



▶ Social Protection Spotlight

Date: 23 June 2020

▶ Social protection for migrant workers: A necessary response to the Covid-19 crisis

Key points

- ▶ The COVID-19 pandemic represents a major public health challenge and is having serious economic and social impacts on origin, transit and destination countries, as well as on migrant workers and their families and on businesses and their operations.
- ▶ Migrant workers are often over-represented in some of the sectors **hardest hit** by the crisis (hospitality, domestic work), while at the same time they also face more health-related risks as they often carry out **essential jobs** such as in health care, agriculture and agro-food processing.
- ▶ It is widely recognized that migrant workers are major contributors to social and economic development. However, they face specific **challenges in accessing social protection, including health care and income security**, making them more vulnerable to the health and socio-economic impacts caused by COVID-19.
- ▶ Protecting the health and livelihoods of migrant workers will also ensure the public health and well-being of local populations. Therefore, **integrated approaches** that include migrant workers in national social protection responses, in line with international human rights, international labour standards and the ILO Centenary Declaration for the Future of Work, and that are based on the principles of **equality of treatment** and **non-discrimination** will play an important role in mitigating the effects of COVID-19 and support a swifter recovery.
- ▶ In the **short term**, countries should seek to ensure that all migrant workers and their families have access to health care and income protection; suitable working and living conditions, including compliance with occupational safety and health standards; and relevant information on COVID-19.
- ▶ In the **medium-to-long term**, in order to extend social protection to migrant workers and their families, countries should focus on developing and strengthening universal and inclusive national social protection systems, including social protection floors, and on establishing social security and labour agreements.
- ▶ Gender-responsive social protection should address both men's and women's distinctive realities and needs. It should also ensure that women and men have access to coverage despite their often-informal employment status.
- ▶ Special attention should be given to protecting migrant workers in the informal economy by pursuing innovative policies in order to reach them quickly through a combination of non-contributory and contributory schemes and facilitate their transition to the formal economy in the longer term.
- ▶ Although many countries have put in place short-term social protection measures to support migrant workers, those with comprehensive social protection systems were better equipped to respond to the crisis. Where possible, such measures should be incorporated into longer-term strategies that combine them with the existing institutional structures and delivery mechanisms of national social protection systems in order to prevent fragmentation.
- ▶ In order to build sustainable, socially responsive and widely accepted social protection schemes and systems that are inclusive of migrant workers, it is imperative to ensure social dialogue and workers' representation. Short-term and medium-to-long-term responses that affect migrant workers would benefit from being developed in consultation with workers' and employers' organizations.

“We should not treat migrant workers any different from any other worker. They are as much entitled to have their livelihoods protected and they are entitled to have their health protected.”

Guy Ryder, ILO Director-General

Introduction

The COVID-19 pandemic represents a major public health challenge and is having serious economic and social impacts on origin and destination countries, as well as on migrant workers and their families. Migrant workers¹ represent 4.7 per cent of the global labour force or 164 million workers (ILO 2018a), almost half of them women. The COVID-19 crisis is having an unprecedented impact on workers, businesses and the global economy. ILO estimates indicate that full and partial lockdown measures are affecting almost 2.2 billion workers or 68 per cent of the global workforce (ILO 2020a). It is widely recognized that migrant workers are major contributors to social and economic development. However, they face significant challenges in accessing social protection,² including with respect to health care and income security in countries of origin, transit and destination, a situation that poses a risk to the entire public health system. Therefore, integrated approaches that include migrant workers in national social protection responses, in line with the equality-of-treatment and non-discrimination principles enshrined in international human rights, international labour standards and the ILO Centenary Declaration for the Future of Work, will play an important role in mitigating the effects of COVID-19 and will support economic and social recovery.

