



## **Social Security Co-ordination and Social Security Reforms**

### **IPA Regional Programme on Social Security Co-ordination and Social Security Reforms in South-East Europe**

Joint Programme between the European Commission  
and the Council of Europe

### **Inception Report**

The IPA Regional Joint Programme between the European Commission and the Council of Europe on Social Security Co-ordination and Social Security Reforms in South-East Europe (in the following: “The Programme”) started on 1 March 2008. The present report summarises the activities carried out since the beginning of the Programme until 28 May 2008.

## **1 BACKGROUND INFORMATION**

### **1.1 Programme Background**

Taking into consideration the EU aspirations of the Beneficiary Parties in the South-East Europe (including Turkey) and their efforts towards becoming members of the European Union, they need to work on internal social policy reforms, as well as on their own regional co-operation. Besides the Copenhagen criteria, the candidates from the Western Balkans also need to fulfil the additional criteria that are defined within the Stabilisation and Association Agreement that each of them has signed or is about to sign with the European Union. One of the basic criteria in the SA Agreements is the improve of the regional co-operation in all fields.

Social security co-ordination is extremely important not only for the legal migrant workers and members of their families coming from the region, but also for the EU member states. If the Beneficiary Parties from the Programme want to become full EU member states they will need to comply with international standards (notably CoE and EC standards) in the area of social security and social security co-ordination. In this respect, there is still a long road in front of all them as far as the development of the social security coordination regulations, administration and practice.

Furthermore, internal reforms will need to be supported also at political level, especially taking into consideration that almost the whole Region is in a process of a complete reorganisation of their pension and health care systems.

Last, most of the systems are also in a process of conducting decentralisation processes, and therefore the new Programme will have to target not only the decision making bodies within the Beneficiary Parties (such as Ministries) but also some institutions acting on a local level.

The purpose of this new Joint Programme, is to overcome existing shortcoming by further enhancing the coordination of the social security systems in the region and facilitation the institutional, legislative and administrative reforms in the field of social protection according to EU standard.

With the first Joint Programme (CARDS – Social Institutions Support Programme, August 2004 - February 2008), general knowledge on social security coordination was spread, a network was created between civil servants that have participated in events organised within the Programme, and political contacts were developed. ***This second Programme, more targeted and results oriented, should provide Beneficiary Parties the necessary elements for further enhancing their social institutions, notably through the inclusion of social security coordination principles and social security reforms.***

Taking into account that there is no other International Institution working at present in the coordination of social security schemes, this Programme is an unique opportunity for the Beneficiary Parties to get acquainted with present developments in this particular field, improve their institutional capacity for quality development, proficiency and training in this field and receive concrete guidelines and support towards institutional, legislative and administrative reforms needed for full compliance with EU standards. This will have a direct impact in the improvement of the regional coordination of the national social security schemes and ultimately, will increase social security protection for all citizens in the Region.

The underlying philosophy of the inception report presented here is that the beneficiary governments are the “owners” of this Programme and should be able to influence the adjustments in its design as the Programme is implemented. The Programme, as designed, will allow sufficient opportunities for such a feedback from the partner countries, either through the Regional Steering Committee, professional network meetings, bilateral contacts with the stakeholders, or through the evaluation and assessment instruments.

## **1.2 Beneficiary Parties**

Albania, Bosnia and Herzegovina, Croatia, "Kosovo under resolution 1244", Montenegro, Serbia, "the former Yugoslav Republic of Macedonia", Turkey.

## **1.3 Programme target group**

Governments, politicians, high level officials, civil servants, judiciary, social partners, managers of social institutions, academia and other stakeholders dealing with social issues.

## **1.4 Final beneficiaries**

Migrant workers and their families, refugees, pensioners, women, minority groups, people with disabilities or in need of general health care, etc.

Ultimately: all citizens/inhabitants of the Beneficiary Parties to the Programme.

### **1.5 Contracting authority**

European Commission (EC).

### **1.6 Implementing organisation**

The Council of Europe is responsible for the implementation of the Programme and the use of the Programme funds under the contract with the European Commission. Within the Secretariat of the Council of Europe in Strasbourg, the Social Policy Department of the Directorate General III – Social Cohesion is responsible for overall management and supervision of the Programme. A Programme Co-ordinator and regional support staff, based in the regional office in Skopje, are working directly with the beneficiaries and recipients.

### **1.7 Partners**

Contacts are being maintained with the World Bank, the International Labour Office, the Dutch Central Bank, ENASP, the Friedrich Ebert Stiftung, etc. who are ready to support some of the activities by means of free expertise or publication of certain documents. Other contacts are also foreseen.

The European Institute of Social Security (Leuven, Belgium), along with its own partners, is involved in the Academic part of the Programme.

## **2 THE PROGRAMME**

### **2.1. Programme objectives and activities**

#### **Overall objective:**

The Programme aims to further enhancing the coordination of the social security systems in the South-East Europe Region (including Turkey) and to facilitate the institutional, legislative and administrative reforms in the field of social protection according to EU standards. It is to be noted, however, that the participation of Turkey in this Programme is limited to a specific type of activities, notably those concerning training and potentially the drafting of some reports.

The Programme is designed to achieve its overall objective supported by the accomplishment of two carefully coordinated specific objectives:

**Specific objective 1:** To provide institutional capacity for quality development, proficiency and training in the social sector, and

**Specific objective 2:** To provide institutional, legislative and administrative guidance to reform the social security coordination field in line with EU standards.

