

Chapter VI

International migrants: carrying their own weight

Key messages

- The lives of millions of people and, indeed, whole societies have been transformed for the better by international migration. However, many migrants face challenges and suffer tangible disadvantages in destination countries.
- Migrants are vastly underserved by social protection systems around the world. They often pay taxes and contributions to these systems, but restrictive laws or administrative barriers limit their access to benefits. Over the long term, they are unlikely to constitute a disproportionate fiscal burden for destination countries.
- Under national legislation, migrants in an irregular situation are often granted access only to emergency health care. Access to some social protection programmes is often restricted for other groups of migrants. In addition, migrants lose entitlements when they move to a new country or return to their country of origin.
- The pledge to implement social protection systems and measures for all will not be met as long as migrants continue to face obstacles in obtaining access to them.
- Coherent policy frameworks for the humane and orderly management of migration require improved access to social protection in destination countries and the portability of benefits across countries.

Introduction

International migration is not new, but the number of people who choose or are forced to migrate is growing. In 2017, there were 258 million international migrants around the globe, up from 173 million in 2000 (United Nations, 2017d).⁶⁸ Among them were more than 25.9 million refugees and asylum seekers (ibid.).⁶⁹ Close to 58 per cent of those migrants lived in developed regions, and 42 per cent lived in developing regions.

There has been a considerable amount of research and policy debate on the impact of migration on development. A general conclusion has been that the lives of millions of people and whole societies have been transformed, mostly for the better, through international migration. Migrants do jobs that are needed but often not wanted by local populations. They set up new businesses, bring new ideas and pay taxes in the countries that receive them. They remit money to their countries of origin and may facilitate

⁶⁸ The estimate refers to the number of people living in a country or area other than that of their birth or, in the absence of such information, their citizenship. The underlying data come mainly from censuses and population registers.

⁶⁹ An asylum seeker is someone whose request for refugee status has not yet been granted. Legislation governing refugee and asylum-seeker rights, their access to social protection and related services is generally separate from that which covers other migrants and their families. This chapter focuses on the latter, although some data and examples refer to refugees, asylum seekers and other migrants combined.

investment and trade between countries. However, not all countries or all migrants benefit equally from migration. As the United Nations Special Representative of the Secretary-General for International Migration noted in 2017, migrants whose rights are respected, who enjoy a decent standard of living and who can apply their skills contribute more to their countries of destination and to their countries of origin.⁷⁰

Access to social protection is key to maintaining adequate standards of living throughout the life cycle and to ending poverty, as set forth in the 2030 Agenda. International migrants, however, are poorly served by social protection systems. Without action to remove the obstacles that migrants face, the pledge to implement social protection systems and measures for all, including floors, will not be met.

People migrate in different circumstances and for a variety of reasons, including to study, reunite with family members, seek better job opportunities and flee conflict. Most choose to migrate in search of a better life but some—including those escaping violence or natural disasters—are forced to do so. Some migrants acquire the nationality of the country in which they live and generally enjoy the same rights as their native-born peers, but most remain foreign nationals for an extended period. A majority have the necessary documentation to live and work in their new countries, temporarily or for the long term, but a sizeable number are in an irregular situation—that is, they have entered or are staying in a country without the necessary documentation.

Global estimates suggest that between 22 million and 50 million international migrants—up to 20 per cent of the total—were in an irregular situation in 2010 (IOM, 2013a; UNDP, 2009). The number has probably increased in some parts of the world since 2010, in particular as a result of conflicts in Western Asia. Member States of the European Union reported a more than six-fold increase in the number of illegal border crossings detected from 2014 to 2015 alone (Frontex, 2016). Although the number of persons involved is uncertain, irregular migration is likely to be more prevalent in countries that lack comprehensive policy frameworks to manage migration, including many in the developing world. Irregular migration was estimated to account for around one third of all international migration in developing countries in the late 2000s (UNDP, 2009). It is important to note, however, that irregular status does not apply to a specific category of migrants. Many migrants, including a good number of those forced to flee their countries, find themselves in an irregular situation at some point in the migration process.

Some migrants leave their country with the intention of relocating permanently or end up settling abroad, regardless of their initial intentions. However, an increasing number—in particular highly skilled workers—are moving temporarily (Kerr and others, 2016). Many stay longer than originally planned in the country of destination but eventually move to other countries or back to their country of origin. These distinctions are important, because the conditions under which people move affect the rights granted to them and, consequently, the overall well-being of migrants and their families.

A. Risks and disadvantages faced by international migrants

Migration involves trade-offs but, in the long run, many migrants benefit from moving. They generally end up better off than people in their countries of origin in terms of employment opportunities, political rights, safety, access to social protection or overall well-being (UNDP, 2009; IOM, 2013a). According to UNDP (2009), migrants to OECD countries have a human development index about 24 per cent higher than that of people who stayed in their respective countries of origin. Clemens, Montenegro and Pritchett (2008) found that, on average, the wages of migrant workers in the

⁷⁰ A/71/728, para. 26.

United States, adjusted for purchasing power, were four times higher than those of workers with identical characteristics in origin countries in the mid-2000s.

Moving across international borders, however, can be risky, especially since employment or settlement in the country of choice may not be assured. Many migrants face risks while in transit, at their destination and when returning to their countries of origin. Those who reach their destination country start out with restricted rights. For migrants in an irregular situation, in particular, the journey can be expensive, long and treacherous. Extortion, physical violence, sexual abuse and arbitrary detention are often part of journeys that can also result, as the world is increasingly witnessing, in the loss of lives. In destination countries, migrants in an irregular situation have little protection against abuse and exploitation, including in the workplace.

In the labour market, international migrants work more often in informal jobs, receive lower wages and endure worse working conditions than members of the native-born population of destination countries (United Nations, 2016a). In developed countries, most migrants work in low-skill jobs that native-born workers are unwilling to take. Their jobs are generally more unstable and, as a result, migrants are more often unemployed. In the European Union, for instance, the unemployment rate was 16 per cent for migrants and 10 per cent for the native-born population in 2012–2013, with the gap being widest among people with tertiary education (OECD, 2015f). The percentage of migrants working under temporary contracts is higher in 23 out of 32 of OECD countries for which data are available (*ibid.*). Migrant status carries a wage penalty as well, especially for those in an irregular situation. In the United States, Hall, Greenman and Farkas (2010) estimated that there was a 17 per cent wage disparity between documented Mexican migrant men and those in an irregular situation, and a 9 per cent disparity among Mexican women in both 1996 and 2001.