1. Exacerbated challenges for migrant workers and their families in the context of COVID-19

Migrant workers can be denied or have limited access to social protection benefits owing to legal or administrative restrictions but also to practical barriers. For instance, they may not be eligible for social security entitlements because of the length of their employment or residence in a country; their nationality; the nature of their employment (domestic work, self-

employment, seasonal agricultural labour, etc.); or the lack of social security agreements in a country (Van Panhuys et al. 2017). Although the crisis has an impact on all migrant workers, particular attention should be given to the situation of women migrant workers, who are over-represented in the informal economy and among undocumented workers and carry a more significant burden of unpaid work in many countries (ILO 2020b). Women migrant workers who are employed as front-line health and care workers face a significant exposure to the risk of contagion by COVID-19, while also having to carry the majority of the load of increased family responsibilities. Furthermore, as a result of the lockdown in many countries, migrant workers now have fewer options to access support services when they experience violence or harassment in their accommodations, at work, in quarantine facilities or during their retrenchment and return home, which has had a particular impact on women. Globally, many support services for migrant workers have been forced to downscale or close or are available only online or by phone.

Limited access to health care

An important aspect of social protection, particularly during a pandemic, is access to health care, including prevention and testing. High health-related risks may be faced by migrant workers, in particular front-line workers such as those in the health and care sectors, many of them women,³ making them more vulnerable to respiratory diseases like COVID-19 (ILO 2020i; WHO 2020).

Barriers to accessing health care in countries of destination differ and are often linked to migration status. Migrants in irregular situations may not seek health care, even if they are entitled to, because of their fear of deportation. In addition, migrant workers face challenges to effectively accessing health care as it may not be affordable.

¹ Although this brief includes a short section on internal migrants, the term migrant worker refers to “a person who is to be engaged or has been engaged in a remunerated activity in a State of which he or she is not a national”; see United Nations, [International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families](#) (1990), Article 2(1).

² The concepts of “social security” and “social protection” are used interchangeably (ILO 2017, p. 194), including the nine branches/policy areas covered in the ILO’s [Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#). Social protection systems address these policy areas by a mix of contributory schemes (social insurance) and non-contributory tax-financed benefits (including social assistance).

³ Women make up 70 per cent of the health workforce and the large majority of the workers now deemed essential, but many of them are overworked and underpaid, work without adequate personal protective equipment and are at high risk of exposure to COVID-19 (ILO 2020d; ILO 2020f).

Moreover, when they lack access to sickness benefits and paid sick leave, migrant workers may feel compelled to work while sick, thereby jeopardizing their own health and increasing the risk of further spreading COVID-19 (ILO 2020j; ILO 2020k).

Loss of jobs and income

Migrant workers are often over-represented in agro-food industry, hospitality and domestic work sectors (ILO 2015), which are some of the hardest hit by the current crisis. Depending on their contract, they may be among the first to lose their jobs and face significant barriers to re-entering the workforce. Those who continue to work may experience wage cuts, non-payment of wages and deteriorating working conditions. This leaves migrant workers with reduced or no income and directly affects migrant workers' access to employment-based social protection, including unemployment benefits. Losing their job may also have an impact on their migratory status (such as work and resident permits), forcing them into informality.

Loss of income is also resulting in a significant drop in remittance payments sent home by migrant workers, increasing the vulnerabilities of family members who remain in the country of origin. The decline in remittances received may thus affect the access of recipients to health care and other services, as well as their income security in general (World Bank 2020b).

Poor working and living conditions and access to sanitation

Low and medium skilled migrant workers often live in overcrowded environments, without access to basic sanitation and limited space to practice physical distancing and apply basic prevention measures (such as self-isolation). In some countries, this has increased the share of COVID-19 cases among the migrant population (such as the Gulf countries,⁴ Singapore⁵ and Malaysia)⁶. Since the incidence rate of occupational injuries and disease tends to be higher for migrant workers than for non-migrant workers, it is likely that the pandemic and the over-representation of migrant workers in front-line professions will further exacerbate this trend (Gammarrano 2020).

Increased vulnerability due to migratory and employment status

The current crisis poses additional challenges to migrant workers given that they make up a significant share of the workforce in the informal economy (ILO 2020b), with limited access to social protection in terms of both health care and income security.

