

Migrant Workers and Social Security Rights across Borders: a Right or a Privilege?

You are invited to the third meeting of Migration Talks organized by the Jean Monnet Chair in Legal Aspects of Migration Management in the European Union and in Türkiye.

Speaker: Prof. Dr. Laura Carballo Piñeiro, Chair of Private International Law, Dean, Faculty of International Relations, University of Vigo

Title: Migrant Workers and Social Security Rights across Borders: a Right or a Privilege?

Date and Time: Wednesday, March 19, 2024, 10.30 a.m. -11.30 a.m. (CET)

Location: via Zoom (The link shall be provided upon request: migration@bilkent.edu.tr)

Abstract

Access to social security is a human right that only a quarter of the world population enjoy. Such an access is particularly challenging for workers who cross national borders, as they may not get access to a national scheme, get access only in a limited way compared to other national or resident workers in the country, be obliged to contribute to more than one system, or not benefit from a system to which had previously contributed due to relocation to their home country or a third country. State coordination in these matters is thus of the essence, in particular to ensure that contributions are only paid to one system at a time, aggregation and maintenance of acquired rights for those workers that are in the course of acquisition, and portability of benefits. Even in a coordinated scenario, legal divergence across countries might further complicate access to benefits. For example, the funding of a benefit by taxes and not contributions might automatically exclude posted workers from their enjoyment. The EU Social Security Coordination Regulation will be used in the presentation to address these principles, the challenges faced by States and social partners in their

enforcement, and tools developed to address them. Outside this privileged area, coordination relies on a complex, but insufficient network of treaties which very much focus on the role of receiving countries. As the movement of workers increases, more attention should be paid to the role of sending States by researching the interplay between social protection and migrant studies.

MIGRATION TALKS

Prof. Dr. Laura Carballo PIÑERO
Chair of Private International Law
Dean
Faculty of International Relations
University of Vigo

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*GES50/251 vs GES00 points will be given.

migration.bilkent.edu.tr
migration@bilkent.edu.tr

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