As far as the second specific objective is concerned, it is to be noted that the purpose of this Programme objective is not to give guidance in respect of national standards (this is the object of the work of many other international organisations such as the Council of Europe, the World Bank or the International Labour Office). The purpose is to examine how to improve national systems to make sure that “coordination” of the different social security systems in the region is made possible, all that following EU applicable regulations in the field.

**The Programme will conduct the following types of activities:**

- Workshops, study visits and trainings
- Studies and legal analysis (including expert advise and presentations)
- Speaking days
- Kick-off meetings
- State Secretary meeting
- Ministerial Conference
- Workshops, round tables
- Training activities (mainly train the trainers and pilot trainings)
- Summer Schools
- Study visit
- Translations
- Publications

**2.2 General Programme activities during the inception period**

The following general activities were carried out during the inception phase of the Programme:

<b>Description of activity</b>	<b>Status</b>
Set-up of the Programme Regional Office	Completed
Set-up of the Programme Team	Completed
Recruiting Local Programme Officers	Partially completed
Management meeting	Completed

Kick-off meetings (meeting authorities of all the Beneficiary Parties by means of national meetings)	Partially Completed
First round of speaking days	Completed
Meetings with potential external partners	Partially Completed
Meeting with Academic Staff (discussion of the implementation of the Action Plan)	Completed
Preparation for the First Summer School on Social Security Coordination	Under way
1 <sup>st</sup> Regional Steering Committee meeting	Under way
Meeting of the Local Project Officers	Under way
Programme Web Site	Under way

### **2.2.1 Set-up of the Programme Office**

Regional Programme Office in Skopje, opened for the implementation of the Social Institutions Support Joint Programme of the European Commission and the Council of Europe under the CARDS Regional Action Programme (2004-2007), has been maintained.

### **2.2.2 Set-up of the Programme team**

As far as the Programme team and organisational structure concerned, the Programme will be managed by an official administrator of the Social Policy Department, Directorate General – Social Cohesion, Council of Europe.

A financial officer and an assistant have also been appointed to work for the Programme, based in Strasbourg.

The administrative backstopping and overall management of the Programme is ensured by the Council of Europe office (DGIII – Social Cohesion) in Strasbourg as well as by the Council of Europe Field Office located in the Skopje office.

In the Regional Programme Office in Skopje a Programme Co-ordinator has been appointed. This person is now responsible of the coordination of the work of the Office and will act as representative of the Programme in daily contacts in the region.

Two Programme Officers will continue to work in the Skopje Regional Office. One is fully charged with the organisation of events while the other, apart from assisting in the organisation of events, will also act as the Local Programme Officer for Macedonia.

Programme-wide activities, the internal coordination of all activities, the organisational and administrative tasks related to the Programme, as well as the main responsibility related to the institutional capacity building will be coordinated by the Regional Programme Office in Skopje.

### **2.2.3 Recruiting Local Programme Officers**

The recruitment process of Local Programme Officers (LPOs) have started and almost completed by May 2008. Six Local Programme Officers (from Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and "the former Yugoslav Republic of Macedonia") have already been selected and formally appointed by the Programme. They will be acting as liaison between the Regional Programme Office and the Programme stakeholders in their respecting Beneficiary Parties. The LPOs will be local interlocutors in the organisation of all events. They will also assist experts in their field missions and for the collection of materials for the preparation of reports.

The appointment has been done following the selection procedure. The vacancies were advertised on the websites of the Council of Europe field offices (except in Croatia where we advertised it on the website of the EC Delegation in Croatia).

Preselected candidates were invited for an interview. The final appointment was done based on the results of the interviews and in consultation with the relevant authorities.

The appointment of a Local Programme Officer in respect of Turkey and "Kosovo under Resolution 1244" is expected by June 2008.

### **2.2.4 Management Meeting**

On 4 April 2008 the Management Meeting of the new Social Security Co-ordination and Social Security Reforms team was held in Strasbourg. All members of the new team have been present to discuss the task distribution, the 33 months action plan as well as to define management procedures and responsibilities of each member of the team.

Following this meeting the team is fully functional and ready for the implementation of the Programme.

### **2.2.5 Kick-off meetings**

In March-April 2008 six regional kick-off meetings have been organised in Bosnia and Herzegovina, Albania, "the former Yugoslav Republic of Macedonia", Serbia, Montenegro and Croatia. The Social Security Co-ordination and Social Security reforms Programme was presented to the authorities of the Beneficiary Parties concerned. Issues related to the activities included in the Action Plan and the way this Programme will be implemented have been discussed in details. During the visits, the selection of Local Programme Officers has been made based on the interviews conducted with all of the potential candidates.

Kick-off meetings in respect of Turkey (now fixed on 20 June 2008) and “Kosovo under Resolution 1244” (still to be fixed) will also be organised.

#### **2.2.6 First round of Speaking Days**

In April the first round of Speaking Days has been organised between "the former Yugoslav Republic of Macedonia" and Bosnia and Herzegovina in Skopje. Representatives of the two countries met together to solve pending cases on social security issues. 87 individual cases were examined. Some of the pending cases were solved on the spot and free legal advises were provided to all the attendees. Some other cases needed further looking into and the experts agreed to follow up on those cases. Both sides agreed that the second round of the Speaking Days on Social Security Co-ordination between “The former Yugoslav Republic of Macedonia” and Bosnia and Herzegovina will take place in Sarajevo in the end of 2008 or the beginning of 2009.

The Report of this activity can be found in the Appendix 1.