In most social security systems, equality of treatment is only guaranteed to migrants with regular status. Migrants with irregular status are therefore excluded from social protection, except for basic and emergency health care in a few countries. They often find themselves in a dire situation in which they struggle to meet their basic needs and survive. Discrimination and stigmatization may further hinder the access of migrant workers, in particular those with irregular status, to COVID-19 response measures, including social protection measures.

Similarly, in many countries access to social security is granted on the basis of being employed and holding a regular work contract under labour law. This automatically excludes all persons working in the informal economy, despite the fact that they may have been working in the country for several years.

Lack of adequate information

Due to a lack of information or language barriers, migrant workers may think that they have no social protection rights or may not be aware of existing schemes or assistance available to them (such as employment injury, sickness, survivor or unemployment benefits) and therefore may not seek medical treatment or other benefits. The complexity of administrative procedures may pose additional challenges to migrant workers and may prevent them from claiming their social protection benefits or obtaining access to complaint mechanisms.

2. What countries can do to extend social protection to migrant workers in the current pandemic

Social protection is an integral part of the ILO's four key pillars for fighting COVID-19 based on international labour standards (ILO 2020d). Access to affordable health care, access to paid sick leave and sickness benefits, protecting workers during unemployment and providing income support through cash transfers and other benefits are key components of policy responses to the COVID-19 pandemic.

Social protection systems act as automatic social and economic stabilizers (Social Protection Floors Recommendation, 2012 (No. 202)). Social protection responses should build resilience, reduce poverty, facilitate economic reintegration into the labour market, tackle inequalities and foster social cohesion (ILO 2017) and particular attention should be paid to migrant workers in vulnerable situations (ILO 2020a). Gender-responsive social protection should address both men's and women's distinctive realities and needs. It should also ensure that women and men have access

⁴ See <https://www.heidi.news/geneva-solutions/covid-19-puts-gulf-migrant-workers-in-dangerous-situation>.

⁵ See <https://edition.cnn.com/2020/05/14/asia/singapore-migrant-worker-coronavirus-intl-hnk/index.html>.

⁶ See ILO 2020i.

to coverage despite their often-informal employment status.

In order to ensure comprehensive social protection for migrant workers in the context of the COVID-19 outbreak, various social protection mechanisms should be used in combination so as to progressively build universal social protection systems.⁷ National social protection floors should guarantee at least a basic level of protection to all (such as emergency health care for migrants, irrespective of their status). The ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102), and Recommendation No. 202, among others, provide useful guidance. Policy options should be developed through social dialogue and may be clustered in short-term and medium-to-long-term responses, as follows:

- Short-term responses highlight a set of practical solutions based on the principle of equality of treatment in order to address more immediate needs.
- Medium-to-long-term responses, on the other hand, aim to provide migrant workers with access to a more comprehensive and integrated set of social security benefits that are adequate and economically sustainable.

The determination of which responses to use and the scope of policies will depend on whether a country is predominately a country of origin, transit or of destination, as well as the development of its social protection system and its financial and fiscal capacity.

Access to the different benefits implemented will often depend on the status of migrant workers (migratory and employment), the length of their stay and the nature of the work performed. Migrant workers with legal residence will usually have broader access to social protection than those with irregular status, while longer-term migrant workers and those in skilled professions are also more likely to be protected.

Short term policy responses

Countries of destination may adopt unilateral short-term measures based on the principle of equality of treatment and non-discrimination, including prevention, protection and information measures. Rapid assessment surveys, such as those undertaken by the ILO in Iraq, Jordan, Lebanon and other countries, can lead to the adoption of measures to strengthen social protection for migrant and refugee workers as well as national workers in various sectors and occupations (ILO 2020d).

Access to health care

An important aspect of social protection, particularly during pandemics, is access to quality health care, which should be provided by taking into account the following:

Box: The importance of social dialogue

In order to build sustainable, socially responsive and widely accepted social protection schemes, social dialogue has been demonstrated to be essential (ILO 2018b, pp. 21 and 49). In times of crisis, social dialogue and workers' and business representation are even more relevant.

Workers' organizations may be well informed and aware of the needs of migrant workers. They can play a role in the monitoring and implementation of response measures and engage in collective bargaining agreements or dispute resolution with employers.