Assessing the situation of migrants in developing countries is particularly complex, owing to the high level of irregular migration. The evidence indicates that migrants from other developing countries are overrepresented in informal employment. In South Africa, twice as many migrants work in informal and precarious jobs as native-born workers (Fauvelle-Aymar, 2014). In the countries of the Gulf Cooperation Council (GCC), economic opportunities abound and many migrants remit substantial sums to their countries of origin (World Bank, 2016). However, migrants are sponsored to work under temporary guest programmes and have no avenues to permanent residence. Migrants admitted under temporary visas have few rights and are often victims of abusive practices by employers, including the confiscation of passports, restriction of movement, non-payment of salaries and confinement to the workplace (United Nations and IOM, 2015; Kamrava and Babar, 2012; Siebel, 2014).

Because of their precarious labour market situation, migrants are at considerable risk of poverty. In OECD countries, migrants are twice as likely as native-born people to live in households that fall within the poorest income decile and below the national poverty threshold, even at comparable levels of education (OECD, 2015f).⁷¹ Disparities in working poverty are even greater among highly educated workers. In the European Union, highly educated migrants who have jobs are three times more likely than their native-born counterparts to live in poverty (*ibid.*). A lack of country-specific labour market experience and undervalued educational credentials, which finds expression in the refusal to recognize degrees earned in the country of origin, affect migrants' employment prospects. Although an increasing number of countries have established pathways

⁷¹ Unless otherwise indicated, data in this chapter refer to all foreign-born persons. In this case, income levels refer to non-OECD migrants and migrants from other OECD countries.

for the assessment and recognition of qualifications acquired abroad, formal recognition does not necessarily translate into a fair assessment by employers (IOM, 2013b).

Cultural norms and behaviours also contribute to the exclusion of migrants and their children, who often face prejudice and discrimination (United Nations, 2016a). According to data from World Values Surveys, for example, the percentage of respondents who objected to having immigrants or foreign workers as neighbours increased, on average, from 19 per cent in 1990-1994 to 26 per cent in the period 2010-2014 in 18 countries for which data were available (*ibid.*, figure IV.2). Unwelcoming attitudes, where they exist, hinder the integration of migrants and contribute to their marginalization. Additional data indicate that discrimination based on migrant status and ethnicity is widespread (European Union Agency for Fundamental Rights, 2009; National Academies of Science, Engineering and Medicine, and Committee on Population, 2016). Persistent exposure to discrimination narrows people's economic opportunities and hampers their participation in social and political life.

It should also be noted that, although few migration policies and regulations are gender-specific, they affect women and men differently. A growing number of migrant women are highly skilled, but they are still more likely than either migrant men or non-migrant women to work in what are seen as traditionally female-dominated occupations, including domestic and care work (Docquier, Lowell and Marfouk, 2009; ILO, 2015d). Domestic workers are often employed informally, without access to social protection or the coverage of labour laws. In addition, women have traditionally been a majority in family reunification flows. In OECD countries, women account for more than two thirds of family migration (OECD, 2013b; Chaloff, 2013). Because families of migrant workers do not enjoy independent status, their entry status inevitably contains built-in gender bias. In many countries, for instance, legal residence did not automatically give migrants the right to seek employment until recently. In cases where migrant workers and their spouses separate, the latter often lose their residence permits. Migration policies and regulations can, therefore, reinforce the low status of spouses of migrant workers, among whom women are overrepresented.

The uneven response of countries to recent flows of refugees and asylum seekers fleeing conflict suggests that some Governments are unprepared for and, at times, unwilling to receive them. The main short-term challenge is to manage fast-changing flows and provide for the immediate basic needs of migrants and refugees, but destination countries and the international community will increasingly be tested on their capacity to help migrants settle, give them access to the labour market and foster conditions for the long-term inclusion of many, including through access to social protection. The following two sections focus on the challenges and some policy options for promoting the social inclusion of migrants.

B. Gaps in social protection coverage for international migrants

International migrants are at a high risk of exclusion from social protection programmes because they are either ineligible or not effectively covered. Eligibility is determined by the policies, laws and regulations that define the rights, entitlements and responsibilities of different categories of migrants in the country of destination. Their eligibility can also be confined by the principle of territoriality, which limits the scope of social protection legislation to the territory of a country, thereby excluding, in principle, nationals working abroad. Thus, people risk losing entitlement to social protection benefits when they leave their own country and may also encounter restrictive conditions in their destination country.

Whether migrants who are entitled to social protection are effectively covered depends on how policies are implemented. Administrative barriers affect access to benefits in the country where migrants live and the portability of benefits and rights between origin and destination countries. Many migrants who contribute to social protection schemes in their home or destination countries thus do not receive the corresponding benefits.

Formally, migrants who acquire the nationality of their country of residence enjoy the same rights as other nationals.⁷² In practice, however, they may be disadvantaged by the lack of benefit portability and shorter work histories in the country of destination. This section focuses mainly on gaps in social protection coverage among foreigners and nationals abroad. It examines legal coverage of migrants in host countries and issues related to benefit portability between countries. It also discusses migrants' effective coverage, noting that data and research on this topic are limited.

1. Legal social protection coverage

Migration policies are determined primarily at the national level. However, the rights of migrants are set out in international and regional legal instruments (see box VI.1).

Box VI.1

The right of international migrants to social protection: key international instruments

Some international instruments on the rights of international migrants cover only those with legal status. Others, in principle, establish equal rights for all migrants. However, directives regarding access by migrants in an irregular situation to social security leave national authorities wide discretion in determining what entitlements they may claim.

The States parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which was adopted in December 1990 and entered into force in 2003, undertook to respect the rights of all migrants without distinction.⁸¹ According to article 27, with respect to social security, migrant workers and members of their families should enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. That is, equal treatment in access to social security is subject to requirements and national authorities determine whether (and which) migrants meet such requirements. However, article 27 provides that reimbursement of contributions should be considered where migrants are denied benefits.

Several ILO conventions also cover the core rights of migrant workers.⁸² Article 6 of the ILO Migration for Employment Convention, 1949 (No. 97), states that each member State that is a party to the Convention should apply equal treatment with regard to social security to immigrants lawfully within its territory and nationals, thus excluding migrants in an irregular situation. While stressing that migrants should be given opportunities to enter

⁷² Citizenship laws vary from one country to another. Some countries guarantee citizenship to anyone born within the country's territory (*jus soli*); others consider a person's national status the same as that of the person's parents, regardless of place of birth (*jus sanguinis*). Almost all countries impose a minimum duration of (legal) residence within their territory as a condition to acquire citizenship after birth through naturalization (usually 5 years, but it can range from 2 to 15 years). Some countries have started to simplify naturalization rules and are increasingly allowing their nationals to seek or hold multiple nationalities as well (IOM, 2010). Nevertheless, citizenship laws remain inconsistent in many countries and, in some cases, very strict.

⁷³ General Assembly resolution 45/158.

