project countries.

4.5.4.4 Policy differences between countries often hampered the smooth implementation and the effective management of MIGSEC sponsored initiatives. A case in point is that MIGSEC offered to facilitate bilateral social security talks between Senegal and Spain, but the negotiations failed to advance to their logical conclusion, because Spain did not want health insurance included for the simple reason that health insurance in Spain is tax and not social security based. Senegal insisted health insurance must be included, and so no agreement could be reached.

4.6 Project Impact and Sustainability

4.6.1 Project Impact

Project impact is the totality of the intended and unintended; direct and indirect; positive and negative changes in the technical, socio-economic, institutional and environmental conditions of the project community as a direct consequence of the project's activities and results. It is indeed the extent to which the overall developmental goal of the project has been achieved. Project impact is usually measured in an Ex-post, and not Final/Terminal Evaluation, 4 to 5 years after project completion. An interesting impact to measure about MIGSEC would be the effect of extended social security coverage on the living standards of African migrant workers and their families. But we are not there yet!

4.6.2 Sustainability

Project sustainability is concerned with assessing the likelihood/chances that project benefits will continue to be available after its completion. This is done by examining the technical, institutional, financial and managerial capacities, strengths and commitment of stakeholder-Governments, Institutions, Communities or Groups to maintain the benefits, equipment and facilities delivered by the project. MIGSEC dealt directly with the 3 constituents of ILO's tripartite partnership approach, with the governments of the project countries in the driver's seat. The question of sustainability is therefore not very much of a concern, as the government institutions and officials whose capacities have been enhanced to handle social security matters will continue to use the knowledge and negotiating skills acquired to the benefit of their countries. This aspect will be more important in the future when freedom of movement in African region is becoming more, and more visible. The awareness that there is a need for securing the acquired rights of migrant workers is increasing. The ownership will increase.

So it is very important to have at the ILO regional office level the services of a specialist on coordination of social security systems. This is one of the surest ways of ensuring that African migrant workers' social security rights are protected in practice.

5.0 LESSONS LEARNT

Some of the practical lessons learnt from the MIGSEC experience include the following:

1. The ILO is the only United Nations Agency with a constitutional mandate to protect migrant workers. And it has been dealing with labour migration issues since its inception in 1919. The ILO adopts a rights-based approach to labour migration and promotes tripartite participation in migration policy. But in Africa all of that was happening only on paper for a very long time. So MIGSEC is a bold step forward in the right direction.

2. Although social security is an accepted basic human right, migrant workers, particularly from Africa, are unduly exposed to the risk of losing out on social security coverage. Drawing lessons from the MICSEC experience, it is clear that it will take a concerted and sustained long-term effort by African countries in collaboration with the ILO to solve the problem of social security coverage.

3. In recent times, female migration is on the increase almost leveling off 50-50 with male migration, and in Africa that brings to the fore the problem of the high vulnerability of female migrants to abuse, including human trafficking for such socially unacceptable practices like child prostitution.

4. A number of ILO Conventions to protect migrant workers including conventions on social security have not been ratified by many African countries due to various national limitations. MIGSEC has demonstrated that one good way to overcome national limitations to the social security rights of migrant workers is to work through, and help strengthen, existing bilateral and multilateral treaties such as EAC, CIPRES, SADC and ECOWAS.

5. Some of the challenges confronting the maintenance of the social security rights of migrant workers are: 1) the commitment of different countries to coordinate their social security systems with systems of other countries (some do not want export benefits abroad, others fear to open their labor market to foreign workers); 2) difficulty in determining the applicable legislation to avoid double payment of benefits and/or double payment of contributions by the migrant worker; 3) the unavailability of mutual administrative assistance to the partner countries (origin and host). ILO is probably the best organization, both in terms of its expertise and mandate on labor issues in general, and its motivational interest in labor migration matters in particular, to play the role of international administrator.

6. Despite the high labour mobility within Africa, only very few bilateral agreements have been ratified among African countries. MIGSEC correctly identified and worked on the need to strengthen the capacity of social security policy makers and administrators to ensure that social security provisions and mechanisms agreed upon adequately match the priority needs and social context of beneficiary migrant workers and their families.

7. Quite a few multilateral conventions exist in Africa, but member countries have not implemented the relevant clauses of these conventions because there are no direct

incentive packages for doing so.

8. MIGSEC is an ILO practical attempt in Africa to give meaning to the ILO Conventions 118 and 157, respectively on Equality of Treatment (Social security) 1962; and Maintenance of Social Security Rights, 1982 for the Protection of the Rights of All Migrant Workers and Their Families. And considering the intricate socio-economic-political challenges in altering the legislations of countries to provide for the protection of migrant workers' social security rights, it is overly ambitious to expect that MIGSEC could have achieved more within the time space of 3 years.

9. The main limiting factor with voluntary insurance as a means of extending social security coverage to African migrant workers is the fact that the contributors, who are mainly self-employed in the informal sector, have to pay the entire contribution by themselves, as they do not have the benefit of employer's contribution, and that tends to discourage most voluntary contributors.

10. The coordination of social security negotiations is a very technical thing indeed, and there were not enough practical experiences to draw lessons from in the African context. CIPRES is probably the longest attempt at coordination of social security systems in Africa, but CIPRES has not, itself, achieved much to be emulated in the area of extending social security coverage to migrant workers and their families.

11. The ILO worked closely with ECASSA (East and Central African Social Security Association); and both entities turned out to be very important partners in the implementation of the project, especially in the EAC region.

12. Considering the small proportions of people working in the formal economy in most African countries, MICSEC realized the need to investigate and develop alternative approaches for extending the social security coverage of migrant workers and their families. The lesson learnt from the studies conducted under MIGSEC's sponsorship is that community based initiatives are important alternative sources of social protection.

6.0 Conclusions and Recommendation

6.1 Conclusions

Project Relevance and Strategic Fit

6.1.1 MIGSEC was very relevant to the policies and efforts of the EAC countries towards enhancing social security coverage in their Community. Considerable collaborative work was also done with CIPRESS, particularly, in Senegal and Mali in the area of capacity building and preparing draft social security agreements. The same cannot, however, be said about ECOWAS, as there has been practically no direct collaborative work between MIGSEC and ECOWAS. MIGSEC Management explained the reason was because ECOWAS was not quite responsive to initial contacts made by MIGSEC. SADC, on the contrary, showed keen interest in tapping the resourcefulness of MIGSEC to address social security coverage challenges amongst its member states.

6.1.2 MIGSEC's outcomes are directly linked to the achievement of the Decent Work Agenda for Africa, which acknowledges that social protection is a powerful instrument to reduce poverty and improve people's lives. MIGSEC was, therefore, not just only relevant to the Decent Work Agenda in Africa, but, indeed, served as a vehicle for the realization of the African Agenda.

6.1.3 Some key areas of work in developing countries may not attract the required donor interest. It is therefore important to have supplementary funds available, such as RBSA-funds, to fill gaps in these areas and countries so that the ILO can move important agendas forward in response to areas of dire need for ILO's intervention. This was most probably the case when it became imperative to do something about the social security problems of African migrant workers. So the ILO responded with MIGSEC funded by RBSA-funds provided by Germany. Without the innovative RBSA-funding concept, MIGSEC would, probably, not have seen the light of day.

Logical Framework

6.1.4 The activity line-up was in all cases relevant to the attainment of the target output, and the outputs in their turn were mostly relevant to the attainment of the set outcomes. Then the project outcomes worked together to attain the development objective or project purpose "To improve national and regional strategies for the extension of social security coverage to African migrants and their families" Therefore, the practical logical linkage from MIGSEC's activities, outputs, outcomes through to its purpose as formulated and implemented was perfect. But the absence of objectively verifiable indicators was not good enough for monitoring and evaluation purposes. Admittedly, it is sometimes difficult to identify quantitative and qualitative indicators at the project conceptualization and design stage. In the case of MIGSEC, however, the mid-term review process provided a good opportunity for developing some attainable indicators, but that opportunity was not utilized.

Project Progress and Effectiveness

6.1.5 MIGSEC remarkably succeeded in achieving about 90% of the planned project

outcomes, outputs and activities. The few unachieved outputs and activities were mainly due to inactivity or non-responsiveness on the part of the project countries, or due to constraints within their domain. MIGSEC creditably performed their duty of providing the technical assistance required facilitating social security agreements, and the responsibility rested upon the project countries to decide if they want to conclude social security agreements.

6.1.6 It is fair to conclude that MIGSEC was very effectiveness in reaching out to its indirect beneficiaries, i.e. government officials and representatives of employers' and workers' organizations who participated in capacity building training programmes, attended workshops, had hands-on training in drafting agreements, etc. However, because no bilateral or multilateral social security agreements were actually signed and put into force, it cannot be said that MIGSEC equally succeeded in reaching out to its direct beneficiaries, i.e. migrant African workers and their families.

Resource Efficiency

6.1.7 Starting from the contract negotiations, through ticket reservation, to the office settings of the project in Addis Ababa, it is tenable to conclude that the management of MIGSEC managed project resources cautiously to avoid waste. The expenditure details of MIGSEC as captured in the "Project Financial Report for Biennium 2010 – 11" did not give the evaluator any cause for concern with regard to management of the financial resource of the project.

Project Management

6.1.8 The two key MIGSEC field implementation officers, the CTA and the Migration and Social Protection Specialist, showed enthusiasm, resilience and deep knowledge about the project and expressed keen interest in the evaluation findings, in an apparent readiness to learn from the Pilot Phase of MIGSEC and move on to an extended/second phase of the project.

6.1.9 A second phase of MIGSEC will require the services of a second project officer, preferably, with a good background in trade unionism and collective bargaining to take up some of the extensive travelling involved in managing the project, and also to focus on the integration of migrant workers in the Labour Unions of host countries. That will go a long way to help ensure that migrant workers' social security rights are protected in practice.

Reporting System

6.1.10 The RBSA-funding notwithstanding, MIGSEC's reporting system should have been more structured than it turned out to be. A well structured reporting system is good for several reasons other than meeting the reporting requirements of the donor(s). For instance, quarterly progress reports generated by the project management team are critically important for the effective internal monitoring and evaluation of project implementation. It is therefore recommended that future RBSA-funded projects take into account the need for quarterly narrative reporting for internal consumption.

6.1.11 Generating basic quarterly narrative reports on project implementation should not require more time input than the routine time input of the project management team, and would not take more stationery and logistical inputs than available for project implementation. Clearly therefore, there is no significant economy in avoiding quarterly narrative reports. Besides, the internal monitoring and evaluation significance of such reports far outweigh the savings in not having them.

6.1.12 The mid-term progress report did a good job citing concrete country experiences to drive home the complementary role MIGSEC played to enhance the results of the Decent Work Country Programmes (DWCP). The report also stated clearly the level of achievement of MIGSEC's stated outputs and outcomes. But it failed to identify any implementation challenges and suggest ways of overcoming them; and that was where the progress report fell short of passing for a mid-term project evaluation report.

Capacity Building

6.1.13 MIGSEC's training programmes brought together senior officials from the sector ministries and social security institutions as well as representatives of employers' and workers' organizations of the project countries. The Anglophone countries met in Turin, Italy, whilst their Francophone counterparts went to Dakar, Senegal. The experts' training programmes helped strengthen the capacity of tripartite partners in Africa to plan, develop, and implement specific measures to extend social security coverage of migrant workers and their families based on international standards and good practices in the context of regional integration and development.

6.1.14 Action plans prepared and presented by participants at the training programmes and the expression of national priorities during subsequent missions constituted useful guidelines for MIGSEC's implementation, as the project refocused on countries that were more in a position to define their national strategy for the extension of social security to migrant workers and their families.

The Overall Picture

6.1.15 MIGSEC by its design was a good project with very ambitious but realistic targets and a wide geographical coverage. It was also the first of its kind, and so quite clearly needed to have been given the benefit of learning from the findings of a mid-term evaluation conducted by an independent evaluator midway into project implementation.

6.1.16 MIGSEC created a strong awareness, amongst the recipient governments, of the plight of African migrant workers, both within and outside Africa.

6.1.17 In recent times, female migration is on the increase almost leveling off 50-50 with male migration, and in Africa that brings to the fore the problem of the high vulnerability of female migrants to abuse, including human trafficking for such socially unacceptable practices like child prostitution.