#### **2.2.7 Meeting with potential external partner**

Bilateral meeting with the International Labour Office and ENASP have been organised. The purpose of these meetings was to invite these organisations to participate actively in the implementation of some of the activities to be organised in the framework of the Programme, notably by means of sharing their expertise.

#### **2.2.8 Meeting with the Academic Directors of the Programme**

A meeting was organised between the Academic Directors and the Secretariat of the Programme to discuss how best to organise and implement activities included in the Action Plan. A number of decisions were adopted. It is expected that the Academic Director(s) will introduce some of the conclusions of the above meeting at the 1<sup>st</sup> Steering Committee meeting in Zagreb.

#### **2.2.9 Preparation for the First Summer School on Social Security Coordination**

In May 2008 the Programme Coordinator has completed his mission to Bosnia and Herzegovina, where the first Summer School is to take place in late August 2008. He was accompanied by the Local Programme Officer for Bosnia and Herzegovina during his mission. The main objective of the mission was to collect appropriate and comprehensive information on the potential meeting venues for the Summer School, analyse it and come up with concrete recommendations.

Prior to the mission a special Questionnaire has been developed to be used in all the venues visited in order to keep the same approach and make the data collected comparable afterwards. 10 Hotels in Bosnia and Herzegovina have been preselected, based on the previous experience, information from contact persons in the country and an extensive web research.

Based on the data collected and detailed analysis of this information, three hotels have been proposed for the consideration of the team as the meeting venue for the Summer School. One hotel has been finally selected in cooperation with the academic experts of the Programme.

#### **2.2.10 1<sup>st</sup> Regional Steering Committee meeting**

The 1<sup>st</sup> Regional Steering Committee meeting will take place on 12 June 2008 in Zagreb, Croatia. Steering Committee members appointed by the respective Beneficiary Parties and Local Programme Officers will participate in this meeting.

The Steering Committee is an independent body composed by the representatives of the Beneficiary Parties with its main functions advising the Regional Programme office, the Council of Europe and the European Commission on all matters regarding the content, the modus operandi and the progress of the Programme and informing the relevant authorities and bodies in each Beneficiary Party regarding the activities, developments and plans of the Programme, as well as the progress in achieving the objectives of the Programme.

The preparation of this activity is currently under way and will be completed in due time before the actual meeting.

#### **2.2.11 Meeting of the Local Programme Officers**

During the 1<sup>st</sup> Regional Steering Committee meeting (see point 2.2.10), a meeting of Local Programme Officers will be organised. It is a good opportunity to gather them together with the Steering Committee members to create the network, as well as to train them with regard to some technical issues. Thus, they will have a separate session in the afternoon where the staff of the Regional Programme Office in Skopje will present them the information on main regulations and working procedures of the Programme, as well as instruct them on their role in organising activities, notably the Speaking Days.

#### **2.2.12 Programme Web Site (Programme Visibility)**

The Programme Web Site has been already prepared and is currently being tested. All the details concerning the Programme, the Action Plan, the Short Programme Description,

the contact details of the Programme management team in Strasbourg and the Programme implementation team in Skopje, as well as Local Programme Officers and Steering Committee members are covered in this web site. All the events will be presented there along with the reports and plans for further activities. Once the Web Site is fully operational (first week of June), the URL address will be advertised and links will be created on the Council of Europe portal and web pages of the partners and other stakeholders.

Apart from that the Programme activities already conducted and planned for the near future as well as the Logical Framework are available on the webpage on Joint Programmes of the Council of Europe and the European Commission (<http://www.jp.coe.int>) through the Council of Europe Activities Database (CEAD).

A new logo of the Programme has been developed and is currently used in all the working documents.

### **3 NEXT STEPS (Other Activities - schedule of work)**

In June 2008, the First Steering Committee Meeting, composed of representatives of national authorities dealing with the social security sector, will be organised in Zagreb (Croatia). The Terms of Reference of the Committee will be approved. The first approach to the implementation of the Action Plan will be discussed. The Local Programme Officers will be invited to take part in this first Steering Committee meeting that will provide us with the opportunity to train the with regards to the Programme procedures and other technical issues.

In the end of August the first summer school will be organised in Bosnia and Herzegovina (originally foreseen in June 2008). The general approach is to select host countries on a “rotation” basis as to allow each Beneficiary Party to host one summer school event. In the first Programme the summer schools were organised in Ohrid ("the former Yugoslav Republic of Macedonia"), Budva (Montenegro) and Trogir (Croatia). Approximately 40 participants will be invited to take part (5 per Beneficiary Party). A good number of experts from different countries will be dealing with the different subjects to be covered in the summer school. Participants are expected to take a written exams in English at the end of the summer school to test their knowledge. Those who pass the exam will have a diploma signed by the Academic directors (University of Leuven) and by Council of Europe representatives.

In September 2008, the second round of Speaking Days will be organised. Generally speaking, the second round is organised in one of the two countries participating in the first round (for example: the first round of Speaking Days was organised in Skopje between “The former Yugoslav Republic of Macedonia” and Bosnia and Herzegovina.

The second round (according to this approach) should be organised in Sarajevo, between the same counties). This structure allows to have a global picture of the issues that remain unsolved in the two countries.

Also in September, the first eight sets of studies will be prepared. For that purposes, field missions will be prepared as from August 2008 to allow experts to have an exact overview of the national health care systems. It will be notably examined with a “coordination” angle in order to avoid work being done by other international stakeholders (working on standards). Furthermore, and although these studies will need to examine the national systems, they will need to examine them in view of the “regional coordination of their systems”.