⁷⁴ The box refers only to selected ILO instruments related to the social security of migrants. See Panhuys, Kazi-Aoul and Binette (2017) for a complete list (table 1).

under or acquire legal status, article 9 of the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), establishes that, where the migrant's position cannot be regularized, the migrant should enjoy equality of treatment in respect of rights arising out of past employment as regards remuneration, social security and other benefits. In addition, the ILO Equality of Treatment (Social Security) Convention, 1962 (No. 118), provides for equal treatment between a country's own nationals and nationals of other States where the Convention is in force, while the ILO Maintenance of Social Security Rights Convention, 1982 (No. 157), aims to enhance the portability of rights and benefits.

The main obstacle to the application of international standards is that most of the conventions concerned have not been widely ratified. Only 51 countries are States parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁸³ ILO Convention No. 97 has been ratified by 49 countries and areas.⁸⁴ ILO Convention No. 143 has been ratified by only 23 countries, although at least four are major destination countries. ILO Convention No. 118 has been ratified by 38 countries, including several major destination countries in Europe. However, most ratifying countries endorse equal treatment for selected social protection measures only.⁸⁵ Lastly, ILO Convention No. 157 has been ratified by 4 countries, including 2 in Europe: Spain and Sweden.

Migrants' rights are addressed in broader terms in the main international instruments on social protection. The ILO Social Protection Floors Recommendation, 2012 (No. 202), states that Members should provide basic social security guarantees to at least all residents and children, thus covering children of migrants in an irregular situation. The widely ratified ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), however, defines a *resident* as "a person ordinarily resident in the territory of the Member". Based on that definition, member States may restrict access to social security for some categories of migrants.⁸⁶

Although some international instruments provide for the right to social security for everyone, national social protection regulations often exclude categories of migrant considered to fall outside the social contract—migrants in an irregular situation.

Migrants admitted to a country under long-term residence and work permits (of one year or longer) often have legal access to social protection on the same terms as nationals, but only after having resided or worked in the country for a certain period of time. Contributory social protection schemes are themselves linked to periods of employment or economic activity. The effective coverage of migrants is thus limited by the fact that many may not meet the minimum years of contribution needed to receive adequate benefits. In addition, migration policies in most developed countries also establish a minimum length of residence as a key condition for eligibility. In countries

⁷⁵ As of 13 September 2017. For a current list, see <http://indicators.ohchr.org> or <http://treaties.un.org>. States parties include 21 African countries, 18 in Latin America, 10 in Asia and only two in Europe (Albania and Bosnia and Herzegovina).

⁷⁶ As of 13 September 2017. For a current list, see www.ilo.org/dyn/normlex/en/f?p=1000:12001::NO::.

⁷⁷ Denmark, for example, accepts its obligations under ILO Convention No. 118 with regard to medical care, sickness benefits, employment injury and unemployment benefits, but not for maternity, invalidity, old-age, survivor and family benefits.

⁷⁸ In the United Kingdom, for instance, only lawful residents are considered ordinary residents (see www.gov.uk/government/uploads/system/uploads/attachment_data/file/430967/OR_Tool__1_.pdf). *Ordinary residence* has been defined by case law (www.globalconnections.org.uk/sites/newgc.localhost/files/papers/understanding_ordinary_residence.pdf). In Ireland, ordinary residents must have been residing or intend to reside in the country for at least one year and must present documentation to prove their intent (European Commission, 2014). The United Nations does not define "ordinary residence" but, for the purpose of collecting data on international migration, recommends defining *place of usual residence* as the place at which the person has lived continuously for most of the previous 12 months, without reference to the legal status of the migrant (United Nations, 2017d).

that grant permanent residence, for instance, immigrants enjoy legal social protection coverage only two to five years after obtaining permanent residence (Woolford, 2009; Broder, Moussavian and Blazer, 2015).⁷⁹ Under such conditions, newly arrived migrants have access to education and, usually, to health care, but more limited access to contributory social protection schemes beyond accident compensation and other emergency benefits, and restricted access to tax-financed schemes. However, as documented migrants with work or residence permits, they generally pay taxes and contribute to unemployment, pension and other social protection schemes from the time of their admission to the host country.

Since access to most social protection measures requires minimum periods of work or residence, the rights of people who move for short periods are generally circumscribed.⁸⁰ However, policies vary by country. In some cases, temporary or short-term migrants pay in to the host country's social protection system but are not entitled to the corresponding benefits. In others, they neither contribute to nor benefit from social protection systems in host countries. In still other cases, short-term migrants must continue to pay contributions in the country of origin while also contributing abroad. In countries for which information is available, mostly in developed regions, tax-financed programmes are less accessible to short-term migrants than contributory programmes. Most short-term migrants are entitled to a minimum set of tax-financed benefits that usually include work injury benefits and basic health care. In the European Union, migrants holding fixed-term residence permits have access to family benefits in only 10 countries and to tax-financed, old-age pensions in just 5 (European Commission, 2014).

As far as migrants in an irregular situation are concerned, Governments struggle to strike a balance between reducing what they perceive as incentives for migration and ensuring that human rights of migrants in an irregular situation are protected. That rarely includes equal treatment in access to social protection. In most cases, undocumented migrants are given access to emergency health care, either by law or de facto, and to limited accident compensation benefits. They rarely have access to tax-financed programmes, besides minimum assistance for children and some in-kind aid (mostly food) for adults (United Nations, 2014; Schoukens and Pieters, 2004; Nyenti, du Plessis and Apon, 2007; European Union Agency for Fundamental Rights, 2011a and 2011b). At the same time, they pay indirect taxes, like any other consumer, and, in some cases, even income taxes.⁸¹ The vulnerability of migrants in an irregular situation is exacerbated by the fact that access to social protection is, in some countries, a necessary precondition for access to other social rights and public services. In the United States, for instance, social security cards are the main form of personal identification; they are required to obtain official documents, including driver's and marriage licences.

⁷⁹ Laws applicable as at 31 January 2017. Traditional countries of immigration, such as Australia, Canada, New Zealand and the United States, grant foreign persons permanent residence, while most other countries grant long-term residence permits only. In some countries, old-age pensions require more than 5 years of residence. In Australia, the national means-tested pension can only be received after 10 years of residence (Woolford, 2009). Family allowances are, however, available immediately. In the United States, migrants need at least 40 quarters (10 years) of contributions to the social security system (Broder, Moussavian and Blazer, 2015). Nationals of European Union countries enjoy full access and portability of benefits immediately after moving from one member country to another. Third-country nationals, however, are granted only long-term residence and access to core social protection benefits after five years of residence in a member country.

⁸⁰ The United Nations recommends defining *short-term usual residence* as the place at which the person has lived continuously for most of the previous 12 months, without reference to the legal status of the migrant (United Nations, 2017d).