6.1.18 On the whole, the evaluation exercise was successful, as the evaluator had the full co-operation of the Evaluations Unit and the Project Management Team in Addis.

Despite initial arrangement failures in Dakar, the field visit to Senegal was also successful.

6.2 Recommendations

6.2.1 MIGSEC did a good job building the required knowledge base, enhancing the capacities of social security administrators and policy makers, creating general awareness on migration and social security coverage, and, indeed, kick-started the processes leading to the conclusion of bilateral and multilateral social security agreements in Africa. It is therefore strongly recommended that MIGSEC Phase-II be sponsored and implemented to consolidate the gains of the Pilot Phase.

6.2.2 MIGSEC Phase-II should zero in on the countries and economic communities that showed real optimism and determination to conclude bilateral and multilateral social security agreements; see them through the signing of social security agreements; and play the role of coordinator and international administrator of the operating agreements for at least the first 3 years of the coming into force of the bilateral and/or multilateral social security agreements.

6.2.3 A second phase of MIGSEC will require the services of a second project officer, preferably, with a good background in trade unionism and collective bargaining to take up some of the extensive travelling involved in managing the project, and also to focus on the integration of migrant workers into the Labour Unions of the host countries. This is one of the surest ways of ensuring that migrant workers' social security rights are protected, not just on paper, but in practice.

6.2.4 A potent alternative to the multiplicity of bilateral agreements is the establishment of sub-regional social security conventions. Such conventions have not been incorporated into the national laws of the member states, probably due to the absence of direct incentive packages. Incentive packages such as the payment of a proportion of the migrant worker's benefits to the country of origin may have to be introduced.

6.2.5 The campaign for equal treatment of migrant workers and EU nationals has yielded positive results at long last. The EU Parliament and the EU-Council in December 2011 passed the "Single Permit" Directive, directing EU Member countries to, within 2 years, adapt their individual national laws to guarantee equal treatment of legally employed migrant workers as EU nationals, with regard to conditions of work, social security rights, including the right to have their pensions transferred to the migrant workers' countries of origin. The ILO is urged to seize the opportunity that this new European law offers to encourage and support African countries go into bilateral and multilateral social security agreements with the EU.

6.2.6 A detailed logical framework (or project planning matrix) is an integral component part of a well planned project, as it justifies resource allocation by showing the linkages between project activities, outputs and outcomes. It facilitates monitoring and evaluation

during project implementation, and comes in handy during final/terminal project evaluation. Therefore, more attention should be paid to the development of a good logical framework in the planning of future projects.

6.2.7 RBSA-funding is an innovative way of funding projects started by the ILO in 2008. It is flexible in many ways including the relaxed reporting requirement. This probably explains why there was no narrative quarterly reporting under MIGSEC. Such reports are very important for project monitoring and evaluation purposes, and the benefit in having quarterly narrative reports during project implementation far out weighs the savings in not having them. It is therefore recommended that all future RBSA-funded projects should provide for quarterly narrative reporting for ILO's internal consumption.

6.2.8 Throughout its implementation, MIGSEC had the benefit of working with, and must be keeping the names of many different experts and consultants, but the project is probably yet to compile them into a database. It is strongly recommended that MIGSEC creates a database of African experts on social security and migration before June 2012, when the project formally comes to an end. As MIGSEC does not have its own Website, the database could be posted on the Website of ILO-Migrant.

Appendices

Appendix 1: Selected References

REPORT TITLE	DATE	AUTHER
1. MIGSEC Project Document		ILO
2. Provisions of protocol dealing with social security and related concepts		EAC, Arusha, Tanzania
3. Mission Report	23-4-10	Edward Tamagno and Aly Cisse
4. Mission Report	18-6-10	Edward Tamagno
5. Report on the technical meeting of social security experts within the EAC common market. Kampala, Uganda	June 2010	EAC Secretariat
6. Report of the technical meeting of experts on the development of the Social Security Annex of the EAC common market protocol	June 2010	EAC Secretariat
7. Report of the technical meeting of social security experts on the finalization of the draft council directive for the coordination of social security benefits within the EAC common market. Niarobi, Kenya	January 2011	EAC Secretariat
8. 22 nd Meeting of the Council of Ministers — Session of the Coordinating Committee	April 2011	EAC Secretariat
9. Etat d'avancement du projet "Faisabilite de la mobilisation de ressources des migrant pour developper la micro assurance de santé au Senegal"	May 2011	Alain Letourmy, Consultant
10. Report on the technical meeting of social security experts to discuss the way forward on the coordination of social security benefits within the EAC common market. Arusha, Tazania	June 2011	EAC Secretariat

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11. Project financial report for the Biennium 2010-2011	16-12-11	ILO Head Office
12. Presentation on the profile of social security system in Ghana	5-5-2011	Sam. O. Archer and Florence. A. Oku
13. Strengthening social protection for African migrant workers through social security agreements background report prepared for the extension of social security coverage to African migrant workers(MIGSEC Project)	19-01-10	Warren McGillivray
14. Protection sociale des travailleurs migrants senegalais et leurs familles	17-12-09	Cheikh Tidiane Tounkara
15. Faisabilité du montage d'une micro assurance de santé dans la région de Matam au Sénégal, avec la contribution de la diaspora Sénégalaise en France	July 2011	Allain Letourmy
16. Synthesis report on South African social security benefits for workers from Lesotho, Mozambique, Swaziland, and Zimbabwe, and their survivors: Deficiencies, Challenges, and suggested approaches	November 2010	Prof. Marius Olivier
17. CIPRES Convention on social security		CIPRES Secretariat

Appendix 2: List of Persons Contacted:

Extending Social Security to African Migrant Workers and their Families

Name	Designation/ Contact	Date and Place
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Dr. Samuel O. Archer	Director PPME Ministry of Employment and Social Welfare Accra, Ghana Tel: +233 242 028 423	16/12/2011 Accra

Appendix 3: Terms of Reference



Terms of Reference
Final Evaluation of Project Extending Social Security to African Migrant Workers and their Families

- **Project Titles:** Extending Social Security to African Migrant Workers and their Families RAF/08/02/RBS
- **Type of Evaluation:** Final
- **Country(ies):**
- **Project duration:** October 2008- December 2011.
- **Administrative Unit:** ILO Regional Office for Africa
- **Source of Fund:** RBSA
- **Donor:** Government of the Federal Republic of Germany
- **Project budget:** 2.2 million EUR
- **Technical Unit:**
- **Evaluation Manager:** Mr. Gugsu Yimer Farice
- **Evaluation dates:** 14 November 2011 to 23 December 2011
- **Evaluation Team:** To be added
- **Date Evaluation Completed:** To be added
- **Key Words:** Social Security; coordination of social security systems, migrant workers; labour migration; voluntary insurance schemes; legislation; employment;

Introduction and rationale for evaluation

The ILO plans to conduct an independent final evaluation of the project “Extending

social security to African migrant workers and their families” (hereafter referred to as *RBSA Germany Program*)

The terms of reference for the evaluation have been prepared in line with the ILO’s guidelines in the 2006 ILO PARDEV Technical Cooperation Manual Version 1 and the ILO’s evaluation framework, endorsed by the Governing Body in November 2005 (GB.294/PFA/8). The project evaluation will address the extent to which the project objectives have been met and also try to assess how the project outcomes have contributed to the overall ILO’s P&B strategic objectives and the DWCP priorities. MIGSEC directly supports Intermediate Outcome 3c of the *Programme and Budget for the Biennium 2008-09 and outcome 7 of the Biennium 2010-11*.

The corresponding operational strategic objectives for the biennia are as follows:

- Outcome 3c of the P&B for the Biennium 2008-09: (‘Increase member State capacity to develop policies and programmes focused on the protection of migrant workers’)
- Outcome 7 of the *Programme and Budget for the Biennium 2010-11* (‘More migrant workers are protected and more migrant workers have access to productive employment and decent work’).

Although the project was expected to cover three years (2008-10), it was extended for one additional year. The RBSA agreement between the ILO and the Federal Republic of Germany was signed on 18 March 2008 and the project started in October 2008 with the recruitment of international staff.

An interim narrative report of the first phase (October 2008 - November 2009) of the project was carried out in November 2009. The final evaluation of the project is scheduled for October - November 2011.

Background and context

Social security is a basic human right enshrined in major international instruments such as the *Universal Declaration of Human Rights* (1948), the *International Covenant on Economic, Social and Cultural Rights* (1966), and the *International Convention on the Protection of the Rights of All Migrant Workers and Their Families* (1990). However, due to their particular circumstances, especially the length of their periods of employment and residence, migrant workers are often prevented from obtaining coverage by social security schemes. They risk the loss of entitlement to social security benefits in their country of origin due to their absence, and may at the same time encounter restrictive conditions under the social security system of the host country. Although these barriers to social security coverage are faced to varying degrees by migrant workers worldwide, they are especially acute for African migrant workers.

In 2001 the International Labour Conference (ILC), in its General Discussion on Social Security, re-affirmed the commitment of the International Labour Office (ILO) to extend social security coverage for all. In 2004, the ILC, in its General Discussion on Migrant

Workers, identified, as one of a range of urgently needed actions, specific measures to protect the social security rights of migrant workers.

In most countries in Africa, as elsewhere in the world, migrant workers may not be entitled to the same benefits as nationals even if they work in the formal economy. In promoting circular migration, specific mechanisms need to be implemented to guarantee that temporary migrant workers are not excluded from social security schemes. Temporary migrant workers may be covered either in their origin country or in the destination country. In fact, only in some cases the social security coverage of seasonal workers, posted workers and other temporary migrants is maintained in the country of origin. Also, even when temporary migrant workers are covered during their employment period by the host social security system, their non-resident dependents often remain excluded inter alia from family benefits, as well as health care provisions, usually provided to residents or Nationals of the destination country. This situation impacts on the organization of the family and shared responsibilities between men and women within the left behind household. In addition, female migration, counting for almost half of the migration flows, faces specific vulnerabilities and higher risks of abuse and human trafficking.

Migrant workers risk losing their entitlements to social security benefits while returning to their country of origin. This situation is particularly true for seasonal or temporary migrants who neither accumulate the minimum required contribution period which entitles them to old age, survivors', invalidity or unemployment benefits in the destination country nor continue to be insured in the country of origin. While promoting circular migration schemes, specific mechanisms are required to guarantee that migrant workers (men and women), permanent and temporary, are not excluded from social security schemes.

An International legal framework has been set up for the protection of migrant workers with specific instruments: (C97 – Convention on Migration for employment, C143 – Migrant workers Convention). Beyond the specific ILO Conventions to protect Migrant workers additional instruments are directly related to migrant workers' social security and promote equal treatment between Nationals and Non-Nationals and maintenance of social security rights, acquired and in course of acquisition. The specific related instruments are the *C19 Equality of Treatment (Accident Compensation) Convention, 1925*; *C118 Equality of Treatment (Social Security) Convention, 1962*; *C48 (Shelved) Maintenance of Migrants' Pension Rights Convention, 1935*; *C157 Maintenance of Social Security Rights Convention, 1982* and its *R167 Maintenance of Social Security Rights Recommendation, 1983*. Without touching the essential content of national laws, the principal objective of ILO Conventions in this field is coordination: the bilateral and multilateral agreements supplement the national regulations and overcome the national limitations by the creation of links between several national schemes.

Also, one of the most efficient measures to ensure maintenance of acquired social security rights or in course of acquisition for migrant workers (men and women) and their families is through the conclusion of bilateral or multilateral social security agreements

between migrants' host and origin countries. Any instruments to assure social security rights for migrant workers bilateral or multilateral agreements should respect ILO's basic principles: reciprocity, equality of treatment between nationals and non-nationals, determination of applicable legislation¹, maintenance of acquired rights, provision of benefits abroad, maintenance of rights in course of acquisition (totalizing), provisions of the benefits outside of the country of employment, mutual administrative assistance². These agreements while promoting the coordination between different social security schemes guarantee the accumulation of periods and the portability of benefits.