Employers' organizations may advocate for government responses that address migrant workers' concerns, such as the extension of visas and work permits and the provision of health services and social assistance regardless of migration status, in order to ensure business continuity and productive capacity. They can function as the interface between governments and employers to support the implementation of both short-term and medium-to long-term social protection measures, including through guidance and information for employers on improving compliance; implementing occupational safety and health and anti-discrimination measures; enabling access to health care and other social protection benefits; and facilitating travel or repatriation requirements.

Both short-term and medium-to-long-term responses that affect migrant workers would benefit from being developed in participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned. Social protection policies, laws and schemes, when based on social dialogue, may contribute to reducing tensions between nationals and non-nationals and promoting social cohesion.

- Access to health care, including maternity care, for migrant workers should be on an equal basis with nationals and should include, at a minimum, testing and treatment for COVID-19. This is crucial to preserve and improve a country's public health.
- Migrant workers with irregular status should, at a minimum, have access to essential health care as part of national social protection floors, in line with international human rights instruments (United Nations 2020), without the fear of being denounced to immigration authorities or deported.⁸

⁷ For further information on universal social protection, see ILO 2019.

⁸ In a number of countries, such as Argentina, the Republic of Korea, Thailand and 20 Member States of the European Union, migrant workers with irregular status have access to basic or emergency health care, at a minimum.

- Effective access requires consideration of the financial capacities of migrant workers (ILO 2020f, p. 9).

Examples of countries that are extending the coverage of social health protection mechanisms during the current crisis include:

- France and Spain have extended migrants' residence permits for three additional months to ensure broad access to health care.
- Portugal has regularized, until 30 June 2020, the status of non-nationals, including asylum-seekers with pending applications. This provides them with access to certain rights and support, including health care, social support, employment and housing. In addition, Portugal has announced that foreign residents will have equal access to the National Health Service and treatment as regular beneficiaries.⁹
- The province of British Columbia in Canada is providing short-term migrant workers with access to the Medical Service Plan until 31 July 2020.¹⁰
- Colombia is providing free medical consultations to migrants and refugees, regardless of their migration status, with COVID-19 symptoms.¹¹
- Qatar is providing migrants with medical services, including medical check-ups for COVID-19 and quarantine services, free of charge.¹² In Saudi Arabia, testing and medical treatment are free of charge for all COVID-19 infection cases irrespective of nationality (World Bank 2020a).
- Thailand is covering COVID-19 treatment free of charge during the first 72 hours, for both nationals and foreign workers with a valid work permit.¹³
- The government of Tunisia has conducted 1,830 tests on Libyans observing a period of compulsory sanitary confinement in hotels in Zarzis, in anticipation of their return to their country.¹⁴

Facilitating access to social protection schemes

In the context of the current crisis, countries may expand the scope of contributory and non-contributory schemes such as unemployment and sickness benefits to migrant workers, including those in the informal economy or with irregular status. In particular, they may:

- Extend existing national schemes to uncovered groups of migrant workers.
- Ease administrative procedures, adapt or relax eligibility criteria (such as length of employment, duration of stay or minimum contribution period) and remove discriminatory obstacles in order to allow migrant workers to benefit from existing schemes or introduce new benefits (ILO 2020e).
- Consider measures to ensure that access to social protection benefits are not interrupted, such as the extension of visas, work and residence permits; amnesties and more flexible administrative procedures; or exceptions to existing immigration rules and conditions.

Examples of countries that have put in place such measures during the current crisis include:

- Italy introduced a special COVID-19 economic stimulus entitled "Decreto Cura Italia", which provides an allowance of €600 to certain categories of workers and includes migrant workers who hold a residence permit.¹⁵
- New Zealand, as part of its COVID-19 economic response package, announced that international seasonal migrant workers are entitled to government funding if they fall sick, have to isolate themselves while working in New Zealand (from the start date of their contract) or cannot work because their employer's business is affected by the lockdown.¹⁶
- Ireland introduced a COVID-19 pandemic unemployment payment,¹⁷ which is a new social protection benefit of €350 per week for employees and self-employed workers for a maximum of 12 weeks. The benefit is available to students, non-European Economic Area nationals and part-time workers aged 18–66 who have lost their employment due to the pandemic and have not been diagnosed with COVID-19. Those diagnosed with COVID-19 will receive a sickness benefit.