In October 2008, the first workshop on health care systems will be organised (activity originally foreseen in May 2008 but postponed to October this year). The purpose is to train interlocutors from the Beneficiary parties in this particular issue. This first training on health care will cover basic principle. About 40 participants will be invited to take part in the workshop (5 per Beneficiary Party). A discussion will take place in view of already determining main problems in the national health care systems, notably in respect of coordination rules. Bilateral agreements on this particular issue will also be examined. Conclusions should be adopted at the end of the workshop. This conclusions will be reported to the Steering Committee meeting to be organised in the end of 2008.

Also in October 2008, a seminar will be organised concerning IT social security database exchange. Again, about 40 persons will be invited. The purpose of this meeting is to examine the present IT systems in the Beneficiary countries and to come up with concrete proposals as to the improvements needed to make national systems compatible (also following EC standards). If Beneficiary Parties would like to coordinate the information, it is important, if not fundamental, that the database systems are compatible. On the other hand, it is important to deal with issues such as confidentiality of the information and the right to privacy.

In November 2008. the third round of Speaking Days will be organised. Two different parties will be chosen.

In December 2008, the second Steering Committee meeting will be organised. Apart from a political discussion on developments in the Region in respect of social security coordination and social security reforms, the Committee will need to examine the recommendations that can be obtained from the IT workshop. Furthermore, the Committee will need to examine also the outcome of the conclusions of the second and third round of Speaking Days. Last but not least, the reports (and conclusion) of the first eight sets of studies will need to be examined and concrete action is expected to be taken in order to start introducing, slowly but gradually, the necessary reforms to the health systems. If this is not possible, problems will need to be clearly identified so as to allow the Programme to examine this obstacles in the second health care workshop.

In January 2009, the fourth round of Speaking Days will be organised (linked with the third Speaking Days).

In February 2009, the first workshop on pensions will be organised. As is the practice, about 40 persons will be invited. As was the case in the health care sector, the idea is first to train participants and second to obtain information on existing barriers to have fully coordinated systems in the Region.

## **4 ACTIVITIES**

### **4.1 Main Activities**

**Activities under the Specific Objective 1:** Three Social Security Summer Schools (two weeks intensive training in the different social security areas with an official exam at the end of the training); three progressive health care workshops (new area), two progressive pensions workshop (area partially examined under the First Joint Programme); one IT social security database exchange workshop; one study visit.

**Activities under the Specific Objective 2:** Twelve rounds of speaking days, eight sets of studies (one per Beneficiary Party) concerning health care and another eight sets of studies in the pension field; eight sets of legal analysis (national memoranda); three meetings on compatibility of legislation (based on studies mentioned before); five Steering Committee meetings; one State Secretary meeting; one Ministerial Conference and one technical meeting on examination of changes introduced and recommendations to be adopted.

### **4.2 Categories of Activities**

In order to solve existing problems in coordination of the social security schemes, activities have been scheduled that can be categorised in four areas:

- i. creation of platforms for discussion through training events, workshop meetings and study visits and, at higher level, political meetings such as the Steering Committee, State Secretary or Ministerial meetings;
- ii. provide general (summer schools and workshops) and specific (workshops in health care and pension fields) trainings, including a workshop on IT social security database exchange, as a pre-condition for understanding the needs for improving national systems on the basis of EU regulations and standards. In particular the comprehensive, multidisciplinary and multinational structure of the summer school and its Programme has been build as such that working groups formed during those two weeks are composed by participants coming from different countries and institutions, so that it the common practical work they have the opportunity to exchange experience on how certain issues are solved in their countries, and to find out new ways of reforming their national systems;

- iii. preparation of sets of studies and legal analysis, together with compatibility and technical seminars (in total 28) to examine in particular legal shortcomings and recommend ways of action to make sure that legal, institutional and administrative reforms follow EU standards;
- iv. allow politicians to meet in Steering Committee, State Secretary and Ministerial meetings to take stock of problem encountered, examine suggestions and proposals of amendments to existing legislation and administrative practice in view of their adoption.

### **4.3 Detailed description of the activities**

As to the types of the activities they can be summarised as follows:

#### Summer schools:

General training course organised once per year. The purpose of this activity is to provide general training on basic principles of social security coordination.

The organisation of Summer Schools provide, in a multidisciplinary way, a first initiation in the general principles of social security. It allows the participants to better understand the theoretical framework in which they operate daily.

Summer schools deal with social security in its broadest sense, including cash benefit schemes, pensions and health care systems. The Programme provides a general introduction into social protection from a legal, economic, sociological and administrative perspective. As well as being multi-disciplinary, the course is also multi-national. Throughout the courses, a strong comparative element is present. By providing the different approaches to social security that co-exist within Europe, the school enables the participants to understand better the general principles that shape social security.

The result of the summer schools is that the participants will be able to situate better their own system in the broad spectrum of social security systems. The Programme of the summer schools also pays attention to the role of international bodies such as the European Union.

It is to be noted that at the end of the school, participants are “obliged” to pass an examination to test their knowledge in the fields covered by the Programme of the summer school. This exam is undertaken by the academic staff and those who pass the exams are entitled to a diploma.

Last but not least, summer schools do also provide the basis for the creation of a network. It has been proved, during the first Programme, that those participants that have been involved in summer school have maintained professional contacts afterwards, not only with colleagues working in the social security field in the Beneficiary Parties but also with the academic staff and the different experts involved in the activities organised under the Programme.