Nevertheless, despite high labour mobility within Africa, only very few bilateral agreements were ratified among African States: Senegal has signed an agreement with Mali and Mauritania, and Tunisia with Algeria, Libya and Morocco. Therefore it appears relevant to promote the conclusion of bilateral agreements within African countries and between Africa and main extra-continental destination countries. The preparation and implementation of bilateral social security agreements will also require strengthening the capacity of social security policy makers and administrators in Africa in order to guarantee that the agreed provisions and mechanisms fully match the priority and social context of the migrant workers (men and women) and their families.

At the regional level, a more efficient alternative to the multiplication of bilateral agreements would be the establishment of sub-regional social security conventions. In Africa, several sub-regional social security conventions were adopted. In 1971, the social security convention of the Afro-Malagasy Common Organization (OCAM) was ratified by seven out of the fifteen OCAM countries (DRC (Zaire), Benin (Dahomey), Burkina Faso (Haute-Volta), Niger, Senegal, Chad, Togo). This agreement covers old age, invalidity and survivors pensions, employment injury benefits and family and maternity benefits. The OCAM was dissolved in 1986 but the seven ratifying countries maintained the social security convention, now monitored by the CIPRES (Conférence Interafricaine de la Prévoyance Sociale). Together with the Protocol on Free Movement of Persons, Right of Residence and Establishment (1979), ECOWAS is also promoting the coordination of the social security schemes among the Members States in order to cover migrant workers. Despite several expert meetings, no measure to enforce the application of the convention in the national laws was approved to date. Besides, in 1978, the Economic Community of Great Lake Countries (Burundi, Rwanda and DRC) ratified a General Social Security Convention covering old age, invalidity and survivors pensions and employment injury benefits. The Treaty for the Establishment of the East Africa Community (1999, Kenya, Tanzania and Uganda) provides for free movement of persons, labour, services, right of establishment and residence. In addition, in their MoU of 2001 the ILO and EAC agreed to jointly promote the extension of coverage of social security, strengthen development and management of schemes and protecting migrant workers. In 2007, Burundi and Rwanda joined the EAC. Furthermore, similar discussions are taking place within the Southern African Development Community (SADC) but no agreement on social security

¹ Determination of applicable legislation: social protection of the migrant workers has to be governed exclusively by a specific law, to avoid double benefits or double obligation to pay social security contributions,

² Mutual administrative assistance: facilitation of administrative arrangements through liaison bodies to ensure smooth coordination

was reached to date. Although social security regional conventions exist in Africa, there is a real need for revitalizing regional process and enforcing agreements.

Where bilateral agreements are not justified because of the low immigrant community from one specific country, a strategy to ensure that circular and temporary migrant workers (men and women) are efficiently covered is to make sure that a social security provision is included in all seasonal or temporary migration programmes or agreements. This provision could include a minimum set of provisions such as the stipulation whether the legislation of the country of origin or the legislation of the destination country applies, the payment of employment injury benefits abroad, health care coverage for the dependents remaining in the country of origin, accumulation of rights in the case that the temporary working permit is renewed in any of the destination countries, reimbursement of the workers' contributions, etc. The package of minimum benefits will be decided according to the priority of each country.

Another possible mechanism to extend the coverage of migrant workers and their families that needs to be assessed is voluntary insurance that could be offered by national social security schemes of origin countries to its migrant workers abroad and their family members.

In Africa the proportion of people working in the formal economy and covered by national social security schemes is very low. Thus, the number of migrant workers that might be covered through a bilateral social security agreement will remain small. In this context, it is important to take into account other strategies to extend the social protection of migrant workers and their families such as community-based approaches. The objective is to assess the feasibility to extend social security coverage to migrant workers and their families notably those left in origin countries through micro assurance initiatives financed by the use of remittances.

Project strategy

The project approach consists in working with the governments and social security institutes, in consultation with the social partners, to map out national and regional strategies to extend social security for migrant workers (men and women) and their families.

Five levels of intervention:

- 1. Promote bilateral social security agreements within African countries and with extra-continental countries**
- 2. Promote the inclusion of social security provisions in labour migration programmes, including temporary and circular migration schemes**
- 3. Reinforce sub-regional conventions on social security**

- 4. Assess the feasibility to offer voluntary insurance schemes to migrant workers abroad**
- 5. Assess the feasibility of extending social security coverage of African migrant workers and their families through community-based approaches**

To achieve its objective, project activities focused on consolidating information, knowledge building on social security and labour migration in the region, building institutional capacities of entities responsible for social security policies and implementing operational measures to offer social security benefits to migrant workers and their families.

Project activities focus mainly on three Regional Economic Communities: the East African Community (Burundi, Kenya, Rwanda, Tanzania and Uganda), the Economic Community for Western African States (ECOWAS) and the SADC (Southern African Development Community).

The selected pilot countries are: Burundi, Kenya, Rwanda, Tanzania, Uganda, Ghana, Senegal, Mali, Mauritania, South Africa, Zambia, Ethiopia and Mauritius.

The project developed its activities in consultation with regional social security associations: CIPRES (Conférence Interafricaine de la Prévoyance Sociale), ECASSA (East and Central Africa Social Security Association).

Major outcomes

- 8.** Build knowledge on migrant workers and their families' social security coverage and on labour migration in Africa.
- 9.** Strengthen institutional capacities for the formulation and implementation of social security strategies to cover African migrant workers and their families, within the overall African labour migration policy set-up;
- 10.** Support the negotiation process of bilateral social security agreements within African countries as well as with extra-continental countries, consistent with the ILO legal instruments on coordination and ILO Multilateral Framework on Labour Migration;
- 11.** Promote the inclusion of social security provisions into existing labour migration programmes and policies in Africa;
- 12.** Revitalize regional mechanisms to effectively prepare, reinforce and ensure the application of regional social security conventions.
- 13.** Assess the feasibility of implementing voluntary insurance schemes for workers employed abroad, consistent with the ILO Conventions and ILO Multilateral Framework on Labour Migration, taking into consideration the social impact of migration on the family and the shared responsibilities between men and women within the left behind household;

14. Assess the possibility to extend social security coverage of African migrant workers and their families through community-based approaches.

The project is implemented through a team of 3 persons combining expertise in labour migration and in social security. The team is located at the Regional Office for Africa, in Addis Ababa (the project CTA and a migration and social security specialist) and at the International Migration Programme at ILO Head Quarters in Geneva (a migration specialist).

The Social Security Department at HQ provided technical support to the project through the designation of a focal point for this project.

The project also received support from Social Security Specialists in ILO African Sub-Regional Offices, International Training Centre of the ILO in Turin and other ILO Units and Offices.

3. Purpose, scope and clients of the evaluation

Purpose:

The purpose of the evaluation is to assess the extent to which the project has achieved its objectives with special focus on its relevance, effectiveness, impact, sustainability and efficiency.

Based on the assessment, the evaluation will also highlight lessons learnt from the project and draw up recommendations on how to better address the social protection of migration workers to meet the constituent needs. The evaluation will also highlight lessons for projects covered by the RBSA funding.

Scope:

The evaluation will cover the full project period from the commencement up to the time of evaluation (October 2008 - November 2011). The evaluation will cover all counties covered by the project.

Key evaluation questions should take into consideration the project's contribution and constraints and difficulties encountered in achieving the project outcomes, with special attention to the following areas:

- Contribution of the project to the overall programme of the International Migration Programme and to migration-related P&B outcomes and indicators;
- Contribution of the project to the Decent Work Agenda for Africa, Regional Decent work Programmes and Decent work country programmes.
- Contribution of the project to promotion of the ILO common principles of action: contributing to a fair globalization, working out of poverty, advancing gender equality, implementing international labour standards, and expanding the influence of social partners, social dialogue and tripartism.

Clients:

The principal clients for this evaluation are: the constituents and project partners in target

countries and regions, the donor (Republic of Germany), ILO project management team, the ILO technical unit at the Regional Office for Africa and Headquarters (International Migration Programme and Soc/Sec Department), ACTRAV, ACTEMP, ILO field offices and ILO technical units which are partners in the project's implementation.

4. Evaluation framework and key issues to be addressed.

The evaluation should address the overall ILO evaluation criteria defined in the *ILO Guidelines for Planning and Managing Project Evaluation*. The following key questions are meant as a guide to the evaluator for information gathering and analysis and related conclusions, recommendations and identify lessons learnt and good practices. The evaluator can modify or drop some questions which may not be of high relevance to the project in consultation with the evaluation manager. Any other information and questions that the evaluator may wish to address may be discussed with the evaluation manager.

A. Relevance and Strategic fit

- How did the project means of action align and support the implementation of the priorities of the ILO International Migration programme and the Social Security Department, especially the implementation of the Plan of Action for Migrant Workers and the application of the ILO Multilateral Framework on Labour Migration?
- How did the project support priorities on migration at the country level, specifically social security for migrant workers and outcomes in the DWCPs of programme countries?
- How well has the project promoted coherence with, and complemented and fitted in with other ILO projects/programmes in the country or countries of intervention and in the region?
- The contribution of the project to national development strategies, PRSPs, UNDAFs, and Joint Assistance Frameworks including 'Delivering as One' through the project?
- What is the contribution of the project to the Decent Work Agenda for Africa (DWAA) Targets and other inter-regional and regional frameworks?

B. Validity of design

- The adequacy of the design process (Was the resulting project design logical and coherent?)
- Do outputs causally link to the intended outcomes that in turn link to the broader development objective?
- Were the immediate project objectives guided by the ILO's global priorities and objectives including the Plan of Action for Migrant Workers? Have they been adapted to respond to the changing environment?
- Considering the results that were achieved, was the project design realistic?
- Did the project design include a strategy for sustainability?)
- Has the project provided for adequate tripartite involvement and consultations in project planning, implementation and monitoring and evaluation?

- How was gender equality mainstreamed in the project?

C. Project progress and effectiveness

- To what extent did the programme achieve its objectives? Have the quantity and quality of the outputs produced so far been satisfactory? Do the benefits accrue equally to men and women?
- What can be identified as areas of success in project interventions? What factors have contributed to this success?
- In which geographic areas have the interventions performing well? • In which areas have the interventions had least success? What have been the contributing/constraining factors and why?
- Are there any unintended results of the project?

D. Efficiency of resource use and application of results based management (RBM)

- Have resources (funds, human resources, time, expertise etc.) been allocated strategically to achieve outcomes?
- Have resources been used efficiently?
- Have the funds and activities been delivered in a timely manner?
- Were the resources allocated adequate to achieve the targets and indicators at national, regional and international levels?

E. Effectiveness of management arrangements

- Was there adequate technical, programmatic, administrative and financial backstopping from project management?
- Was there adequate guidance and support from relevant ILO units in HQ (MIGRANT and SOC/SEC at ILO HQ) and ILO Regional Office for Africa on RBSA programmes implementation procedures?
- Did the project management structure facilitate good results and efficient delivery?
- Was there a clear understanding of roles and responsibility by all parties involved, particularly key stakeholders, country level partners (MIGRANT and SOC/SEC at ILO HQ, Regional Office for Africa, ILO sub-regional and country Offices, and other ILO MIGRANT TC projects)?
- Does the project have a functional monitoring and evaluation systems? How effective was it?
- Did the programme make strategic use of coordination and collaboration with other ILO programmes and with other donors in the country/region to increase its effectiveness and impact?

F. Impact and Sustainability

- What has been the impact of the project at the country and regional levels?

- Can observe changes towards protection of migrant workers (in attitudes, capacities, institutions, laws, polices, procedures etc.) be linked to the project's interventions?
- To what extent were sustainability considerations taken into account in the execution of project activities?
- Has the capacity of implementing partners been sufficiently strengthened to ensure sustainability of achievements beyond the project phase?
- How effective and realistic is the exit strategy of the project?

G. Lessons learned

- What good practices can be learned from the project that can be applied to similar future projects?
- What should have been different, and should be avoided in similar future projects?
- Can the project approach be replicated and scaled up to cover more countries in Africa or elsewhere?