⁸¹ In the United States, undocumented migrants contributed \$13 billion in payroll taxes in 2010 (Goss and others, 2013).

2. Portability of social protection benefits and rights

Migrants may contribute to social security schemes in their countries of origin and destination but, if social protection rights and benefits are not portable, they may be unable to preserve or transfer pensions, health insurance and other benefits if they return home or move to another country, even after long contributory periods. Adequate portability not only involves ensuring that benefits accrued in one country are payable in another. It also means that benefits should be determined on the basis of an individual's full contribution period in all the countries where he or she has paid contributions. If contribution periods are not totalized, migrants may not be entitled to pensions or other benefits because they do not meet the minimum contributory period required in some or all countries, even though they may have worked or contributed as many years, in total, as their non-migrant peers. Lack of portability may dissuade migrants from paying contributions in the host country and encourage them to work in informal jobs. It may also deter migrants from returning to their origin country.

Many countries have negotiated bilateral and multilateral agreements to ensure the adequate portability of entitlements, although there are still many loopholes. Most agreements cover long-term contributory benefits, mainly old-age pensions but also disability and survivor pensions (Holzmann, Koettl and Chernetsky, 2005). However, they fall short of ensuring access to basic social protection floors. Health-care benefits, even when contributory, are less often covered by such agreements, while social assistance and other tax-funded payments are rarely portable (Avato, Koettl and Sabates-Wheeler, 2009; European Commission, 2014). Portability is limited by the fact that the qualifying conditions for social assistance payments are closely tied to an individual's situation in the country of residence. In addition, the link between contributions and benefits is less explicit in tax-financed payments than in contributory schemes where payments are in principle reserved for reimbursement through future benefits.

Panhuis, Kazi-Aoul and Binette (2017) show that 94 out of 120 countries included in their study have concluded at least one bilateral agreement and that 77 have at least one multilateral agreement in place. Many developing countries lack any such agreements, but developed countries have negotiated a significant number of them—primarily with other developed countries.⁸² Africa is the region with the highest proportion of countries that have no such agreement.

The European Union is the most advanced region with regard to portability of benefits. Not only do European Union regulations grant nationals and long-term residents full portability of benefits across countries in the Union, but nationals can export their pensions to almost all countries in the world (Avatos, Koettl and Sabates-Wheeler, 2009). In addition, the Union has far-reaching agreements with Albania, Algeria, Israel, Morocco, Tunisia, Turkey and the former Yugoslav Republic of Macedonia (European Economic and Social Committee, 2016). In Latin America and the Caribbean, the Caribbean Community (CARICOM) and the Southern Common Market (MERCOSUR) have provisions to make accrued benefits portable within those common markets, but they have had limited impact in practice so far (ILO, 2016d). The Ibero-American Multilateral Convention on Social Security has been signed by 2 European countries (Spain and Portugal) and 12 Latin American countries. The Convention includes benefits in cash in the event of disability, old age, death of a family member or employment injury (work accidents and occupational diseases).

⁸² The United States, for instance, has concluded 25 bilateral agreements with other developed countries and only two with developing, middle-income, countries (Chile and the Republic of Korea). See www.ssa.gov/international/agreements_overview.html. Canada had concluded 56 bilateral agreements as of March 2017 (Panhuis, Kazi-Aoul and Binette, 2017).

Bilateral and multilateral agreements are less common in developing countries with less comprehensive social protection systems, where the right to social security is not even ensured for citizens.⁸³ The capacity of low-income countries to administer such agreements or negotiate them with high-income countries is limited, especially when they are reciprocal.

In the absence of coordination, some countries limit the portability of pensions and other social protection benefits. The United States, for instance, imposes restrictions on pensions paid in countries with which it has no bilateral agreements and even prohibits the payment of pensions in certain countries: Cambodia, Cuba, Democratic People's Republic of Korea, Viet Nam and countries of the former Soviet Union, with exceptions.⁸⁴ Other host countries give migrants the possibility of opting out of the social protection system and some exclude them completely. In some cases, migrants are covered in their countries of origin and destination and continue to pay taxes in both as well—such double coverage takes place mostly among migrants who are sent to another country by companies located in the country of origin.

3. Gaps in effective coverage

In their global analysis of social protection coverage, Avato, Koettl and Sabates-Wheeler (2009) classify access by migrants to social protection and portability of entitlements into four regimes.⁸⁵ Regime I includes all migrants with legal status who have full access to social protection (and social services) in their host countries and whose host and home countries have concluded bilateral or multilateral agreements ensuring the portability of benefits. Regime II includes all migrants who have access to social protection in their host countries but whose host and home countries have not concluded bilateral agreements. Host country benefits may be payable in other countries, but periods of contribution in various countries are not totalized. Regime III includes all migrants with legal status who do not have access to social protection in the host country either because they are formally excluded—such as in the case of short-term migrants in many countries—or because social protection systems are non-existent or limited in scope, as in many African countries. Regime IV includes migrants in an irregular situation.

Based on estimates of the global migrant stock by country of origin and destination and additional assumptions regarding migrants' legal status, the authors estimate that only 23 per cent of all international migrants around the year 2000 came under regime I.⁸⁶ Assuming that the percentage remained constant, 59 million migrants out of 258 million would have had comprehensive access to social protection in 2017.⁸⁷ Included among them are 80 per cent of all migrants from Europe and 68 per cent of migrants from Northern America, who move mainly to other developed countries, but only 11 per cent of migrants from all developing regions combined. About 55 per cent of migrants would have moved under regime II, and 22 per cent (57 million in 2017) would be largely unprotected (regimes III and IV). Thus, there are gaps in the social

⁸³ For an analysis of bilateral agreements and portability of social protection benefits in Southern Africa, see Olivier (2012 and 2014), Makhema (2009), and Deacon, Olivier and Beremauro (2015). For East and South-East Asia, see Pasadilla and Abella (2012).

⁸⁴ See www.ssa.gov/pubs/EN-05-10137.pdf.

⁸⁵ See also Holzmann, Koettl and Chernetsky (2005).

⁸⁶ The authors used estimates of the number of international migrants by country of origin and destination compiled by the Development Research Centre on Migration, Globalization and Poverty, based on data from the 2000 census round (see tables 1 to 5 in Avato, Koettl and Sabates-Wheeler, 2009). In principle, census data enumerate international migrants regardless of their legal status. The authors, however, complemented census data with ILO and country estimates in order to obtain a separate estimate of the number of irregular migrants.

⁸⁷ See United Nations (2017d).

protection of a majority of migrants, even though most (58 per cent) live in developed countries with well-established social protection systems.