### Workshops, study visits and trainings

Three workshops in health care will be organised. The purpose is to start with basic health care principles and regulations to arrive, the last year, with a specialised training on specific problems found not only during the organisation of the first two workshops but also in line with the conclusions of the compatibility meetings organised in the two first years. The scheme is to have a workshop first to train participants but also to obtain data which will lead to a compatibility meeting on the basis of the problems found (also supported by sets of studies). The final aim at the end of the Programme is to have a clear picture of the overall health care system and to introduce legislative, practical and administrative changes at national level to comply with EU standards.

Workshop on IT social security data exchange. In order to coordinate social security data, it is important that Beneficiary Parties know what is the information that should be coordinated and how (inter alia respecting the principle of privacy of information). This training will help the overall objective by identifying shortcomings in national systems and by giving examples of best practices used in other EU Member States.

Two workshops on pensions. Since this is an area that has already been examined under the first Joint Programme, only two workshops are envisaged. The strategy is the same as the one applied for the health care services. Progressively, the subject will be examined with national interlocutors with the view of having, at the end of the Programme, legislative, practical and institutional changes introduced in Beneficiary Parties to comply with EU standards.

The Study Visit. selected civil servants will be taken to at least two EU countries, notably those where European Institutions can be visited. Specific Programme will be prepared so as to allow civil servant to meet important interlocutors in their specialised field of action.

Through the trainings, the Programme will provide further institutional capacity, which is necessary to allow civil servants notably to understand the principles lying behind EU regulations on the coordination of social security rights. Training events will also help creating a network of professionals in the region with a view to enhancing contacts between administrations which, at present, is limited.

Besides this regional network of experts that will administrate cross border social security issues, an inter country networks of key professionals will also be established, and through specialised trainings and workshops their capacity and knowledge in the field will be increased.

These trainings will also allow the Secretariat of the Programme and the experts that will be intervening in the activities organised, to further understand the national systems and developments, not only in the legal side, but also in the administrative and practical sides. The information obtained at training events will be taking into account when preparing

sets of studies and legal analysis. In this way, training events will provide basic information to a better understanding of the overall picture of the national systems and hence allow experts to prepare better reports for the examination by national officials in Steering Committee meetings, Secretary of State meetings and ultimately by the Ministerial meeting.

#### Speaking Days:

12 Speaking Days will be organised within the duration of the Programme (33 months). A regional rotation will be assured to make sure that all the countries wishing to have a Speaking Days event organised with a specific country will have the opportunity to have such an event implemented. As indicated earlier, indicators of problems found at bilateral level will then be examined in one of the compatibility meetings organised within the Programme with a view to proposing concrete solutions to eliminate any existing impediment or barrier (legislative changes, signature of new bilateral agreements, etc) so as to guarantee the full application of social security coordination rights.

The main purpose of this activity is to provide free legal aid for the beneficiaries from the countries included in the Programme. Having said so, the identification of pending cases, notably the nature of the cases, is an important element for the determination of the areas where bilateral agreements should be negotiated or, if already existing, changed with a view of guaranteeing that coordination of social security benefits is achieved.

It is a bilateral activity, conducted among the countries in the region that already have signed bilateral agreement in the area of social security. Existence of a bilateral agreement between two countries is the main precondition for organising this activity.

By the organisation of Speaking Days, public administrations (pension funds and health care services) are invited to sit together in a given country to examine individual complaints. These complaints, generally concerning migrant workers, refer to their problems in acquiring pension right, or in the calculation of the working period (two countries) and a pre-condition for determining their rights.

The expected results of the activity can be divided in two areas:

- Resolution of unsolved cases: from similar activities organised in the first joint Programme, it can be confirmed that a good number of cases can be solved on the spot. Administrations can come up with a concrete proposal and/or arrangement to have the case be settled, thus allowing the individual to have immediate access to his/her rights. In some other cases, a possible way out can be discussed and it is expected that both administrations can follow the case from their respective countries. For some cases, no solutions are found and there is no other option for the individual than introducing a judicial complaint at the corresponding national jurisdiction.

- The most important result of the Speaking Days, at least in respect of the conception of this Joint Programme, is that they are a clear indicator of the areas where coordination of social security rights is not operation properly and to allow, together with the Beneficiary Parties involved in the Speaking Days, to examine measures for improving the coordination of social security systems. Basically this activity should become a basis for removal of existing impediments to cross border payments of social benefits.

It is to be noted that, depending on the outcome of these Speaking Days, the areas where problems have been found in the proper execution of social security coordination will be examined by the Steering Committee meeting or, the case need to be, by one of the activities included in the Action Plan (compatibility meetings) so as to make sure that, first, guidance is given to countries concerned and second that, at political level, measures are adopted to solve the situation at stake.

#### Set of studies and legal analysis

16 sets of studies and 8 legal analysis will be drafted. The purpose is to help Beneficiary Parties to identify national policy shortcomings and to get concise advise, guidelines and/or recommendations and changes needed to comply fully with EU standards. These sets of studies can be drafted either on a national basis or as regional strategic memoranda if the issue concerns all (or most) of the Beneficiary Parties. The conclusions of the studies and analysis will be examined in detail in the so call compatibility meetings and technical meeting.

The idea is that, first through workshops (also included in the Action Plan) training is given in respect to the two priority areas to be developed in the Programme (pensions and health care). At the workshops, experts will be getting first in hand information about how the national systems are operating. Then, through studies and legal analysis, a full examination of the national legal framework will be done and concrete guidelines and recommendations will be given to the Beneficiary Parties. The purpose is that those sets of studies and legal analysis will lead to the adoption of new regulations. This should be done through discussions at the Steering Committee and State Secretary meetings. They should be confirmed at the Ministerial Conference to be organised at the end of the Programme.