⁹ See <https://www.ers.pt/pt/covid-19/>.

¹⁰ See <https://www2.gov.bc.ca/gov/content/health/health-drug-coverage/msp/bc-residents/msp-covid-19-response>.

¹¹ See <https://reliefweb.int/sites/reliefweb.int/files/resources/75657.pdf>.

¹² See <https://www.adlsa.gov.qa/en/news/Pages/news150402020.aspx>.

¹³ See <https://thethaiger.com/coronavirus/new-covid-19-specialist-hospital-to-open-as-thai-government-steps-up-response>. All nationals and employed foreigners (with a valid work permit) are covered by the Thai universal public health system.

¹⁴ See <https://lapresse.tn/61639/zarzis-covid-19-1829-tests-sur-des-libyens-en-confinement/>.

¹⁵ See <https://www.agid.gov.it/it/agenzia/stampa-e-comunicazione/notizie/2020/03/31/decreto-cura-italia-indennita-i-bonus-accessibili-spid>.

¹⁶ See <https://www.immigration.govt.nz/about-us/covid-19/recognised-seasonal-employers-rse-covid-19-information>

¹⁷ See <https://www.gov.ie/en/service/be74d3-covid-19-pandemic-unemployment-payment/>.

► **Box: Refugees, frontier, posted and internal migrant workers**

According to the Office of the United Nations High Commissioner for Refugees (UNHCR), there are 25.9 million **refugees** worldwide.¹⁸ In the context of the COVID-19 pandemic, **refugees¹⁹ and other displaced persons** are at risk of contracting COVID-19 due to their higher vulnerabilities, arising from the circumstances of their journey and poor living conditions. They may also face significant barriers to access national health services. Although humanitarian assistance is critical to ensure livelihoods and access to essential services and goods during the COVID-19 crisis, humanitarian responses should build upon and complement existing national social protection systems, where appropriate. The crisis is an opportunity to plan humanitarian cash transfers that take account of, build on and strengthen national institutions and systems, where possible. Based on the principle of equality of treatment and non-discrimination, refugees should have access to social protection on an equal basis with nationals. The 1951 Convention relating to the Status of Refugees²⁰ and several ILO conventions and recommendations contain important provisions on welfare and social security for refugees (ILO et al. forthcoming). The Global Compact on Refugees²¹ adopted in 2018 calls for the inclusion of refugees in social protection systems. An analysis of legislation in 120 countries shows that explicit legal provisions grant access to social security for refugees in 56 countries and access for asylum-seekers in 40 countries (Van Panhuys et al. 2017, ILO et al. forthcoming). Some countries have national health systems that are accessible to refugees on an equal basis with host communities, facilitating their access to diagnosis and treatment of COVID-19. In several countries, international organizations are evaluating opportunities to

channel cash transfers to refugees through national social protection systems.²²

Frontier workers are employed in the frontier zone of a country and return each day or at least once a week to the frontier zone of a neighbouring country in which they reside. In order to protect this particular category, the European Union has decided that periods of teleworking exercised in the territory of the country of residence by frontier workers because of COVID-19 will be considered as periods worked in the country of employment in order to determine applicable social security legislation. **Posted workers** in the European Union whose activity in the destination country has been terminated during the pandemic and who have not been able to return because of travel restrictions remain entitled to social security benefits from the member State in which they have paid their social security contributions and not from the member State where they are posted.

Since the onset of COVID-19, there have been unprecedented **internal migration movements** (such as in India²³ and China).²⁴ The outbreak has placed many internal migrant workers in dire circumstances, with many losing their jobs, unable to subsist in the city and yet facing difficulties to return home because of overwhelmed urban-rural infrastructures that are unequipped to handle such large population movements. The chaotic and painful process of mass return of internal migrants may also have contributed to spreading COVID-19, including in India and many Latin American countries (KNOMAD 2020). To respond to this challenge, China has extended unemployment protection for internal migrant workers who were previously farmers. India has introduced a digitized, portable public distribution system to implement the National Food Security Act in order to allow the portability of food entitlements for internal migrants.²⁵

¹⁸ See <https://www.unhcr.org/figures-at-a-glance.html>.