5. Main outputs of the evaluation

The evaluator will prepare the following reports in the course of executing his/her assignment:

1. Inception Report for each component, not more than ten (10) pages, outlining work method, and key questions to answer;
2. An evaluation summary according to the ILO's template for summaries of independent evaluation reports
3. First Draft Report (by December 5, 2011)
4. Final Report incorporating comments (by December 25, 2011) Evaluation summary (according to ILO standard template. See Annex 3) (by December 25, 2011)

The final report should conform to the following outline:

- Cover page with key project data (project title, project number, donor, project start and completion dates, budget, technical area, managing ILO unit, geographical coverage); and evaluation data (type of evaluation, managing ILO unit, start and completion dates of the evaluation mission, name(s) of Evaluator(s), date of submission of Evaluation Report).
- Abstract
- Brief background on the project and its logic
- Purpose, scope and clients of evaluation
- Methodology
- Findings (This section's content should be organized around the TOR questions)
- Lessons Learned and good practices
- Conclusions
- Recommendations (including to whom they are addressed)
- Possible future directions

- Annexes
 - Work schedule and persons interviewed
 - List of project outputs examined
 - Other documents consulted
 - TOR

6. Methodology

The methodology will combine both quantitative and qualitative approaches. The evaluator will collect data from desk review of documents to be available to him/her and verify them with primary data from field visits and interviews. During the process of data gathering, the evaluator will compare, validate and cross validate data of different sources (programme staff, programme implementing partners and beneficiaries) and different methodologies (desk review, site visits and interviews)

Desk review:

Prior to undertaking the field visits, the evaluator will review the following documents:

- Project documents
- All progress reports
- ILO multilateral framework on labour migration and its various translations
- ILO Plan of Action for Migrant Workers
- Programme and Budget Proposals, 2008-09 and 2010-11
- Relevant Decent Work Country Programmes
- Decent Work Country Programme for Africa
- Media reports
- Other key relevant publications, research and policy papers produced under the project, and by MIGRANT and other ILO Units;

Individual interviews with ILO staff and filed/telephone interviews with:

- ILO specialists: MIGRANT, SEC SOC and other relevant HQ Units, CTAs of relevant ILO Projects on labour migration and other staff, Specialists of SROs, Directors of ILO, ILO ACTRAV and ACTEMP, ILO PARDEV, ILO GENDER.
- ILO constituents in target countries during field visits: ;
- Other development partners including staff of international development agencies
- Direct recipients and beneficiaries of the projects at the country level.

Self administered questionnaires to key stakeholders in target countries which cannot be visited due to time and budget constraints as deemed necessary.

Field visits

- Since it is not possible to visit all target countries due to time and budget constraints, two countries will be selected for field visit in consultation with the evaluation manager and the project management. The consultant will also visit the

ILO Regional Office for Africa to meet senior managers and the project management team.

Debriefing

The evaluator will present his preliminary findings and recommendations to the regional office and the project management.

7. Management arrangement, work plan and time frame.

Management arrangements:

Evaluator: The evaluation will be conducted by an external independent evaluator responsible for conducting a participatory and inclusive evaluation process. The external evaluator will produce the evaluation outputs listed above based on the methodology outlined above.

Evaluation Manager

The consultant will report to the evaluation manager (Mr. Gugsu Yimer Farice, farice@ilo.org) and should discuss any technical and methodological matters with the evaluation manager should issues arise. The evaluation will be carried out with full logistical support and services of the project and with the administrative support of the ILO Regional and Country Offices.

Project team: The team will provide logistic and administrative support to the evaluation throughout the process.

- Ensuring project documentations are up to date and easily accessible;
- Provide support to the Evaluator during the evaluation mission.

Work plan & Time Frame

The total duration of the evaluation process is estimated to 30 work days over a 7 week period from 15 November to 25 December 2011. The independent consultant will spend at least 12 working days for field visit.

Evaluation Phases

The evaluation is foreseen to be undertaken in the following main phases and time period aiming for submission of the final evaluation report to the donor no later than 8 July 2011.

Phase	Tasks	Responsible Person	Timing
I	<ul style="list-style-type: none">• Preparation of TOR, consultation with relevant partners and staff	Evaluation manager	1st November
II	<ul style="list-style-type: none">• Identification of independent international evaluator• Entering contracts and preparation of budgets and logistics	Evaluation manager	11 th November
III	<ul style="list-style-type: none">• Telephone briefing with evaluation manager• Desk review of project related documents• Evaluation instrument designed based on desk review	Consultant	14 th - 18 th November
IV	<ul style="list-style-type: none">• Consultations with Project staff/management• Consultations with stakeholders in the field• Consultations with ROAF, ILO DWT/COs HQ Units• Debriefing and presentation of preliminary findings to ILO ROAF and Project management	Consultant	21 st November – 6 th December
V	<ul style="list-style-type: none">• Draft evaluation report based on desk review and consultations from field visits	Consultant	7 th – 14th December
VI	<ul style="list-style-type: none">• Circulate draft evaluation report to key stakeholders• Consolidate comments of stakeholders and send to evaluation team leader	Evaluation manager	Circulate 15 December Deadline for comments 20 Dec.
VII	<ul style="list-style-type: none">• Finalize the report including explanations on if comments were not included	Consultant	21 – 23 December
VIII	<ul style="list-style-type: none">• Approval of report by EVAL	EVAL	26-28 December
IX	<ul style="list-style-type: none">• Official submission to the PARDEV	Evaluation manager	29 December

15. Key qualifications and experience of the Consultant

The **consultant** should have the following qualifications:

- Master degree in Business Management, Economics or related graduate qualifications
- A minimum of 10 years of professional experience specifically in evaluating international development initiatives in the area of employment, labor migration, and management of development programmes, preferably in Africa.
- Proven experience with logical framework approaches and other strategic planning approaches, M&E methods and approaches (including quantitative, qualitative and participatory), information analysis and report writing.

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- Knowledge and experience of the UN System
- Understanding of the development context of Africa would be a clear advantage.
- Excellent communication and interview skills **in English and French**
- Excellent report writing skills.
- Demonstrated ability to deliver quality results within strict deadlines.

Appendix 4: Project Document



“Extending social security to African migrant workers and their families”

*RBSA Germany Program
RAF/08/02/RBS*

1. Background and justification

Social security is a basic human right enshrined in major international instruments such as the *Universal Declaration of Human Rights* (1948), the *International Covenant on Economic, Social and Cultural Rights* (1966), and the *International Convention on the Protection of the Rights of All Migrant Workers and Their Families* (1990). However, due to their particular circumstances, especially the length of their periods of employment and residence, migrant workers are often prevented from obtaining coverage by social security schemes. They risk the loss of entitlement to social security benefits in their country of origin due to their absence, and may at the same time encounter restrictive conditions under the social security system of the host country. Although these barriers to social security coverage are faced to varying degrees by migrant workers worldwide, they are especially acute for African migrant workers.

In 2001 the International Labour Conference (ILC), in its General Discussion on Social Security, re-affirmed the commitment of the International Labour Office (ILO) to extend social security coverage for all. In 2004, the ILC, in its General Discussion on Migrant Workers, identified, as one of a range of urgently needed actions, specific measures to protect the social security rights of migrant workers.

In most countries in Africa, as elsewhere in the world, migrant workers may not be entitled to the same benefits as Nationals even if they work in the formal economy. In promoting circular migration, specific mechanisms need to be implemented to guarantee that temporary migrant workers are not excluded from social security schemes. Temporary migrant workers may be covered either in their origin country or in the destination country. In fact, only in some cases the social security coverage of seasonal workers, posted workers and other temporary migrants is maintained in the country of origin. Also, even when temporary migrant workers are covered during their employment period by the host social security system, their non-resident dependents often remain excluded inter alia from family benefits, as well as health care provisions, usually provided to residents or Nationals of the destination country. This situation impacts on the organization of the family and shared responsibilities between men and women within the left behind household. The restriction in social health insurance for migrant workers and their dependents particularly affects prevention and access to health care for workers and their families affected by HIV/AIDS. In addition, female migration, counting for almost half of the migration flows, faces specific vulnerabilities and higher risks of abuse and human trafficking.

Migrant workers risk losing their entitlements to social security benefits while returning to their country of origin. This situation is particularly true for seasonal or temporary migrants who do neither not accumulate the minimum required contribution period which entitles them to old age,

survivors', invalidity or unemployment benefits in the destination country nor continue to be insured in the country of origin. While promoting circular migration schemes, specific mechanisms are required to guarantee that migrant workers (men and women), permanent and temporary, are not excluded from social security schemes.

An International legal framework has been set up for the protection of migrant workers with specific instruments: (C97 – Convention on Migration for employment, C143 – Migrant workers Convention). Beyond the specific ILO Conventions to protect Migrant workers additional instruments are directly related to migrant workers' social security and promote equal treatment between Nationals and Non-Nationals and maintenance of social security rights, acquired and in course of acquisition. The specific related instruments are the *C19 Equality of Treatment (Accident Compensation) Convention, 1925*; *C118 Equality of Treatment (Social Security) Convention, 1962*; *C48 (Shelved) Maintenance of Migrants' Pension Rights Convention, 1935*; *C157 Maintenance of Social Security Rights Convention, 1982* and its *R167 Maintenance of Social Security Rights Recommendation, 1983*. Without touching the essential content of national laws, the principal objective of ILO Conventions in this field is coordination: the bilateral and multilateral agreements supplement the national regulations and overcome the national limitations by the creation of links between several national schemes.

Also, one of the most efficient measures to ensure maintenance of acquired social security rights or in course of acquisition for migrant workers (men and women) and their families is through the conclusion of bilateral or multilateral social security agreements between migrants' host and origin countries.

Any instruments to assure social security rights for migrant workers bilateral or multilateral agreements should respect ILO's basic principles: Reciprocity; Equality of treatment between Nationals and non-Nationals; Determination of applicable legislation³; Maintenance of acquired rights; Provision of benefits abroad; Maintenance of rights in course of acquisition (totalizing); Provisions of the benefits outside of the country of employment; Mutual administrative assistance⁴.

These agreements while promoting the coordination between different social security schemes guarantee the accumulation of periods and the portability of benefits.

Nevertheless, despite high labour mobility within Africa, only very few bilateral agreements were ratified among African States: Senegal has signed an agreement with Mali and Mauritania, and Tunisia with Algeria, Libya and Morocco. Therefore it appears relevant to promote the conclusion of bilateral agreements within African countries and between Africa and main extra-continental destination countries. The preparation and implementation of bilateral social security agreements will also require strengthening the capacity of social security policy makers and administrators in Africa in order to guarantee that the agreed provisions and mechanisms fully match the priority and social context of the migrant workers (men and women) and their families.

At the regional level, a more efficient alternative to the multiplication of bilateral agreements would be the establishment of sub-regional social security conventions. In Africa, several sub-regional social security conventions were adopted. In 1971, the social security convention of the Afro-Malagasy Common Organization (OCAM) was ratified by seven out of the fifteen OCAM

³ Determination of applicable legislation: social protection of the migrant workers has to be governed exclusively by a specific law, to avoid double benefits or double obligation to pay social security contributions,

⁴ Mutual administrative assistance: facilitation of administrative arrangements through liaison bodies to ensure smooth coordination

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countries (DRC (Zaire), Benin (Dahomey), Burkina Faso (Haute-Volta), Niger, Senegal, Chad, Togo). This agreement covers old age, invalidity and survivors pensions, employment injury benefits and family and maternity benefits. The OCAM was dissolved in 1986 but the seven ratifying countries maintained the social security convention, now monitored by the CIPRES (Conférence Interafricaine de la Prévoyance Sociale). Together with the Protocol on Free Movement of Persons, Right of Residence and Establishment (1979), ECOWAS is also promoting the coordination of the social security schemes among the Members States in order to cover migrant workers. Despite several expert meetings, no measure to enforce the application of the convention in the national laws was approved to date. Beside, in 1978, the Economic Community of Great Lake Countries (Burundi, Rwanda and DRC) ratified a General Social Security Convention covering old age, invalidity and survivors pensions and employment injury benefits. The Treaty for the Establishment of the East Africa Community (1999, Kenya, Tanzania and Uganda) provides for free movement of persons, labour, services, right of establishment and residence. In addition, in their MoU of 2001 the ILO and EAC agreed to jointly promote the extension of coverage of social security, strengthen development and management of schemes and protecting migrant workers. In 2007, Burundi and Rwanda joined the EAC. Furthermore, similar discussions are taking place within the Southern African Development Community (SADC) but no agreement on social security was reached to date. Although social security regional conventions exist in Africa, there is a real need for revitalizing regional process and enforcing agreements.