Taking into consideration that most of the countries are facing on-going reform processes in the area of social security, a need for this type of assistance through the Programme may rise unexpectedly. The Action Plan of the Programme should be prepared to allow urgent social security areas to be examined, notably those directly linked to the compatibility of national legislation to the EU standards.

The final aim would be to create platform for modernizing the social security area in the Beneficiary countries and their allegiance with the European standards.

#### Meetings:

Three compatibility meetings will be organised with a view to examine the conclusions of the studies and legal analysis. The purpose at each meeting is to come up with clear proposal for Beneficiary Parties to implement before the end of the duration of the Programme.

Five Steering Committee meetings will be organised through the duration of the Programme in order to discuss, at political level, of the outcome of the Programme, examine whether there are additional needs and come up with concrete proposal to be implemented at national level.

One State Secretary meeting to discuss progress achieved before the organisation of the Ministerial Conference. Ministerial Conference: the purpose of this conference is to take stock of progress achieved during the 33 months and to commit in further enhancement of the social institutions with a view to integration in the EU. The Ministerial Conference should be also considered, unless a third Programme is scheduled, as the start of the regional ownership of the Programme.

One technical meeting is scheduled at the end of the Programme to assist, notably Ministers, in the final analysis of achievements introduced and to decide on future strategies to be implemented once this Programme is over (continuity of policy development by national and regional ownership).

## **5 METHODOLOGY**

The methodology use in the implementation of the Programme will be the same as the one followed in the first Joint Programme (CARDS – Social Institutions Support Programme 2004/2008).

The reasons for adopting the same methodology is the fact that authorities from the Beneficiary Parties have indicated, in different evaluation forms and also in Steering Committee meetings that the methodology used fully satisfied their needs. Participants to the different events have also expressed their satisfaction with the methodology used.

**Training** is generally divided in two parts: theoretical and practical. It has been noted during the first Programme that, sometimes, abstract concepts were difficult to apply for social security interlocutors in the region. Consequently, to have a practical component in the training events is fundamental and it has been highly appreciated by participants in the activities organised in the first Programme. The same methodology will be used in the new Programme. Information is presented to participants in most of the occasions by use of visual aids. At the end of the seminar, an evaluation of the event is done by the experts and the participants to allow the Programme to have a complete picture of the management and results of the activity organised.

As far as the **Summer School** is concerned, this training is further assessed by the organisation of an exam. Those participants that pass the exam will be getting an official diploma.

In some training activities (**workshops**), a second component is included: examination, by exchange of information, of national systems on specific issues. This is important to allow experts to have a better picture of the national systems. Obtaining information, in English, of the legislation and practical and institutional arrangements is sometimes very difficult. This exchange of views is fundamental to compare national systems and to allow experts to obtain additional information that will be used when preparing sets of studies or legal analysis. Here, again, evaluation forms are prepared.

In **Speaking Days**, the methodology use is different. The idea is to invite individuals to lodge complaints. The Speaking Days are published in local/national newspapers to allow as many applicants as possible to register their complaints. These complaints are filtered and a maximum of 150 to 200 cases are taken on board to be examined in the speaking date event.

Complainants will have the right to obtain a direct answer to their claims from the institutions involved in the decision making process of the two countries. This will have a double purpose: possibility to solve pending cases and opportunity for representatives of institutions to meet to find out existing impediments between the administrations in the application of bilateral agreements and legislation on coordination of social security issues.

This methodology also allows the Secretariat of the Programme to have a clear indication of the type of cases pending solution in the two countries and, through expertise, will address the issue. The final objective is to assist Beneficiary Parties to engage in reforms (legislative or bilateral agreements) to make sure that existing barriers are removed.

Hence, no evaluation forms is needed as far as Speaking Days is concerned. Statistical information is available through the registration of individual complaints. Statistical information on number of cases solved is also available.

The second methodology used is the organisation of **studies** and **analysis**. Here, the purpose is to examine the national legislations and to give authorities concrete guidance about the areas where changes (reforms) are needed. The conclusions of the studies and analysis will be examined, at political and technical level, in compatibility meetings. In this meetings, the idea is to examine, one by one, all the provisions of the national legislations (notably in priority areas: pensions and health care) and come up with concrete measures to be adopted in view of full compliance with EU standards. Here too, evaluation forms are prepared.

At political level, **Steering Committee, State Secretary or Ministerial meetings** will be organised to discuss how best to “politically” tackle the issue, at national and regional level.

To **monitor** the implementation of the Programme, the contractor will recur to an external consultant, so as to guarantee an objective and impartial examination of results achieved. Apart from that, the Programme is regularly monitored, notably its financing part, by internal mechanisms to the Organisation (Council of Europe). It is expected that the EU will also proceed to its own monitoring exercises.

As to the role and participation in the action of the various **actors** and **stakeholders**, it is to be noted that experts from different countries are invited to participate in activities organised throughout the Programme. The idea is to have experts from different countries, including from the Region, involved so as to give a wide picture of how Parties have built their social security systems to fully comply with EC standards and guarantee the coordination of their social security systems. These experts are politician (including civil servants), academia, experts, representatives of other International Organisations, etc.

It is to be noted that, although very slowly, different institutions have shown interest in the work done under the first Joint Programme. These organisation now would like to have an active role in the implementation, with the contractor, of some activities. In this respect, the contractor has already been informed of the willingness of some institutions to participate in some of the activities to be organised, inter alia, by providing free expertise, proceed to the publication free of charge of some of the documents produced, etc.