While informative, these estimates are based mainly on legal coverage. The effective coverage of migrants is likely to lag well behind, given the multiple administrative and social barriers to access that they face. In fact, while migrants are at higher risk of poverty than their native-born peers, they are less likely to receive social protection benefits in most host countries for which data are available and, when they do, the benefits they receive are lower (OECD, 2013b; Barrett and Maitre, 2011; Boeri and Monti, 2009). The share of non-European Union migrants who receive benefits—from all social protection programmes, contributory and non-contributory, combined—is below that of native-born people in 14 out of 19 European countries for which data are available (Barrett and Maitre, 2011, figure 2). The extent of under-coverage, however, varies considerably by programme. Non-European Union migrants are more likely than native-born people to receive unemployment benefits in 12 out of 19 countries but less likely to receive sickness, disability and old-age support, partly because of differences in age structure (*ibid.*, figures 3 to 5). In Spain, Muñoz de Bustillo and Antón (2009) find that migrant households are less likely to receive social protection benefits than their native-born counterparts, even when adjusting for differences in age, education, household size, occupation and other socioeconomic characteristics between the two groups.

The design and implementation of social protection schemes contribute to the current disconnect between law and practice. First, registration procedures for participation in certain programmes may be complex and require information that is hard for migrants to access or too costly to afford. In addition, registration is generally available only to migrants with legal status (OSCE, IOM and ILO, 2006). Beyond the administrative requirements, some countries apply discretionary criteria to determine eligibility (European Commission, 2014). Such criteria generally go beyond holding a residence permit and may take into consideration a migrant's family ties, ownership of property or evidence of integration into society, such as membership in a club (*ibid.*).

Second, claiming benefits is often complex and requires documentation that is hard to obtain for non-native-born persons or people living outside the country. In South Africa, for instance, survivor benefits are often not paid to migrant workers' dependents, as they must provide notarized birth and marriage certificates, which are difficult to obtain in their countries of origin (Deacon, Olivier and Beremauro, 2015). Third, officials or migrants themselves often lack information on entitlements and procedures, and the related regulations may not be properly enforced. Migrants' lack of legal empowerment further limits their capacity to claim due benefits and exercise their rights. Language barriers also hinder access to benefits, as do social barriers, including prejudice against migrants (Hopkins, Bastagli and Hagen-Zanker, 2016; MacAuslan and Sabates-Wheeler, 2011).

Lastly, claiming benefits can jeopardize the renewal of residence permits (European Commission, 2014). For instance, in almost every country, the right of migrants with legal status to family reunification is contingent on their meeting minimum income and adequate housing requirements. That is, migrants and their families should be able to subsist without requiring social assistance.⁸⁸ In many countries, public bodies and service providers have a legal obligation to report undocumented migrants to immigration authorities. Thus, migrants in an irregular situation with access to social protection live with the fear of detection and risk of deportation. That often dissuades them from claiming benefits and thereby contributes to their low level of effective coverage.

⁸⁸ Citizens of European Union countries have been expelled from other countries in the Union for claiming social assistance benefits, on the grounds of lack of self-sufficiency (Lafleur and Stanek, 2017; European Parliamentary Research Service, 2014).

Compositional effects can also limit coverage for international migrants. Migrants are more likely than non-migrants to work in informal jobs and are therefore outside the scope of social protection. In many developing countries, the limited reach of social protection systems is itself an incentive to working in the informal sector, as both migrants and native-born people see little point in contributing to them (Sabates-Wheeler, 2011). The prevalence of non-standard (temporary and part-time) job contracts among migrants also limits access. Even in the United States, 22 per cent of immigrants did not have health insurance in 2015, compared with 7 per cent of native-born people, mostly because a higher percentage of immigrants work in precarious jobs without employer-sponsored health insurance (Migration Policy Institute, 2017; Ku and Papademetriou, 2007).⁸⁹ Because migrants' salaries are often low, they must weigh up carefully whether to participate in contributory social protection schemes. In addition, international migrants are often more mobile than non-migrants, especially during the years after arrival (Newbold, 2007; Kritz, Gurak and Lee, 2011). In countries with population registers, migrants who move around may not meet residency requirements. In addition, registration and de-registration processes are time-consuming and can be costly (Hopkins, Bastagli and Hagen-Zanker, 2016).

The social protection coverage of international migrants also depends, to a large extent, on the conditions under which people migrate and on their country of destination. According to a study of migrants from Malawi, 28 per cent of those who had migrated to South Africa had access to employment-based social protection, compared with 82 per cent of those who had migrated to the United Kingdom (Sabates-Wheeler, 2011; Avato, Koettl and Sabates-Wheeler, 2009). However, disparities in terms of access between the two groups were also large in Malawi prior to migration, suggesting that selection effects are also at play. Only 13 per cent of those who migrated to South Africa, but 53 per cent of those who moved to the United Kingdom, were entitled to any employment-based social protection available in Malawi. In other words, the characteristics of migrants, in particular with regard to their labour market situation, can affect social protection coverage alike in origin and destination countries.

Where migrants are not covered by contributory social protection programmes in destination countries, they may set up or join private pension and health insurance plans, or continue to pay contributions in their country of origin, where possible. They may also resort to informal means of social protection, including those provided through social networks, churches and community-based organizations. Groups of migrants often set up savings and credit schemes to insure against unemployment and other shocks (Deacon, Olivier and Beremauro, 2015). Sometimes, employers also cover employees directly and give them access to services.

While lessons can be learned from such initiatives, access to formal social protection remains necessary, and its absence violates a basic human right. By engaging in informal, unregulated means of social protection, migrants run the risk of abuse and exploitation. Regarding continued contributions in the country of origin, adequate coverage is far from ensured, as countries of origin abiding by the principle of territoriality may not allow nationals abroad to claim benefits. When they do, pensions from the country of origin may not be sufficient to sustain migrants in their host countries. Private pension and health insurance plans may not be readily available to migrants in all countries or may be unaffordable.

⁸⁹ In the wake of the Affordable Care Act coming in to force in 2014, the proportion of uninsured immigrants fell from 32 per cent in 2013 to 22 per cent in 2015; the proportion of uninsured nationals fell from 12 per cent to 7 per cent in the same period (Migration Policy Institute, 2017).

C. Expanding access to social protection for international migrants

Few countries grant documented international migrants full access to social protection, even where such systems are well established. Migrants in an irregular situation, and even many short-term migrants, often lack access even to a basic social protection floor.

This section focuses on ways of enhancing migrants' social protection coverage in host countries and on how countries of origin can improve access to benefits and their portability. The discussion takes into account that many migrants live in countries where access to social protection is limited, even for citizens. Evidence regarding social protection of migrants is scarce, but lessons can be learned from good practices in countries of origin and destination.