Where bilateral agreements are not justified because of the low immigrant community from one specific country, a strategy to ensure that circular and temporary migrant workers (men and women) are efficiently covered is to make sure that a social security provision is included in all seasonal or temporary migration programmes or agreements. This provision could include a minimum set of provisions such as the stipulation whether the legislation of the country of origin or the legislation of the destination country applies, the payment of employment injury benefits abroad, health care coverage for the dependents remaining in the country of origin, accumulation of rights in the case that the temporary working permit is renewed in any of the destination countries, reimbursement of the workers' contributions, etc. The package of minimum benefits will be decided according to the priority of each country.

Another possible mechanism to extend the coverage of migrant workers and their families that needs to be assessed is voluntary insurance that could be offered by national social security schemes of origin countries to its migrant workers abroad and their family members.

In Africa the proportion of people working in the formal economy and covered by national social security schemes is very low. Thus, the number of migrant workers that might be covered through a bilateral social security agreement will remain small. In this context, it is important to take into account other strategies to extend the social protection of migrant workers and their families such as community-based approaches. The objective is to assess the feasibility to extend social security coverage to migrant workers and their families notably those left in origin countries through micro assurance initiatives financed by the use of remittances.

The ILO is the only United Nations agency with a constitutional mandate to protect migrant workers. It has been dealing with labour migration issues since its inception in 1919. It has pioneered international Conventions to guide migration policy and protection of migrant workers as well as social security governance. ILO possesses both expertises on social security and labour migration. ILO adopts a rights-based approach to labour migration and promotes tripartite participation in migration policy.

As part of Its Decent Work Agenda the ILO Multilateral Framework on Labour Migration (2005) provides some guidelines for a right-based approach to labour migration: « (9.9) entering into bilateral, regional or multilateral agreements to provide social security coverage and benefits, as well as portability of social security entitlements, to regular migrant workers and, as appropriate, to migrant workers in irregular situation ».

In addition to its cross-cutting expertise and right-based approach, the ILO is the only United Nations agency forging its action on a tripartite dialogue, involving governments, workers' and employers' organisations. Indeed, the social partners defend their own interest in the labour migration process: employers seek for additional labour force not available on the national market; trade unions seek to protect migrant workers (men and women) against exploitation and preserve labour standards. Implication of workers' and employers' representatives as well as of migrant workers' trans-national associations and the civil society is especially important to the development of sound and fair labour migration and social security programmes and their effective implementation.

The Decent Work Agenda in Africa (2007-2015), presented by the ILO Director General at the Eleventh Regional African Meeting, held in Addis Ababa on April 2007, reiterates that “further efforts are required to complete or update, and effectively implement legal labour mobility regimes in regional integration initiatives by harmonizing relevant aspects of labour codes, migration regulations, social security provisions and other legislation. It is also necessary to establish links and coherence among these distinct initiatives given growing migration between African regions.”⁵

Against this background, the ILO Regional Office for Africa in Addis Ababa, in close collaboration with the ILO International Migration Programme and the Social Security Department in Geneva, proposes to develop a large project “*Extension of social security coverage to African migrant workers and their families*” (MIGSEC), with the financial support of the Federal Republic of Germany. The project's overarching objective is to strengthen national and regional strategies for the extension of social security coverage to African migrant workers and their families. The ILO project also proposes to strengthen the regional mechanisms to effectively prepare or reinforce the compliance of regional social security conventions to accompany the regional integration process in Africa.

2. Objective of the project

The objective of the project is to improve national and regional strategies for the extension of social security coverage to African migrant workers and their families.

3. Strategic approach

The project approach consists in working with the governments and social security institutes, in consultation with the social partners, to map out national and regional strategies to extend social security for migrant workers (men and women) and their

⁵ Paragraph 307

families.

Five levels of intervention:

- 6. Promote bilateral social security agreements within African countries and with extra-continental countries**
- 7. Promote the inclusion of social security provisions in labour migration programmes, including temporary and circular migration schemes**
- 8. Reinforce sub-regional conventions on social security**
- 9. Assess the feasibility to offer voluntary insurance schemes to migrant workers abroad**
- 10. Assess the feasibility of extending social security coverage of African migrant workers and their families through community-based approaches**

To achieve its objective, project activities will focus on consolidating information knowledge on social security and labour migration in the region, building institutional capacities of entities responsible for social security policies, implementing operational measures to offer social security benefits to migrant workers and their families.

While formulating strategies to extend social security coverage to migrant workers and their families, capacity building efforts will be simultaneously put in place to enhance the coverage and governance of the existing social security schemes in Africa, in coordination with the QUATRIN AFRICA project.

4. Immediate objectives (outcomes)

The following immediate objectives will serve to achieve the main goal of the project:

- 16. Build knowledge on migrant workers and their families' social security coverage and on labour migration in Africa.**
- 17. Strengthen institutional capacities for the formulation and implementation of social security strategies to cover African migrant workers and their families, within the overall African labour migration policy set-up;**
- 18. Support the negotiation process of bilateral social security agreements within African countries as well as with extra-continental countries, consistent with the ILO legal instruments on coordination and ILO Multilateral Framework on Labour Migration;**

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19. Promote the inclusion of social security provisions into existing labour migration programmes and policies in Africa;
20. Revitalize regional mechanisms to effectively prepare, reinforce and ensure the application of regional social security conventions.
21. Assess the feasibility of implementing voluntary insurance schemes for workers employed abroad, consistent with the ILO Conventions and ILO Multilateral Framework on Labour Migration, taking into consideration the social impact of migration on the family and the shared responsibilities between men and women within the left behind household;
22. Assess the possibility to extend social security coverage of African migrant workers and their families through community-based approaches.

5. Description of the target group and final beneficiaries

The intermediary target groups are policymakers responsible for the preparation and implementation of strategies to extend social security coverage and labour migration, administrators responsible for the preparation, application and monitoring of social security agreements, as well as social partners involved in labour migration and social security issues. The final beneficiaries are the women and men migrant workers and their families.

6. Project outputs and activities

The project will implement the following activities for the achievement of each immediate objective:

A gender sensitive approach will be implemented in each following activity.

Outcome 1: Build knowledge on social security for migrant workers and labour migration in Africa

Output 1.1 A preliminary Report titled "Strengthening social protection for African migrant workers through social security agreements" is available

1.1.1. Draft terms of reference for the report

- Review of available labour migration data, social security schemes and national SS legislations, existing regional protocols, gaps, potential social security schemes coordination, proposed strategies to extend coverage

1.1.2. Identify and recruit a consultant

1.1.3. Revise and comment on the preliminary report

1.1.4. Use the report to define the intervention and strategic approach in each country and sub-regions to extend the social security coverage of African migrant workers and their families.

Output 1.2 Reports that strengthen knowledge on social security coverage of migrant workers in selected countries in Africa and propose strategies to extend SP of migrant workers are available

1.2.1. Draft terms of reference for the 4 reports: (i) Morocco experience with SS Bilateral agreements; (ii) Diagnosis/Policy options and strategic approach to strengthen SP of Senegalese migrant workers; (iii) Analysis of existing multilateral social security instruments in Africa EAC-SADC; iv) Analysis of ECOWAS;

1.2.2. Identify and recruit the consultants

1.2.3. Implementation of the reports

1.2.4. Revise and comment the draft reports

1.2.5. Adapt the format of the reports to produce International Migration Papers

Output 1.3: A book "Extending social security to African migrant workers and their families: Diagnosis, policy options, lessons learned" is published.

1.3.1. Prepare (TORS, recruitment of a consultant)

1.3.2 Implementation of the report, revise the content and publish the book

1.3.3. Translate the book into French language

1.3.4. Dissemination of the research reports/book chapters through the ILO MIGRANT website and during regional events and meetings.

Outcome 2: Strengthen capacities for the formulation and implementation of social security agreements and other policy options to extend the SS coverage of African migrant workers and their families

Output 2.1 A training curriculum on Strengthening the social protection of African migrant workers is developed jointly with the International Training Centre of the ILO (ITCILO)

2.1.1. Proceed to a training needs assessment in regards to social security gaps for migrant workers and their families

2.1.2. Meetings and exchanges with the ITC ILO for the design of the training course

2.1.3. Draft jointly with the ITC ILO the training course methodology and content

- Objective of the Experts' training: Consolidate knowledge on labour migration and strengthen capacities for the preparation, negotiation, application and monitoring of social security strategies for migrant workers, in particular bilateral and multilateral agreements, voluntary insurance funds for workers abroad, on line with the relevant ILO Conventions and introduction on extension of social protection and community based-schemes initiatives.
- Targeted audience: labour migration and social security policymakers and administrators of social security institutes and social partners.
- Approach: Experts' training
- Number of participants: 20 to 30 participants for each course, Francophone and Anglophone
- Duration: Two weeks.
- Location: the English course should take place in Turin and the French course in Dakar.
- Implementation in collaboration with the CIPRES (Francophone course) and the EAC (Anglophone course).
- Financial aspect: two training sessions will be organized, in French and English, in 2009, fully financed by the project. In 2010, the course will be presented as an open course in the ITC ILO calendar; participants from Africa will be offered partial fellowships. The course could remain in the core activities calendar of the ITC ILO, after the French and English versions, adapted and proposed in several additional languages: Spanish, Portuguese and Arabic.

Output 2.2 Training materiel on “Extending social security to African migrant workers and their families”, jointly and co-financed by the ITC ILO is developed.

2.2.1. Identification of the list of modules included in the training manual on social security strategies for migrant workers and methodology

2.2.2. Identify resources' persons for the implementation of specific modules of the course

2.2.3. Supervise and review drafting of the modules

2.2.4. Prepare the training manual

2.2.5. Translate the manual into French and adapt it to the Francophone countries context

Output 2.3. A tripartite course “Extending social security to African migrant workers and their families” is implemented into French and English.

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- 2.3.1. Logistical arrangements
- 2.3.2. Finalization of the course budget
- 2.3.3. Preparation of the tripartite course: selection of participants, finalization of the agenda and identification of resource persons
- 2.3.4. Enrolment of participants and travel arrangements
- 2.3.5. Technical preparatory forum with the participants
- 2.3.6. Preparation of the course evaluation
- 2.3.7. Implementation of the course
- 2.3.8. Adjustment of the training content and validation of the training material, based on the evaluation of the first set of pilot courses (French and English)
- 2.3.9. Course will be repeated in 2010 in English (possibly in French) and may then be part of the ITC ILO training calendar.

Output 2.4 Tripartite workshops on national Strategies for the extension of social protection to African migrant workers are organized. (3 national workshops/year)

- 2.4.1. Draft the terms of reference for each workshop, identify objectives, content, technical support needed etc.
- 2.4.2. Plan the organization of the workshops: choice of the countries, participants, draft invitation letters, programmes.
- 2.4.3. Implementation of the Workshops (Dakar 04/09; Maurice 09/09; Zambia 12/09; Mali 02/10; others as/if needed TBD)

Output 2.5 The extension of social security coverage for migrant workers and their families is promoted by National tripartite focal points.

- 2.5.1. Identify national tripartite focal points
- 2.5.2. Organize meetings at the national level to promote stakeholders' participation and ownership
- 2.5.3. Facilitate the constitution of national tripartite working groups that develop and implement strategies to extend the social security coverage of migrant workers

Output 2.6 A database of African experts on social security for migrant workers is created.

- 2.6.1. Determine the criteria to insert an expert into the database (i.e. participation in MIGSEC Experts' training)
- 2.6.2. Collect contact details and curriculum regarding the selected experts.
- 2.6.3. Enter information into the database and make information available regarding identified experts to respond to requests for technical guidance from governments, social partners, social security institutes.

Outcome 3: Promote and support the negotiation process of bilateral social security agreements

Output 3.1 The negotiation of a bilateral social security agreement is advanced between African countries.

3.1.1 Identify African countries having the policy and administrative capacity (with MIGSEC training) to negotiate, conclude and implement a social security agreement. Determine the 'best candidates' for an agreement (migration flows sufficient to warrant an agreement, compatible systems, etc).

3.1.2 Obtain the concurrence of two of the countries to engage in bilateral negotiations.

3.1.3 Prepare a preliminary draft agreement to serve as a starting point for negotiations.

3.1.4 Arrange dates and place for the first round of negotiations.

3.1.5 Assist the delegations of the countries concerned to prepare for the negotiations.

3.1.6 Assist the delegations of the countries concerned during the first round of negotiations (exchange of information on the countries' respective social security schemes, first reading of the preliminary draft of an agreement, preparation of a revised draft agreement reflecting decisions made during the negotiations, identification of the issues requiring further study before the second round).