¹⁹ On the definition of refugees, see [1951 Convention and 1967 Protocol relating to the Status of Refugees](#).

²⁰ See 1951 Convention, articles in Chapter III on gainful employment and articles in Chapter IV on welfare, in particular articles 22, 23 and 24.

²¹ See United Nations, [Global Compact on Refugees](#), A/73/12(Part III), in particular para. 81.

²² We acknowledge the valuable contributions of UNHCR.

²³ See <https://edition.cnn.com/2020/03/30/india/gallery/india-lockdown-migrant-workers/index.html>.

²⁴ See <https://www.nytimes.com/2020/02/23/business/economy/coronavirus-china-migrant-workers.html>.

²⁵ See <https://www.hindustantimes.com/india-news/still-lacking-scale-e-pds-missed-migrants/story-IowBmqM32Pi8L1dgHcwgnN.html>.

Box: Suitable occupational safety and health and living conditions

The protection of migrant workers starts by limiting their exposure to COVID-19, both at the workplace and in their living environment. In particular:

- Governments and employers should ensure adequate work and living arrangements by, for example, providing financial assistance; housing subsidies; live-in arrangements; or designated housing in which migrant workers have access to sanitation facilities and can practice physical distancing and hygiene. In some cases, appropriate conditions for implementing isolation quarantine measures may have to be facilitated.
- Providing migrant workers with the necessary safety kits, including masks, hydro- alcoholic gels and gloves at the workplace, should be mandatory. Safety kits should also be provided where migrant workers live, in particular at collective and organized **accommodations** and when they may not have sufficient resources to pay for the kits themselves.
- Compliance with the relevant health protection measures at the workplace should be monitored, while ensuring that employers have the capacity and adequate guidance to comply with such measures. This can be particularly challenging in the construction, agriculture and domestic work sectors, in which migrant workers are over-represented (ILO 2020g).

Adequate information

It is important to ensure that migrant workers are aware of protection, prevention and treatment measures and their social protection rights during the COVID-19 crisis. In particular:

- Migrant workers should be informed about their social protection rights and entitlements and how to access them.
- Raising migrant workers and their families' awareness about the preventive measures to be adopted and the health protection measures and services available to them is important to reduce the risks of contamination and transmission.
- Migrant workers should also be informed about relevant COVID-19 response measures adopted by the authorities in the country of destination that may affect their employment, living or travel conditions. A change in their employment or migratory status may have an impact on their

needs and their access to social protection and income-replacement measures.

- Information needs to be made available in a language that migrant workers can understand, also taking into account the number of illiterate workers for whom visual or auditory forms of communication may be required.

Examples of countries that have put in place some of these special measures during the current crises include:

- Italy's online "JsUMA" portal provides refugees and asylum-seekers with access to information in 15 different languages on COVID-19, including with respect to health care, movement restrictions, administrative procedures and available services.²⁶
- Poland has distributed leaflets to foreigners in their communities and workplaces in several languages (including English, Russian, Ukrainian and Chinese) on self-protection against COVID-19 and the health care institutions to contact if COVID-19 infection is suspected.²⁷
- Canada has provided information in multiple languages on financial assistance for newcomers, temporary residents and refugees who face financial hardship resulting from the COVID-19 pandemic.²⁸

Adequate information and guidance can be also provide through social security institutions and administrations on how to respond to the COVID-19 crisis with respect to migrant workers' social protection:

- The Inter-African Conference on Social Welfare (CIPRES) has issued a guideline that recommends the payment of social protection benefits by mobile money, prepaid cards and transfer, where possible, in order to limit travel and crowds (CIPRES 2020).

Providing income support through cash transfers and other means

Income protection is an essential part of social protection and essential for preserving social cohesion and stability.