Last but not least, the contractor, following suggestions received from the EC, has maintained contacts with other international Organisation working in the field to combine efforts towards same goals. It is expected that notably the World Bank and ILO will continue to participate in “specific” events organised under this Programme.

## **6 ESTIMATED RESULTS**

Following the objectives of the Programme, the estimated results can be summarised as follows :

(a) Further **general and specialised training** for all interlocutors working in the social security field in the Region about the principles and regulations governing the “social security coordination” in the EU.

Taking into account that 3 Summer Schools and 8 workshops will be organised, and noting that 8 and 5 participants respectively of each Beneficiary Party are invited to each

event, it can be stated that at least **64 civil servants per Beneficiary Party** should be trained in the coming 33 months (**approximately 500 participants in total**). If these figures are maintained, it could then be ascertained that the labour force, in the social security field, will be enormously increased which will have a direct impact in the work to be done by the different Ministries involved.

(b) Through the organisation of 12 Speaking dates events, a number of individual complaints, concerning the non respect of social security rights of migrants, will be examined. It is **expected that 30 to 50% of the cases that are examined at each session can be settled**. The average number of cases examined in each Speaking dates range from 150 to 200. This will have a direct impact for citizen of the region, notably those suffering from the non respect of social security coordination rights.

Apart from that, Speaking dates are to be used as **indicators of existing problems in the application of national legislations and/or bilateral or multilateral agreements**. Once the issues identified (taking into account the type and number of cases examined in each event), they will be examined in compatibility meetings and workshops to be organised in the first hand and ultimately in the Steering Committee meetings.

The estimated result is that **legislation is modified and bilateral or multilateral agreements are signed** (modify when existing) to make sure that existing barriers are override. **It is expected that by 2010, most of the legislations in relation to pensions and health care are in line with EU requirements**.

**It is also expected that, as a result, Beneficiary parties will be able to pursue, themselves (regional ownership) with the organisation of these type of events**. The organisation of these activities are not necessarily very expensive and Beneficiary Parties should be in a position to continue with the organisation of these events.

(c) Through the preparation of sets of reports and legal analysis, the idea is first to assist Beneficiary Parties with the understanding of the differences between their national systems compared to those countries that have already joint the EU (hence implementing EU standards). **These reports will allow Beneficiary Parties to know, exactly, what are the problems they should be facing in their road to EU integration. Once this is being done, concrete guidance and recommendations will be given by the organisation of compatibility meetings and technical events (see below)**.

(d) A number of compatibility and technical meetings are included in the Action Plan. It is expected that these meetings will lead to concrete legislative changes, following EC requirements. **Changes are notably foreseen in the pension and health care sectors**.



## **Social Security Co-ordination and Social Security Reforms**

**SSCSSR(2008)1SDMKBH3DRAFTREP**

### **REPORT**

**1<sup>st</sup> SPEAKING DAYS ON SOCIAL SECURITY CO-ORDINATION**

**between “The former Yugoslav Republic of Macedonia” and Bosnia and  
Herzegovina**

**22<sup>nd</sup> and 23<sup>rd</sup> April 2008**

Pension and Disability Insurance Fund  
12 Udarna brigada bb  
1 000 Skopje

The first round of the Speaking Days on Social Security Co-ordination between “The former Yugoslav Republic of Macedonia” and Bosnia and Herzegovina took place on 22<sup>nd</sup> and 23<sup>rd</sup> April 2008 at the premises of the Pension and Disability Insurance Fund, 12 Udarna brigada bb, MK-1 000 Skopje. The Programme and the list of participants are given in Annex I and Annex II respectively.

The experts were divided in five working groups (one expert from the Macedonian and one from Bosnian funds per group). Four groups were formed for pension and invalidity insurance issues and one group for health insurance issues.

List of clients who registered themselves for this Speaking Days was formed and all necessary data transferred to experts of both countries several days before the event for the purpose of investigating possible problems. Participating experts were provided with blank application forms to be filled for those clients that will require further investigation regarding their case and for the clients who did not register, but attend Speaking Days. The list of beneficiaries is given in Annex III.

The experts from both delegations exchanged information regarding the problems they have encountered in certain cases, as well as about the recent changes in the regulations.

Assistance was provided to 87 people (51 male, 36 female), of which 58 in the area of pension and invalidity insurance and 29 in the area of health insurance. Most of the beneficiaries were citizens of the host country, of which 61 came from Skopje, while 26 people from other towns.

Cases referred to the application of the Agreement between “The former Yugoslav Republic of Macedonia” and Bosnia and Herzegovina on Social Security. Thirty nine beneficiaries were pensioners having problems with the payment of pensions while the rest (of which 25 employed and 23 unemployed) had problems with the recognition of the working period in the other country and/or wanted to know the procedure and conditions for retirement in both countries.

Some of the cases were solved on the spot whilst some others needed further elaboration due to purely technical reasons, therefore the experts agreed to follow up later on those cases. For example, four cases related to health insurance issues have been solved during the speaking days, while the rest is pending due to incomplete documentation. The reason is that many claimants while submitting their cases did not attach all the necessary documents to their claims. Especially those documents were missing that would be confirming their rights and directly used by the administrations in order to approve their claims. In some cases these documents were lost years ago due to particular situation in the region. It takes, therefore, more time for the administrations to look into the cases without all the supporting documents and it was not possible to find the solution on the same day of the event. But follow up to all of these cases has been promised which is as such a very positive sign. It must be noted, however, that the solving of the majority of the cases depends on the time and efforts the beneficiaries

invest into submitting correct information and full set of documents to the respective Funds.