3.1.7 Assist the delegations of the countries concerned to carry out the analysis of the issues identified in the first round of negotiations.

3.1.8 Arrange dates and place for the second round of negotiations.

3.1.9 Assist the delegations of the countries concerned during the second round of negotiations (concurrence on all the provisions of the agreement, initialing of the text).

3.1.10 Assist the countries concerned to obtain the approvals necessary under their respective national laws and practices to sign the bilateral agreement.

3.1.11 Facilitate the signing of the bilateral agreement.

3.1.12 Assist the social security institutions of the countries concerned to develop the capacity to administer the agreement when it enters into force, including the development of the necessary forms and procedures.

3.1.13 Prepare a preliminary draft of an administrative arrangement for the application of the agreement.

3.1.14 Arrange dates and place for the discussion of the administrative arrangement.

3.1.15 Assist the delegations of the countries concerned during the discussions of the administrative arrangement (concurrence on all the provisions of the arrangement, initialing of the text, concurrence on forms and procedures)

3.1.16 Facilitate the signing of the administrative arrangement.

3.1.17 Assist the social security institutions and the social partners in the countries concerned to develop a communication plan to inform migrant workers about the agreement (benefits available, how to apply etc).

Output 3.2. The negotiation of a bilateral social security agreement is advanced between an African country and an extra-continental destination country.

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- 3.2.1 Identify key destination countries outside Africa possibly prepared to conclude a social security agreement.
- 3.2.2 Identify African countries having the policy and administrative capacity (with MIGSEC training) to negotiate, conclude and implement a social security agreement. Determine the 'best candidate' for an agreement (migration flows sufficient to warrant an agreement, compatible systems, etc).
- 3.2.3 Facilitate contact between the African and extra-African countries to obtain their joint concurrence to engage in bilateral negotiations.
- 3.2.4 Prepare, if required (i.e. if the non-African country does not offer to do so), a preliminary draft agreement to serve as a starting point for negotiations.
- 3.2.5 Facilitate, as required, arranging dates and place for the first round of negotiations.
- 3.2.6 Assist the delegation of the African country to prepare for the negotiations.
- 3.2.7 Advise the delegation of the African country during the first round of negotiations (exchange of information on the countries' respective social security schemes, first reading of the preliminary draft of an agreement, preparation of a revised draft agreement reflecting decisions made during the negotiations, identification of the issues requiring further study before the second round).
- 3.2.8 Assist the delegation of the African country to carry out the analysis of the issues identified in the first round of negotiations.
- 3.2.9 Facilitate, as required, arranging dates and place for the second round of negotiations.
- 3.2.10 Advise the delegation of the African country during the second round of negotiations (concurrence on all the provisions of the agreement, initialing of the text).
- 3.2.11 Assist the African country to obtain the approvals necessary under its respective national laws and practices to sign the bilateral agreement.
- 3.2.12 Facilitate the signing of the bilateral agreement.
- 3.2.13 Assist the social security institution(s) of the African country to develop the capacity to administer the agreement when it enters into force, including the development of the necessary forms and procedures.
- 3.2.14 Prepare, if required (i.e. if the non-African country does not offer to do so), a preliminary draft of an administrative arrangement for the application of the agreement.
- 3.2.15 Facilitate, as required, arranging dates and place for the discussion of the administrative arrangement.
- 3.2.16 Advise the delegation of the African country during the discussions of the administrative arrangement (concurrence on all the provisions of the arrangement, initialing of the text, concurrence on forms and procedures)
- 3.2.17 Facilitate the signing of the administrative arrangement.
- 3.2.18 Assist the social security institution(s) and the social partners in the African country to develop a communication plan to inform migrant workers about the agreement (benefits available, how to apply etc).

Outcome 4: Feasibility of social security provisions in temporary and circular labour migration programmes is assessed and strategies to improve SS coverage of temporary migrant workers designed

Output 4.1. Temporary labour migration programmes in Africa are studied and possibilities to include SS provisions assessed.

4.1.1 Draft terms of reference, identify and recruit a consultant to assist in the review of temporary labour migration programmes and prepare recommendations to include social security provisions into these programmes.

4.1.2 Review by the consultant of temporary labour migration programmes and schemes on-going in Africa

4.1.3 Identify, with the consultant, relevant temporary labour migration programmes or schemes in which social security is insufficiently considered

4.1.4 Propose revision for inclusion of social security provisions in temporary labour migration agreements (to ensure social security coverage either in the country of origin or in the destination country, medical care, work injury - short term benefits) or other options like SS agreements (for long term benefits)

4.1.5 Negotiate with governments, in consultation with social partners, for revision of the labour migration agreements

4.1.6 Propose mechanisms to ensure efficiency of social security coverage of migrant workers under the temporary labour migration programmes, and specific measures adapted to the situation of women migrant workers.

4.1.7 Provide technical guidance to social security institutes for implementation of the necessary mechanisms to enforce new provision on social security in targeted temporary labour migration programmes

Outcome 5: Feasibility of voluntary insurance schemes in national SS systems of origin countries is assessed and recommendations proposed

Output 5.1 An assessment report on existing initiatives of extension of social security by countries of origin to migrant workers and their families through voluntary insurance schemes is prepared.

5.1.1 Draft terms of reference; identify and recruit a consultant to prepare a study of voluntary insurance schemes for workers employed outside their country of origin (examples of existing voluntary schemes in Africa and elsewhere in the world, experience of such schemes, good practices, challenges and opportunities).

5.1.2 Implement the study

Output 5.2 Recommendations to African countries interested in introducing voluntary insurance schemes for workers abroad and their families are prepared and disseminated during national and sub-regional meetings.

Outcome 6: Feasibility of extending social security coverage to African migrant workers and their families through community-based approaches is assessed

Output 6.1 An assessment report on existing initiatives of extension of social security to migrant workers and their families through community-based approaches is prepared.

6.1.1. Draft terms of reference; identify and recruit a consultant to prepare a study on (micro insurance initiatives in Africa and the use of remittances for SS coverage of the families in the country of origin; Options for providing an access to basic social security coverage in the migration process: promotion of unilateral measures access to medical care etc.)

6.1.2 Implement the study

Output 6.2 Recommendations to African countries interested in promoting community-based approaches to enhance the SS coverage of their national workers abroad and their families still in their country of origin are prepared and disseminated during national and sub-regional workshops.

Outcome 7: Advance sub-regional integration

Output 7.1 Two sub-regional experts' seminar on labour mobility and social security coordination are organized. (2009, 2010)

7.1.1 Draft terms of reference for the sub-regional experts' seminar; organize the seminar.

7.1.2 Determine the agenda of the sub-regional experts' seminar; identify international specialists and national participants to be invited; make all necessary arrangements in collaboration with the sub-regional organization targeted.

- Objectives: Reinforce inter-states cooperation on labour mobility and encourage coordination of social security legislation at the sub-regional level
 - o Present: i) the sub-regional report and the challenges at regional and national level; ii) advantages of the coordination of SS security schemes; iii) negotiation process of a multilateral agreement;
 - o Identify/develop i) different scenarios/political options to move forward coordination; ii) a regional action plan; iii) national action plans to move forward with the reduction of disparities and with coordination.
- Experts attending the seminars: policymakers, administrators of social security institutes responsible for the design and implementation of bilateral and multilateral social security agreements and labour migration policies, social partners and members of the experts' database on social security for migrant workers.
- Output: Sub-regional Road Map for inclusion of social security concerns into sub-regional integration processes. Due to disparities in terms of social security benefits covered by each national scheme, a minimum benefits package should be included in the regional convention

7.1.3 Conduct the sub-regional experts' seminar.

7.1.4 Draft a report summarizing the key conclusions of the sub-regional experts' seminar; develop a Road Map for inclusion of social security concerns into sub-regional integration processes, including the conclusion of a multilateral agreement on social security among the countries in the sub-region.

Output 7.2 The negotiation of a multilateral social security agreement is launched and advanced in a targeted sub-regional economic community.

7.2.1 Draft a list of information to gather (questionnaire); identify and recruit experts to prepare technical options for the coordination of national social security schemes and support the negotiation process.

7.2.2 Collect/analyze all the information received; prepare a preliminary draft of a sub-regional multilateral agreement as a starting point for discussions.

7.2.3 Arrange dates and place for a first round of discussions.

7.2.4 Assist the delegations of the countries in the sub-region to prepare for the discussions.

7.2.5 Assist the delegations of the countries in the sub-region during the first round of discussions (exchange of information on the countries' respective social security schemes, first reading of the preliminary draft of an agreement, preparation of a revised draft agreement reflecting decisions made during the discussions identification of the issues requiring further study before the second round).

7.2.6 Assist the delegations of the countries in the sub-region to carry out the analysis of the issues identified in the first round of discussions.

7.2.7 Arrange dates and place for the second round of discussions.

7.2.8 Assist the delegations of the countries in the sub-region during the second round of discussions (concurrence on all the provisions of the agreement, initialing of the text).

7.2.9 Assist the countries in the sub-region to obtain the approvals necessary under their respective national laws and practices to sign the multilateral agreement.

7.2.10 Facilitate the signing of the multilateral agreement.

Output 7.3 An online data base of good practices on social security strategies for migrant workers is launched.

7.3.1 Draft terms of reference; identify and recruit a consultant to collect and prepare good practices profiles.

7.3.2 Review and analyze information and evaluate criteria to include the practice among good ones.

7.3.3 Prepare the profiles according to the ILO MIGRANT template for good practices on labour migration and the ISSA good practices for social security.

7.3.4 Add the good practices into the on-line data base of good practices on labour migration of the ILO MIGRANT website, the GESS platform of SECSOC and the ISSA good practices for social security.

Outputs of the project

The main outputs of the project will be:

Output 1.1 A preliminary report titled "Strengthening social protection for African migrant workers through social security agreements" is available

Output 1.2 Reports that strengthen knowledge on social security coverage of migrant workers in selected countries in Africa and propose strategies to extend SP of migrant workers are available

Output 1.3: A book "Extending social security to African migrant workers and their families: Diagnosis, policy options, lessons learned" is published.

Output 2.1 A training curriculum on strengthening the social protection of African migrant workers is developed jointly with the International Training Centre of the ILO (ITCILO)

Output 2.2 Training materiel on "Extending social security to African migrant workers and their families", jointly and co-financed by the ITC and ILO is developed.

Output 2.3 A tripartite course on "Extending social security to African migrant workers and their families" is implemented in French and English

Output 2.4 Tripartite workshops on national Strategies for the extension of social protection to African migrant workers and their families are organized. (3 national workshops/year)

Output 2.5 The extension of social security coverage for migrant workers and their families is promoted by National tripartite focal points.

Output 2.6 A database of African experts on social security for migrant workers is created.

Output 3.1 The negotiation of a bilateral social security agreement is advanced between African countries.

Output 3.2 The negotiation of a bilateral social security agreement is advanced between an African country and an extra-continental destination country.

Output 4.1 Temporary labour migration programmes in Africa are studied and possibilities to include SS provisions assessed.

Output 5.1 An assessment report on existing initiatives of extension of social security to migrant workers through voluntary insurance schemes is prepared.

Output 5.2 Recommendations to African countries interested in introducing voluntary insurance schemes for workers abroad are prepared and disseminated (primarily during national and sub-regional meetings).

Output 6.1 An assessment report on existing initiatives of extension of social security to migrant workers and their families through community-based approaches is prepared.

Output 6.2 Recommendations to African countries interested in promoting community-based

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approaches to enhance the SS coverage of their national workers abroad and their families still in their country of origin are prepared and disseminated during national and sub-regional workshops.

Output 7.1 Two sub-regional experts' seminar on labour mobility and social security coordination are organized. (2009, 2010)

Output 7.2 The negotiation of a multilateral social security agreement is launched and advanced in a targeted sub-regional economic community.

Output 7.3 An online data base of good practices on social security strategies for migrant workers is launched.

Project implementation

The project will be implemented by a small team combining expertise in labour migration and in social security. The team will be located at the Regional Office for Africa, in Addis Ababa and at the International Migration Programme at ILO Head Quarters in Geneva.