1. Improving social protection coverage in host countries

In countries with well-established social protection systems, the lengthy period of time between migrants' arrival and when they are granted formal access to social protection puts them at a disadvantage. New migrants are prevented from accessing contributory and most tax-financed social protection schemes. Closing this gap is a political challenge for several reasons.

Under contributory schemes, minimum contribution periods are a prerequisite for the payment of benefits. New migrants and those staying for short periods are thus effectively excluded from such schemes in most countries, even where conditions relating to length of residence are not imposed. Shortening qualifying periods, for instance by extending unemployment benefits to first-time job seekers, has helped other vulnerable groups most in need of benefits (see chapter III). Systematically extending the solidarity of such schemes to migrants from the time of their arrival would be difficult, partly because it could be perceived as preferential treatment for newcomers.

In practice, however, the principle of solidarity often works against migrants. They often have no choice but to pay in to social protection systems, while restrictive laws or administrative barriers limit their access to benefits. In addition, most migrants do not spend their whole lives in one host country. Most arrive as young adults and eventually return to their country of origin or move to a different country. They are therefore unlikely to constitute a disproportionate burden to the State, since social expenditure per capita is, on the whole, lower among the working-age population than among children and older persons.

Dynamic models of the fiscal effects of migration indicate that the presence of migrants has little impact in the short term: it is more often negative during economic downturns and positive in periods of economic expansion (OECD, 2013b; Rowthorn, 2008). In the long term, migrants and their descendants generally bring net fiscal gains—they pay more in taxes and other contributions than they receive in benefit payments (OECD, 2013b; Dustmann and Frattini, 2014; Bonin, 2014). In Australia, the migrant fiscal impact model estimates that social protection take-up is lower among migrants, on average, than among native-born Australians for at least the first 20 years of migrants' residence (Access Economics, 2008; Productivity Commission, 2016).⁹⁰

⁹⁰ The estimates are based on legal eligibility and probably overestimate the social protection take-up by migrants since, as discussed, effective coverage is well below legal coverage. The model takes into account that most migrants are ineligible for a broad range of social protection programmes in the first two years of residence (10 years in the case of old-age pensions).

Research in the European Union suggests that there is no significant relationship between social spending and immigration—in other words, there is no evidence of social protection constituting a “magnet” for migration (Giulietti and others, 2011). Contrary to popular perceptions, even migrants in an irregular situation generally bring more in contributions than they take from social protection programmes. In the United States, for instance, undocumented migrants contributed \$13 billion in payroll taxes in 2010 and received only an estimated \$1 billion in benefit payments (Goss and others, 2013).

One way of compensating migrants for the unfair practice of restricting access to benefits while making contributions obligatory is to reimburse the amounts paid in contributions, as recommended under article 27 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (see box VI.1). In practice, that happens only in limited cases under bilateral or multilateral agreements when migrants return to their countries of origin. Some host countries offer lump-sum payments to migrants who leave that reflect, mostly, contributions paid by them and their employers in to the pension system during their stay. The United States, for instance, has agreements with a number of European and other countries that provide for the refund of contributions through a lump sum. In that way, United States citizens who have worked in one of those countries for less than five years may apply for reimbursement once they return (Holzmann, Koettl and Chernetsky, 2005).⁹¹ An agreement between Germany and Turkey allows for a lump-sum payments to returning Turkish migrants to return their contributions but not those of their employers. Migrants thus lose a substantial amount when returning (Holzmann and others, 2016).

Access by recent migrants to contributory social protection schemes is also curtailed by the difficulty in finding work upon arrival in destination countries. The precarious labour market situation of recent migrants is of particular concern in countries, such as the United States, where access even to health care depends on participation in the formal labour market and on the type of employment (Sainsbury, 2012). Many new migrants struggle to find jobs even in countries that promote their inclusion (Desiderio, 2016).

In this context, tax-financed social protection programmes take on particular importance in ensuring migrants’ income security and preventing impoverishment. Many developed countries offer social assistance measures targeted at newly arrived refugees and other humanitarian migrants (OECD, 2014c and 2016d; Papademetriou, Benton and Banulescu-Bogdan, 2017). They consist mainly of short-term assistance to meet urgent needs upon arrival, including basic subsistence support, some form of accommodation and access to basic services. They are usually provided in the framework of broader reception or integration efforts, which also comprise information campaigns, language and vocational training and training for teachers and health personnel. Some countries, including many in Europe, provide limited integration assistance to other migrants, mostly in the form of training and with a strong focus on supporting their integration in the labour market, but with no (or very limited) cash transfers (OECD, 2014c and 2016d).⁹² Few developing countries offer such support to migrants (United Nations, 2013b).

⁹¹ See also www.ssa.gov/international/agreements_overview.html.

⁹² The European Union Reception Conditions Directive of 2013 prescribes minimum standards that include providing asylum seekers with adequate housing, financial allowances for food (three meals per day minimum), adequate clothing and an additional daily expenses allowance (see <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013L0033&from=EN>). However, as the European Union acknowledges, there is a considerable degree of discretion regarding the definition of what constitutes an adequate standard of living and how it should be achieved (European Asylum Support Office, 2016). In many cases, for instance, the provision of cash assistance is tied to residence in accommodation centres. Non-humanitarian migrants do not benefit from similar cash transfers.

Such introductory assistance, although broadly available, appears to have a limited impact on the labour market situation and overall well-being of refugees and other migrants (Rinne, 2012; Svantesson and Aranki, 2006; OECD, 2014c and 2016e; Desiderio, 2016; Rietig, 2016). Often, budgets for these introductory programmes are too small to trigger a noteworthy improvement in migrants' welfare (Moreno Fuentes and Bruquetas Callejo, 2011). For such early assistance and other reception measures to have a lasting impact, they need to be part of a systematic approach to supporting the social inclusion of migrants in the long term. Social assistance for new migrants cannot be conceived as an alternative to giving migrants immediate access to the labour market, recognizing foreign educational credentials and validating skills or promoting the acquisition of nationality.

Beyond questions regarding their effectiveness, cash transfers targeted exclusively at migrants are likely to face opposition and can easily undermine public trust. They can encourage public discontent about migrants benefitting at the expense of the native-born population and feed into perceptions of generous social benefits acting as magnets for further immigration. Such measures are thus highly vulnerable to cuts based on political and economic considerations and trends in public opinion.

This is not to say that the needs of migrants and the unique challenges they face do not require special, targeted support. However, as migrants settle, many of the disadvantages they face are shared by members of the communities in which they settle. Easing or even waiving length-of-residence conditions so that migrants might gain access to mainstream social protection schemes can, therefore, go a long way towards addressing their needs.