Both sides agreed that the second round of the Speaking Days on Social Security Co-ordination between “The former Yugoslav Republic of Macedonia” and Bosnia and Herzegovina will take place in Sarajevo at the end of 2008 or at the beginning of 2009.

**ANNEX I**  
**of the Report on 1st round of Speaking Days**  
**on Social Security Coordination**

**PROGRAMME**

**1<sup>st</sup> SPEAKING DAYS ON SOCIAL SECURITY CO-ORDINATION**

**between “The former Yugoslav Republic of Macedonia” and Bosnia and  
Herzegovina**

**22<sup>nd</sup> and 23<sup>rd</sup> April 2008**

**THUESDAY, 22 APRIL 2008**

**09:00 – 12:00    Speaking days – practical cases**

**12:00 – 14:00    Lunch at Restaurant “Nacional”**

**14:00 – 16:30    Speaking days – practical cases**

**20:00 – 22 :00    Dinner at Hotel “Arka”**

**WEDNESDAY, 23 APRIL 2008**

**09:00 – 12:00    Speaking days – practical cases and overview**

**12:00 – 14:00    Lunch at Restaurant “Nacional”**

**20:00 – 22:00    Dinner at Hotel “Arka”**

**ANNEX II**  
**of the Report on 1st round of Speaking Days**  
**on Social Security Coordination**

**LIST OF PARTICIPANTS**

**1<sup>st</sup> SPEAKING DAYS ON SOCIAL SECURITY CO-ORDINATION**

**between “The former Yugoslav Republic of Macedonia” and Bosnia and  
Herzegovina**

**22<sup>nd</sup> and 23<sup>rd</sup> April 2008**

**“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA“**

**Mr Sašo KLISAROSKI**

Head of the Sector for realization of pension and disability insurance rights  
Pension and Disability Insurance Fund – Skopje office  
Bul. Koco Racin br. 91  
1000 Skopje  
Tel: + 389 2 3 131 487

**Ms Donka CVETANOVSKA**

Head of the Unit for implementation of the International Agreements  
Pension and Disability Insurance Fund  
12 Udarna brigada bb  
1000 Skopje  
Tel: +389 2 3240 164  
Fax: +389 2 3162 275

**Ms Milica SIMONOVSKA**

Inspector in the Department for International agreements  
Pension and Disability Insurance Fund  
12 Udarna brigada bb  
1000 Skopje  
Tel: + 389 2 3 240 159

**Ms Nigjar TOSKA**

Adviser to the Director  
Pension and Disability Insurance Fund  
12 Udarna brigada bb  
1000 Skopje  
Tel: + 389 2 3 240 102

E-mail: [nigjar.toska@piom.com.mk](mailto:nigjar.toska@piom.com.mk)

**Ms Dijana VASILESKA**

Head of Division for Implementation of International Social Security Agreements

Health Insurance Fund

Makedonija bb

1000 Skopje

Tel: + 389 2 3 289 036

Fax: + 389 2 3 289 048

E-mail: [dijanav@fzo.org.mk](mailto:dijanav@fzo.org.mk)

**BOSNIA AND HERZEGOVINA**

**Ms Suzana AJANOVIĆ**

Adviser to the Director for Legal Affairs

Federal Fund for Pension and Disability Insurance - Sarajevo Office

Ložionička 2

71 000 Sarajevo

Tel: + 387 33 723 107

Fax: + 387 33 723 200

**Ms Mirheta IMŠIROVIĆ**

Head of Department for Second Degree Procedures

Federal Fund for Pension and Disability Insurance - Sarajevo Office

Ložionička 2

71 000 Sarajevo

Tel: + 387 33 723 110

E-mail: [gordana\\_g02@hotmail.com](mailto:gordana_g02@hotmail.com)

**Ms Envera KUDIĆ**

Head of Department for System and Law Implementation

Federal Fund for Pension and Disability Insurance - Sarajevo Office

Ložionička 2

71 000 Sarajevo

Tel: + 387 33 723 110

**Ms Milena ČVORO**

Head of Department for Foreign Insurance – East Sarajevo Office

Pension and Disability Insurance Fund of Republika Srpska

Nikole Tesle bb

71 420 Pale

Tel: + 387 55 202 939

Fax: + 387 55 202 936

E-mail: [fondpiors@fondpiors.org](mailto:fondpiors@fondpiors.org)

**Ms Tenaída ČOSIĆ**

Legal adviser

Fund for Health Insurance - Sarajevo Office

Ložionička 2

71000 Sarajevo

Tel: + 387 33 725 201

E-mail: [tenaidacosic@yahoo.com](mailto:tenaidacosic@yahoo.com)

**SECRETARIAT**

**Ms Tanja KALOVSKA**

Programme Officer

Regional Programme Office

Marshal Tito 33/2

1000 Skopje

Tel: + 389 2 3 222 858

Fax: + 389 2 3 222 848

E-mail: [tanja.kalovska@coe.int](mailto:tanja.kalovska@coe.int)

**Ms Tatjana KOSTOVSKA**

Programme Officer

Regional Programme Office

Marshal Tito 33/2

1000 Skopje

Tel: + 389 2 3 222 858

Fax: + 389 2 3 222 848

E-mail: [tatjana.kostovska@coe.int](mailto:tatjana.kostovska@coe.int)