The Social Security Department at HQ will provide technical support to the project through the designation of a focal point for this project.

The project will also receive support from Social Security Specialists in ILO African Sub-Regional Offices, International Training Centre of the ILO in Turin and other ILO Units and Offices.

The project was officially launched on the 3rd of June during the 97th Session of the International Labour Conference of the ILO.

7. Selected pilot countries

Project activities will focus mainly on three Regional Economic Communities: the East African Community (Burundi, Kenya, Rwanda, Tanzania and Uganda), the Economic Community for Western African States (ECOWAS) and the SADC (Southern African Development Community).

The selected pilot countries are: Burundi, Kenya, Rwanda, Tanzania, Uganda, Ghana, Senegal, Mali, Mauritania, South Africa, Zambia, Ethiopia and Mauritius.

The project will develop its activities in consultation with regional social security associations: CIPRES (Conférence Interafricaine de la Prévoyance Sociale), ECASSA (East and Central Africa Social Security Association) and other social security networking initiatives in Africa.

Also, the project will implement his activities in close consultation with the African Union.

8. Sustainability of the action

All project activities will be developed with a high level of participation from the Ministries of Labour and Social Affairs, Social security institutes and social partners. At the end of the three years project implementation, labour migration and social security policymakers and administrators' capacities will be strengthened to ensure efficient functioning and monitoring of mechanisms put into place in the framework of this project. In addition, the region will count with the following instruments to pursue actions for a better protection of migrant workers (men and women) and their families and in particular their social security rights:

- Core training course on social security strategies for migrant workers and their families, with a special focus on bilateral and multilateral social security agreements, hosted by the ITC ILO in several languages
- Training material for social security and labour migration officers in charge of establishing social security strategies for migrant workers, in particular social security agreements.

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- 1 bilateral agreement between African country advanced
- 1 bilateral agreement between an African country and an extra-continental country advanced
- 1 regional social security agreement advanced.
- 1 voluntary insurance schemes for workers employed abroad
- 1 labour migration programme including social security provisions
- 1 database of African experts on social security for migrant workers capable to train further administrators and policymakers on issues relating social security and labour migration.
- 1 database of good practices on social security for migrant workers.

The ILO will also continue to provide technical assistance, policy advisory services and capacity building activities to its member countries even after conclusion of the present project.

**Appendix 5: DRAFT COUNCIL DIRECTIVE
ON THE COORDINATION OF SOCIAL SECURITY BENEFITS**

THE COUNCIL OF THE EAST AFRICAN COMMUNITY

Having regard to the Treaty for the Establishment of the East African Community and, in particular, the Protocol on the Establishment of the East African Community Common Market,

Whereas the Partner States agreed under Article 104(1) of the Treaty to adopt measures to achieve, *inter alia*, the free movement of labour and to ensure the enjoyment of the right of establishment of their citizens within the Community,

And whereas under Article 5(2)(c) of the Protocol the Partner States further agreed to remove restrictions on the movement of labour and to provide for social security benefits,

And whereas Article 10(3)(f) of the Protocol entitles workers to enjoy the rights and benefits of social security as accorded to the workers of the host Partner State,

And whereas under Article 12(2) of the Protocol the Partner States undertook to review and harmonise their national social security policies, laws and systems to provide for social security for self-employed persons who are citizens of other Partner States,

And whereas Article 13(3)(b) of the Protocol entitles self-employed persons who are in the territory of another Partner State to join a social security scheme of that Partner State in accordance with its national laws;

And whereas the free movement of labour and the right of establishment can only be fully realized if workers and self-employed persons who carry out their employment or self-employment in two or more Partner States can exercise the right to social security benefits from each of the Partner States in which they have worked,

And whereas the exercise of the right to social security benefits from two or more Partner States requires the coordination of the social security benefits of the Partner States,

And whereas the coordination of the social security benefits of the Partner States is a first step towards the harmonisation of their national social security policies, laws and systems,

And having regard to Article 14(3)(d) of the Treaty, which empowers the Council to issue directives and make regulations; Article 10(4) of the Protocol, which provides that the Council shall issue directives and make regulations on social security benefits; and Article 51 of the Protocol, which further provides that the Council shall make regulations and issues directives as may be necessary for the effective implementation of the provisions of the Protocol,

HAS ADOPTED THIS DIRECTIVE.

PART I
GENERAL PROVISIONS

Article 1

Purpose

1. The general purpose of this Directive is to provide rules and procedures for the coordination of the social security benefits of the Partner States, within the framework of the free movement of workers and the enjoyment of the right of establishment of self-employed persons, in order to contribute towards improving their standards of living and working conditions.
2. The specific purpose of this Directive is to implement the provisions of Articles 5(2)(c), 10(3)(f), 10(4), 12(2), 13(3)(b) and 51 of the Protocol through the coordination of the social security benefits of the Partner States.

Article 2

Interpretation

For the purpose of this Directive, except where the context otherwise requires:

- (a) Terms which are defined in the Protocol shall have the meaning given to them therein.
- (b) The following terms shall have the meaning indicated:

benefit means any benefit for which provision is made in the social security legislation of a Partner State, and includes all components thereof as well as all increases, supplements and allowances specified in the applicable legislation, unless otherwise provided in this Directive;

claimant means a worker or a self-employed person who has lodged a claim for a benefit under the social security legislation of a Partner State, and includes a person deriving rights from a worker or a self-employed person;

competent authority means the Minister(s), Ministry(ies), or other similar authority responsible for social security in all or in any part of the territory of a Partner State;

competent institution means the institution:

- i. ~~the institution~~ with which the person concerned is insured at the time of claiming a benefit; or
- ii. ~~the institution~~ from which the person concerned is or would be entitled to a benefit if that person resided in the territory of the Partner State in which the institution is situated; or
- iii. ~~the institution~~ designated by the competent authority of the Partner State concerned;

coordination means the establishment of a mechanism(s) that will result in the implementation of the following principles identified in Conventions and Recommendations of the International Labour Organization:

- i. *equality of treatment* (eliminating restrictions, based on nationality, on a person's rights and obligations under the social security legislation of a Partner State);
- ii. *export of benefits* (ensuring the payment of a benefit to a person in the territory of a Partner State other than the Partner State under whose social security legislation a right to a benefit has been established);
- iii. *applicable legislation* (ensuring that workers and self-employed persons moving within the East African Community will be subject to the social security legislation of only one Partner State by eliminating situations in which a person would otherwise have to contribute to the social security systems of two Partner States for the same work);
- iv. *totalising*, sometimes referred to as *aggregation of periods* (adding together periods of coverage in two or more Partner States to fulfil the contributory requirement [waiting period] for a benefit under the social security legislation of a Partner State);
- v. *administrative assistance* among the social security authorities and institutions of the Partner States to give effect to the four principles specified in i, ii, iii and iv in this definition;

dependent means a person recognized as such under the applicable social security legislation of a Partner State;

institution means a body or agency responsible for applying all or part of the social security legislation of a Partner State;

legislation means the laws, regulations and other statutory provisions of a Partner State related to the branches of social security specified in Article 3(1), and includes all implementing measures;

notional amount means the theoretical amount of a benefit that a person would receive under the social security legislation of a Partner State if the periods of coverage completed under the social security legislation of all the Partner States, taken together, had been completed solely under the legislation of the first Partner State;

period of coverage means a period of contribution, employment, self-employment or other period which, under the social security legislation of a Partner State, can be used to establish the right to a benefit;

receiving competent institution means the institution of a Partner State that receives a claim for a benefit under the social security legislation of another Partner State in accordance with Article 13(1);

survivor means a person who derives a right to a benefit from a deceased worker or self-employed person and who is recognized as such under the

applicable social security legislation of a Partner State;

social security means the protection which society provides for its members through a series of public measures against the economic and social distress that otherwise would be caused by sickness or injury or by the stoppage or substantial reduction of earnings resulting from the contingencies covered by the social security legislation of the Partner States.

- (c) Terms and expressions other than those to which reference is made in sections (a) and (b) shall have the meanings respectively assigned to them in the applicable social security legislation of a Partner State.

Article 3

Matters covered

1. Subject to paragraph 3, this Directive shall apply but not be limited to the following branches of social security
 - (a) medical care;
 - (b) sickness benefit;
 - (c) maternity benefit;
 - (d) invalidity benefit;
 - (e) old-age benefit;
 - (f) survivors' benefit;
 - (g) employment injury benefit, namely benefits in respect of accidents at work and occupational diseases;
 - (h) family benefit; and
 - (i) unemployment benefit.
2. The legislation of a Partner State concerning the branches of social security specified in paragraph 1 shall include:
 - (a) all legislation of a Partner State that is in effect on the date of entry into force of this Directive; and
 - (b) all legislation of a Partner State that comes into effect after the date of entry into force of this Directive.
3. Legislation of the Partner States related to matters covered by this Directive in accordance with sub articles 3 (1) and 3 (2), shall be listed in schedule 1. Each Partner State shall inform the Secretariat of -
 - (a) Its legislation described in Article 3 (2) (a), which shall be listed in schedule 1 before the entry into force of this Directive;
 - (b) Its legislation described in Article 3 (2) (b), which shall be listed therein within (30) days of the legislation's entry into effect.

4. Notwithstanding paragraphs 1 and 2, a Partner State may exclude legislation governing special schemes for public servants from the matters covered by this Directive. In exceptional circumstances, and subject to paragraph 5, a Partner State may exclude, in whole or in part, legislation governing other schemes from the matters covered by this Directive.
5. In order for an exclusion to take effect in accordance with the Article 3 (4), the following procedure shall apply:
 - (a) The Partner State proposing the exclusion shall notify the Secretariat in writing, giving a complete and detailed explanation of the reasons for which the exclusion is proposed.
 - (b) The Secretariat shall, within thirty (30) days of receipt of the proposal, communicate the proposal to the other Partner States.
 - (c) Unless, within ninety (90) days of the receipt of the communication from the Secretariat, any of the Partner States informs the Secretariat in writing of its objection to the proposed exclusion, the exclusion shall take effect at the end of the ninety (90) day period.
 - (d) If a Partner State informs the Secretariat in writing of its objection to the proposed exclusion within the ninety (90) day period specified in section (c), the Secretariat shall refer the matter to the Council for decision.
6. Legislation of a Partner State which is excluded from the application of this Directive in accordance with paragraph 4 and, as applicable, Article 3 (5) shall be listed in Schedule 2.

Article 4

Persons covered

This Directive shall apply to any worker or self-employed person who is or has been subject to the legislation of a Partner State as well as to his or her spouse, child, dependant or survivor, as the case may require, in regard to rights derived from that worker or self-employed person.

Article 5

Equality of treatment

Any worker or self-employed person who is a citizen (national) of a Partner State, and any person, irrespective of citizenship (nationality), who derives rights from such a worker or self-employed person, shall enjoy the benefits of the legislation of a Partner State, and shall be subject to the obligations of that legislation, under the same conditions as the citizens (nationals) of that Partner State.

Article 6

Export of benefits

1. Subject to Article 6 (2), any provision of the legislation of a Partner State which restricts payment of cash benefits, whether through reduction, suspension, confiscation or other means, solely because a person resides outside or is absent from the territory of that Partner State shall not apply to persons described in Article 4 who reside or are present in the territory of another Partner State.
2. Paragraph 1 shall apply only to the following cash benefits:
 - (a) invalidity benefit;
 - (b) old-age benefit;
 - (c) survivors' benefit.
3. Benefits under the legislation of a Partner State other than the cash benefits described in Article 6(2) shall be paid or provided to a person who is outside the territory of that Partner State only to the extent permitted by that legislation.
4. Notwithstanding the provisions of Article 6 (3), Partner States may enter into bilateral or multilateral arrangements to facilitate the export of the benefits to which that paragraph refers.

PART II

APPLICABLE LEGISLATION

Article 7

General rules

Subject to Articles 8 and 9:

- (a) A worker who is employed in the territory of a Partner State shall, with respect to that employment, be subject only to the legislation of that Partner State, even if that worker resides in the territory of another Partner State or if that worker's employer or the registered office of that employer is located in the territory of another Partner State.
- (b) A self-employed person who carries on activities related to that self-employment in the territory of a Partner State shall, in respect of those activities, be subject only to the legislation of that Partner State, even if that self-employed person resides in the territory of another Partner State.