Broad access to health care is also fundamental for migrants' well-being. With exceptions, migrants holding valid residence or work permits have access to health care on an equal footing with non-migrants. In contrast, the entitlements of migrants in an irregular situation differ considerably from one country to another. In countries of the European Union, for instance, undocumented migrants had access to emergency, primary and secondary health care, and specialist and in-patient treatment in 6 out of 27 countries (Belgium, France, Italy, Netherlands, Portugal and Spain) in 2011. Health-care systems are tax-financed in 3 of those countries (Italy, Portugal and Spain). One country (the United Kingdom) granted undocumented migrants access to emergency and primary care and 19 countries granted them access to emergency care only, although other public health-care services may have been available against full payment (European Union Agency for Fundamental Rights, 2011b). In 11 out of these 19 countries, migrants in an irregular situation had to pay for emergency care (*ibid.*). As far as migrant children in an irregular situation are concerned, only 4 countries (Greece, Portugal, Romania and Spain) grant them the same level of health care as nationals. Typically, there are qualifying conditions to be met for access to primary and secondary health care in those countries that offer it. They include the need to provide some form of identification, proof of residence or evidence of insufficient financial means to pay for care. Such conditions constitute obstacles to health-care access for migrants in an irregular situation.

Extending migrants' legal coverage would, however, have only a limited effect if the barriers to their effective coverage are not addressed. Removing barriers will require simplifying registration and reimbursement procedures. By way of example, migrants in Spain are entitled to register with their local municipality regardless of their status. Registration is the only condition required for, among other things, access to education and public health care. In order to register, migrants must present their passport and a document proving residence in the municipality concerned.

Improving effective coverage should also involve information campaigns to ensure that Government officials and migrants are aware of regulations and entitlements. Initiatives in terms of information and counselling have generally been on a small scale and come from local authorities and NGOs. In Germany, for instance, the health departments of three cities have established humanitarian medical consultation hours for irregular migrants at drop-in centres that also offer basic health services. Consultation is offered free of charge. In cases of serious health problems, the centres either refer patients to a cooperating network of specialists or check whether regularization based on medical grounds is possible (European Union Agency for Fundamental Rights, 2011b).

2. The role of origin countries and portability agreements

Countries of origin are increasingly making efforts to address the needs of their nationals abroad, including by extending some form of social protection to international migrant workers. In addition to negotiating agreements with destination countries, some have assumed direct responsibility for providing basic protection.

The Philippines was a pioneer in providing basic protection to its nationals working abroad, starting in the 1970s (see box VI.2). Since then, other developing countries have also extended health, disability and life insurance to their nationals abroad. Several Asian countries do so through migrant welfare funds. These funds also help migrant workers and their families with travel costs, provide pre-departure orientation, education and training, offer credit for various purposes (pre-departure costs, housing and setting up small businesses), assist with the repatriation of remains and cover the costs of involuntary returns. They are financed by contributions from migrants, private recruitment agencies and, in principle, destination country employers. Generally, contributions into such funds are voluntary. The Sri Lankan Overseas Workers Welfare Fund and Nepalese Foreign Employment Welfare Fund, however, make contributions compulsory for all registered workers (Del Rosario, 2008; IOM, 2015). In Sri Lanka and Pakistan, insurance is channelled through State insurance companies, while in the Philippines the fund handles insurance claims itself (OSCE, IOM and ILO, 2006).

Box VI.2

Social protection of Filipino migrants abroad

The Philippines migrant welfare fund, known as the Overseas Workers Welfare Administration, was set up in 1977 and is the lead agency for promoting the welfare of Filipino workers and their dependents living overseas. The fund operates in conjunction with the Philippine Overseas Employment Administration, which licenses and regulates recruitment agencies for overseas workers. The fund's main source of revenue is the \$25 membership fee collected on a per contract basis. Membership is initially valid for a maximum of two years and must be renewed for coverage to be continued. The fund has provided a model for other countries looking to protect their nationals working abroad.

The fund provides pre-departure training and orientation. It also offers insurance to cover accidents, disability and death, as well as loans, counselling and legal services. In some cases, dependents of overseas workers may be eligible for educational scholarships. The fund manages the repatriation of nationals in the event of illness or crisis in the destination country and a reintegration programme for returning migrants. It is present in 27 countries and offers assistance to overseas workers who encounter problems with their employers (Asis, 2017).

In addition to participating in the fund, all Filipino migrants travelling through official channels are required to purchase health-care insurance through a national plan. They may also pay approximately 10 per cent of their wages in to a basic pension plan run by the country's social security scheme. In the wake of criticism that the plan did not provide meaningful financial protection, the SSS Flexi Fund was set up to supplement pension benefits for Filipino overseas workers. Coverage begins after the first payment is made and the benefits cover sickness, maternity, retirement, disability and death (Centre for Migrant Advocacy (2012).

The Filipino Government has proposed making social security coverage mandatory for overseas workers, but this could present an excessive financial burden. To receive their Overseas Employment Certificate, migrants already pay a number of fees, including for mandatory health insurance.

Despite the benefits offered, it is estimated that only some 20 per cent of registered overseas workers were paying in to the social security system in 2016 (Republic of the Philippines, 2017). That may be because of the cost, lack of awareness and/or confusion about the procedure for collecting benefits. Advocates have argued that greater efforts should be made to inform migrants of their potential entitlements. Smaller monthly contribution rates for overseas workers should also be considered, in particular for low-skilled workers.

Countries without migrant welfare funds have also taken steps to abandon the principle of territoriality and ensure equal treatment in access to some social protection schemes by residents and nationals abroad—or even preferential treatment for the latter. Mexico and Morocco, for instance, grant full access to the public health system to migrants who return temporarily or permanently (IOM and Migration Policy Institute, 2012). Ecuador promotes the voluntary affiliation of nationals abroad to contributory schemes, including pensions, employment injury, unemployment and disability benefit schemes and maternity protection (Redrobán Herrera and Paredes, 2017). By 2015, about 8,000 Ecuadorians living abroad were affiliated to social security (*ibid.*). Some countries have also undertaken information campaigns, mostly through embassies and consulates, to advise their migrant nationals about social protection options.

Migrant welfare funds and other initiatives by countries of origin have reached many migrants, including some in an irregular situation. However, many such funds have shortcomings. They largely provide contributory benefits, with tax-financed schemes mostly confined to repatriation assistance. Benefits are one-size-fits-all and low relative to living costs in some destination countries (Agunias and Ruiz, 2007). In this regard, welfare funds that allow migrants to opt out and make contributions voluntary may be more appropriate. In addition, most funds only provide temporary insurance. They fund migrants in their initial period of employment. Migrants who extend their contract while abroad are generally not covered (Del Rosario, 2008; Paoletti and others, 2014). Migrants can also find it difficult to obtain support from their welfare funds. Evaluations of the Filipino and Nepalese funds show that, although they have been effective in providing repatriation assistance and life insurance to migrant workers or their families, few claims have been settled for other purposes (IOM, 2015; Agunias and Ruiz, 2007). The backlog of claims also suggests that processing times are lengthy. Moreover, migrants lack information regarding their entitlements or even the funds' existence, despite having paid into them (IOM, 2015). In many cases, benefits can only be enjoyed by migrants upon return to their country of origin. Moreover, some funds do not contain provisions for dependent family members who stay in the country of origin. As a rule, migrants have little voice in the formulation and coordination of welfare funds.

Overall, migrant welfare funds, or so-called unilateral agreements, are beneficial to countries with large numbers of nationals abroad, especially when they live in countries with weak social protection systems. Given the limited scope of many such funds, however, bilateral or multilateral agreements become necessary to ensure adequate coverage and to facilitate the portability of benefits.

Bilateral and multilateral agreements are more common among high-income countries.⁹³ For them, the main challenge is to expand existing agreements—by including health care in particular—and to improve consistency within the fragmented network of bilateral agreements. Countries where access to social protection is limited have little capacity to ensure migrants' rights or to negotiate and administer agreements with high-income countries.⁹⁴ Concerns about how to enhance portability may be premature in such cases.

The example of the Southern African Development Community (see box VI.3) suggests that, in many low-income countries, the first priority is to formulate coherent policy frameworks for the humane and orderly management of migration. The absence of comprehensive frameworks to determine the conditions for entry and stay and set out the rights and responsibilities of migrants leaves many in an irregular situation and with few options to regularize their status. Improving access to social protection or the portability of benefits serves little purpose if most migrants are in an irregular situation. Providing them with documented status can eventually improve their access to whatever social protection is available. Conversely, extending social protection to all migrants where available can help them to transition to formal employment and pave the way to documented status.

Box VI.3

Migration and social protection in the Southern African Development Community

The Treaty of the Southern African Development Community of 1992 aimed to enhance the quality of life of the peoples of Southern Africa and support the socially disadvantaged through regional integration. The Code on Social Security of the Southern African Development Community, signed in 2008, provides guidelines on social protection. Under the Code, all persons, including migrants, have the right to social security (article 4) and the social security schemes of a host country should be accessible to legally employed migrants, with minimum protections granted to migrants in an irregular situation (article 17).

Nevertheless, the region has yet to develop a coordinated policy framework for migration. Most member countries of the Community have highly restrictive migration policies and only admit migrants that fit narrowly-defined categories (Dodson and Crush, 2015). In practice, however, migration policies—in particular those regarding the rights and protection of migrants—are poorly enforced (*ibid.*). Most countries in the region have inadequate and uncoordinated border management systems and little capacity to receive and screen migrants or refer vulnerable migrants to the appropriate services. Further challenges include outdated immigration legislation and, at times, insufficient knowledge of its provisions on the part of the authorities (IOM, 2016). The upshot is a high level of irregular migration (Dodson and Crush, 2015; Deacon, Olivier and Beremauro, 2015).

⁹³ See a map of bilateral agreements by country (figure 4) in Panhuys, Kazi-Aoul and Binette (2017).

⁹⁴ That is not to say that agreements between countries at different levels of development are impossible. The United Kingdom, for instance, has concluded reciprocal agreements with developing countries such as Barbados, Chile, Jamaica, Mauritius, the Philippines and Turkey (see www.gov.uk/government/publications/reciprocal-agreements). However, they are uncommon and limited in scope.

A strategy for the humane management of migration must facilitate access to existing social protection systems. In the Southern African countries that have such systems, tax-financed social assistance programmes tend to exclude migrants because of citizenship or permanent residency requirements (Deacon, Olivier and Beremauro, 2015, 21). In addition, portability of benefits is rare, given that bilateral labour agreements between member countries of the Community do not sufficiently address this issue.

South Africa is a major migration hub. It has one of the most comprehensive social protection systems in the region, but social protection remains largely out of reach for many migrants. In particular, social assistance, unemployment benefits, healthcare, housing and education are only available to citizens and not all of those are available even to permanent residents. Refugees, in contrast, enjoy access to the same benefits as nationals. Asylum seekers have fewer rights but do have access to health care, public housing and public schools. However, refugees and other migrants encounter obstacles owing to complex registration processes, difficulties in obtaining access to services and a lack of information about their entitlements (Deacon, Olivier and Beremauro, 2015).

Conclusions

In one way or another, most international migrants benefit from moving. At the same time, many of them face considerable challenges and suffer from economic and social disadvantages in destination countries. Whether migrants move with the necessary documentation to live and work in their countries of destination or irregularly, temporarily or for the long term, determines their rights and influences their chances for a better life.

While the 2030 Agenda calls for social protection for all and aims for universal health coverage, national legislation often excludes international migrants in an irregular situation from social protection and affords other categories of migrants, such as temporary migrants, only limited rights. Moreover, most migrants lose some of their entitlements when moving to a new country or returning to their country of origin.

Evidence regarding the effective coverage of migrants is limited, but all the signs indicate that it is significantly lower than their legal coverage. Migrants face more administrative and social barriers to participation in social protection schemes than non-migrants. The fact that many migrants work in the informal sector and in jobs under non-standard contracts also limits their coverage.

Ensuring that migrants are not left behind is not just a moral imperative. In the long run, migrants pay more into the social protection systems of destination countries through direct contributions and taxes than they receive in benefit payments. Their exclusion comes with considerable economic and social costs associated with forgoing the contribution of an important group of the population. Lack of access to social protection, specifically, exacerbates migrants' vulnerability and affects their well-being as well as their opportunities for the future.

Steps should be taken to ensure that social protection benefits earned in one country can be preserved or transferred to another without penalty. At the same time, migrants should enjoy the same treatment as nationals in destination countries, rather than facing legal and administrative barriers to social protection coverage.

Extending the legal coverage of migrants, however, will have a limited impact if major barriers to effective coverage are not removed. Keeping practice consistent with the law will require simplifying registration and reimbursement procedures.

Information campaigns will also be important to ensure that government officials and migrants are fully aware of regulations and entitlements.

The number of people wishing to migrate is likely to continue growing. Conflict, poverty, climate change and natural disasters will push people out of affected countries in search of opportunities abroad. At the same time, the declining cost of transport, better communications systems and more integrated labour markets will make it easier for people to move. Despite the challenges they face, migrants have made important contributions to the economies of the countries in which they live and to their countries of origin, as is recognized in the 2030 Agenda.⁹⁵ The positive impact of migration is greater where the rights of migrants are respected and their inclusion is promoted.

⁹⁵ General Assembly resolution 70/1, para. 29.