Article 8

Posted workers (Define in Article 2)

1. If a worker who is subject to the legislation of an originating Partner State is posted by his or her employer, in the course of that employment, to the territory of another Partner State for a period that is not expected to exceed twenty-four (24) months, the worker shall remain subject only to the legislation of the originating Partner State during the posting as though that work was performed in its territory.
2. With the prior consent of the competent institutions of the Partner States concerned, the period of twenty-four (24) months may be extended when circumstances require.
3. For the application of Article 8 (1) and 8 (2), the competent institution of the Partner State whose legislation will continue to apply shall, at the request of the worker's employer, issue a certificate indicating the period of the posting and confirming that the worker will remain subject to the legislation of the originating Partner State during the posting. The presentation of the certificate by the worker's employer to the competent institution of the Partner State to whose territory the worker is posted shall exempt the worker from being subject to the legislation of the latter Partner State.
4. The competent institutions of the Partner States shall mutually agree on the format and contents of the certificate to which reference is made in paragraph 3.

Article 9

Exceptions

The competent authorities and institutions of the Partner States concerned may, by mutual consent, make exceptions to the provisions of Articles 7 and 8 with respect to any person or categories of persons, provided that the person or persons concerned agree.

Article 10

Registration and contribution procedures

Where a worker or self-employed person is subject to the legislation of a Partner State as a result of the application of the Articles of this Part, the worker and the worker's employer, or the self-employed person, as the case may be, shall be subject to the registration and contribution procedures prescribed in that legislation.

PART III
BENEFITS

Article 11

Application of national legislation

1. If a claimant meets the requirements for entitlement to a benefit under the legislation of a Partner State, without the need for totalizing in accordance with Article 12 and taking into account as necessary Articles 5 and 6, the competent institution of that Partner State shall pay the benefit directly to the claimant.
2. The amount of the benefit shall, in such a case, be calculated in accordance with the legislation of the Partner State concerned, taking into account only periods of coverage completed under that legislation.

Article 12

Totalizing

1. If the legislation of a Partner State makes entitlement to a benefit conditional on the completion of a minimum period of coverage or on a period of coverage in a prescribed time, and if a claimant cannot fulfil those requirements solely on the basis of the periods of coverage completed under the legislation of that Partner State, the competent institution of that Partner State shall take into account periods of coverage completed under the legislation of the other Partner States, provided that those periods do not overlap, as though they were periods completed under the legislation which it applies.
2. If, as a result of the application of Article 12 (1), the claimant fulfils the requirements for entitlement to a benefit under the legislation of a Partner State, the competent institution of the originating Partner State shall calculate the amount of benefit due to the claimant as follows:
 - (a) ~~First~~, The competent institution shall calculate the notional amount of benefit that would be due if the periods of coverage completed under the legislation of all the Partner States, taken together, had been completed solely under the legislation of the originating Partner State. If the legislation of the first Partner State provides for a minimum benefit, and if the notional amount is less than the minimum benefit, the minimum benefit shall be the notional amount, and
 - (b) ~~Next~~, The competent institution shall multiply the notional amount, determined in accordance with Article 12 (2)(a), by the ratio of:
 - i. the length of the periods of coverage actually completed under the legislation of the first Partner State, and
 - ii. the length of the periods of coverage completed under the legislation of all the Partner States taken together.

- (c) The amount due to the claimant shall be the result of the calculation described in Article 12 (2) (b).
- 3. Notwithstanding Article 12 (1) and 12 (2), if the total length of the periods of coverage completed under the legislation of a Partner State is less than one year (12 months) and, by taking into account only those periods, no right to a benefit exists under that legislation, the competent institution of that Partner State shall not be required to pay a benefit in respect of those periods by virtue of this Directive.
- 4. For the purposes of applying Article 12 (1):
 - (a) Periods of coverage under the legislation of two or more Partner States shall be considered to overlap if they have been completed at the same time;
 - (b) Where the time at which certain periods of coverage under the legislation of a Partner State cannot be accurately determined, such periods shall be presumed not to overlap with periods of coverage completed under the legislation of another Partner State, and they shall be taken into account in applying paragraph 1;
 - (c) Where the legislation of a Partner State requires that periods of coverage be completed in a prescribed time, periods of coverage completed under the legislation of another Partner State shall be taken into account for the purpose of this requirement only if they have been completed within that same prescribed time.
- 5. For the purposes of applying Article 12 (1) and 12 (2):
 - (a) Where the legislation of a Partner State requires benefits to be calculated by reference to prior earnings or contributions, only earnings received or contributions paid during periods of coverage under that legislation shall be taken into account in the calculation of the notional amount;
 - (b) Any period of coverage completed before the date of the entry into force of this Directive shall be taken into account;
 - (c) No provision of this Directive shall confer any right to the payment of a benefit for a period before the entry into force of this Directive;
 - (d) Subject to Article 12 (5) (c), a benefit shall be paid under this Directive in respect of an event which happened before the date of entry into force of this Directive.

Article 13

Maintenance of Acquired Rights Between Pension and Provident Funds

- 1. Where the legislation of a Partner State makes the acquisition, maintenance or recovery of the right to pension conditional upon the completion of periods of coverage, the Competent Institution which applies that legislation shall, for the purpose of adding periods together, take account of periods during which a person was registered with a provident fund and required to make contributions to that fund.
- 2. Where the worker or self- employed person concerned satisfies the conditions for payment of a pension taking account of paragraph 1 of this Article, the amount of the pension shall be determined in accordance with Articles 11 and 12.

Article 14

Procedure for submitting a claim for a benefit

1. A claimant shall submit a claim for a benefit under the legislation of any Partner State to the competent institution of the Partner State in which the claimant resides or is staying. Where the claimant has never been subject to the legislation of that Partner State, the claimant may submit the claim to the competent institution of the Partner State to whose legislation he/she was last subject.
2. The claim for a benefit under the legislation of a Partner State, other than the Partner State in which the receiving competent institution is located, shall be submitted using a special claim form to be mutually agreed by the competent institutions of the Partner States.
3. The claim shall be accompanied by such supporting documents as are required in accordance with the legislation of the Partner State or States to which the claimant is or has been subject.
4. The receiving competent institution shall certify on the special claim form the authenticity of the documents submitted with the claim. Unless otherwise agreed by the competent institutions of the Partner States, the certification of the authenticity of the documents shall exempt the receiving competent institution from the need to transmit the original documents to the other competent institutions concerned.
5. The receiving competent institution shall, without delay, transmit a copy of the special claim form to the competent institution of any other Partner State to whose legislation the claimant has been subject, along with a liaison form, to be mutually agreed by the competent institutions of the Partner States, on which the receiving competent institution will give a statement of the periods of coverage completed by the claimant under the legislation it applies.
6. The date on which the special claim form is submitted to the receiving competent institution shall be deemed to be the date of submission of the claim to the competent institution of any of the other Partner States concerned, unless the claimant fails to indicate on the special claim form that he or she has been subject to the legislation of a Partner State or unless the claimant explicitly requests in writing on the special claim form that his or her claim for a benefit under the legislation of a Partner State be deferred.

Article 15

Procedure for processing a claim for a benefit

1. Upon receipt of the special claim form and liaison form transmitted to it in accordance with Article 14(5), the competent institution of a Partner State shall, without delay, add to the liaison form a statement of the periods of coverage completed by the claimant under the legislation it applies. The completed liaison form shall be sent to the receiving competent institution and, as the case may be, to

the competent institution of any other Partner State to whose legislation the claimant has been subject.

2. Each competent institution shall determine, in accordance with the legislation it applies, the claimant's entitlement to a benefit under that legislation, taking into account as necessary Article 12. Its decision on the claim and, if entitlement is determined, the amount of the benefit to be paid shall be transmitted to the claimant through the receiving competent institution.
3. If the competent authority of a Partner State requires further information from a claimant or additional documents, the request for the information or documents shall be transmitted to the claimant through the receiving competent institution.

Article 16

Claim for survivors' benefit

In the case of a claim for a survivors' benefit, the references to 'the claimant' in Articles 14 and 15 shall be read to mean, as the context may require, the deceased worker or self-employed person in respect of whom the claim is being made.

Article 17

Medical examinations

1. In the case of a claim for a disability benefit, the competent institutions concerned shall exchange any relevant medical information on file that may assist the other competent institutions to reach a decision on the claim.
2. Notwithstanding paragraph 1, each competent institution shall retain the right to have the claimant examined by a medical practitioner of its choosing and at its own expense.

Article 18

Procedure for paying a benefit

1. In the case of a benefit to which Article 11 applies, the competent institution of the Partner State concerned shall pay the benefit directly to the claimant in the national currency of the Partner State in which the claimant resides or is present.
2. In the case of a benefit to which Article 12 applies, the competent institution of the Partner State concerned shall transfer the amount of the benefit to the receiving competent institution, which shall pay the benefit to the claimant in its national currency.
3. In either of the cases in Article 18 (1) or 18 (2), the conversion rate shall be the prevailing rate of exchange in effect on the date of the payment as determined by the Central Bank of the Partner State under whose legislation the benefit is due.

4. Benefits shall be paid free of any deductions for administrative fees or other expenses.

PART IV
ADMINISTRATIVE ASSISTANCE
AND RELATED MATTERS

Article 19

**Exchange of information
and mutual assistance**

1. The competent authorities and institutions of the Partner States shall:
 - (a) communicate to each other any information necessary for the application of this Directive;
 - (b) provide assistance to one another to facilitate the application of this Directive, including in particular, all processes involved in claiming, processing and paying benefits.
2. The assistance referred to in subparagraph 1(b) shall be free of charge, save for bank charges and medical examinations, which may be the subject of such arrangements regarding reimbursements of costs as agreed by the competent authorities and institutions of the Partner States.
3. The authorities, institutions and jurisdictions of a Partner State shall not reject claims or other documents submitted to them in the course of the application of this Directive ~~solely~~ by reason only ~~of the fact~~ that they are written in an official language of another Partner State.

Article 20

Administrative arrangements

1. The competent authorities and institutions of two or more Partner States may, as they deem necessary, conclude administrative arrangements for the application of this Directive, provided that the provisions of such arrangements are not inconsistent with this Directive and do not adversely affect the rights and obligations of the persons concerned.
2. The Secretariat shall be advised immediately by the Partner States concerned of any administrative arrangements concluded in accordance with Article 20 (1) and shall be provided the full text thereof by those Partner States. Such arrangements shall be listed in Schedule 3.

PART V
FINAL PROVISIONS

Article 21

Entry into force

This Directive shall enter into force on such date as may be determined by the Council.

Article 22

Application

This Directive is addressed to the Partner States.

Schedule 1

Legislation of the Partner States to which the Directive applies
[Article 3(3)]

Partner State	Legislation

Schedule 2

Legislation of the Partner States excluded from the application of the Directive
[Article 3(6)]

Partner State	Legislation

Schedule 3
Administrative arrangements
between competent authorities and institutions of Partner States
[Article 19(2)]

Partner States concerned	Title of arrangement

Explanatory Notes on Aggregation of periods of coverage, Totalisation and Apportionment of benefits

P_{cX} = Periods of Coverage in Partner State X

P_{cY} = Periods of Coverage in Partner State Y

$AGPC_{XY}$ = Aggregated periods of coverage for a person covered in Partner States X and Y

NA_X = Notional Amount computed using the formula of Partner State X, based on $AGPC_{XY}$

NA_Y = Notional Amount computed using the formula of Partner State Y based on $AGPC_{XY}$

PF_x = Pro-rata factor for the Competent Institution in Partner State X

PF_y = Pro-rata factor for the Competent Institution in Partner State Y

APP_X = Actual Pension payable by the Competent Institution in Partner State X

APP_Y = Actual Pension payable by the Competent Institution in Partner State Y

Computations

$$AGPC_{XY} = P_{cX} + P_{cY}$$

Extending Social Security to African Migrant Workers and their Families

$$PF_x = (P_{cX} / AGPC_{XY})$$

$$PF_Y = (P_{cY} / AGPC_{XY})$$

$$APP_X = PF_x * NA_X$$

$$APP_Y = PF_Y * NA_Y$$