- Providing short-term or ad hoc emergency cash and food transfers in case of sickness or loss of employment can alleviate basic and immediate human needs. This is particularly relevant for the large numbers of migrants who have lost their jobs or livelihoods, either temporarily or permanently, with no access to their support network back home and no possibility of returning home because of travel restrictions.

²⁶ See <https://data2.unhcr.org/en/documents/download/75453>.

²⁷ See <https://ec.europa.eu/migrant-integration/news/polish-doctors-call-on-government-to-better-inform-foreigners-about-free-coronavirus-treatment>.

²⁸ See <https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-covid19/financial-assistance.html>.

- Some countries may be able to channel food or cash benefits through existing schemes or by setting up a new scheme. In other countries, development partners, trade unions, civil society organizations and other partners may be involved or may take care of such transfers.

Examples of countries that have put in place some of these measures during the current crises include:

- Brazil has responded with a monthly emergency basic income, to be paid for up to three months to the unemployed, self-employed and those working in the informal economy, including migrant workers with irregular status.²⁹
- Japan has introduced a one-off exceptional cash transfer for all citizens and legal foreign residents who have been resident for at least three months in Japan and were registered as a basic resident as of 27 April 2020.³⁰
- In the United States, California has announced the introduction of a one-time cash benefit in support of undocumented workers impacted by COVID-19 who are ineligible for unemployment insurance benefits and disaster relief owing to their immigration status.³¹
- Trinidad and Tobago has introduced various measures to support affected persons who are citizens or permanent residents in order to mitigate the financial challenges experienced by persons who have been retrenched or terminated or have experienced reduced income as a result of COVID-19. Measures include the provision of financial assistance for a period not exceeding three months in relation to income, food and rental fee support.³²
- In Myanmar, a consortium of international donors under the Livelihoods and Food Security Fund is financing an emergency COVID-19 cash transfer targeted at vulnerable groups, including internal and returning international migrants.³³

Countries of origin may also provide social protection to their nationals abroad and upon return. Many destination countries affected by the health and economic impact of the pandemic are increasingly repatriating or deporting migrant workers who have lost their jobs or are in an irregular situation. These returns have been substantial, posing extreme challenges for migrant workers, their families and

countries of origin alike. The following short-term measures may be considered by countries to provide their nationals with basic income security and access to health care:

- Mounting large-scale information and awareness-raising campaigns on health protection and other relevant measures that may affect the access of migrant workers to social protection or their migratory or employment status. This can be done by consulates and diplomatic missions or through partnerships with governments, media or other partners in countries of destination in order to support the dissemination of information. Information campaigns are also relevant in countries of origin for returning migrants and their family members.
- Providing repatriation assistance and adequate free-of-charge quarantine measures for returning migrant workers, including food assistance when relevant and needed.
- Facilitating access to health care and other social protection benefits, including food and cash transfers, for returning migrants and also for the families of migrant workers affected by the reduction of remittances.

Examples of countries that have put in place such measures during the current crises include:

- The Philippines, through its Overseas Workers Welfare Administration, has created an emergency fund targeted at Filipino migrant workers that provides a one-time payment to land-based and sea-based workers who have been displaced because of COVID-19, regardless of their formal or informal status.³⁴

Medium to long-term policy responses

While short-term responses focus on addressing more immediate needs, they tend to be temporary and in many cases exclude substantial numbers of migrant workers. On the other hand, medium-to-long-term responses provide a systemic approach that offers more comprehensive protection that is adequate and economically sustainable.

²⁹ See <https://www.gov.br/pt-br/servicos/solicitar-auxilio-emergencial-de-r-600-covid-19>.

³⁰ See <https://kyufukin.soumu.go.jp/ja-JP/index.html>.

³¹ See <https://www.gov.ca.gov/2020/04/15/governor-newsom-announces-new-initiatives-to-support-california-workers-impacted-by-covid-19/>.

³² See <https://www.finance.gov.tt/2020/03/31/covid-19-social-assistance-guidelines-and-applications/>.

³³ See <https://reliefweb.int/report/myanmar/lift-announces-new-funding-support-myanmar-s-covid-19-response>.

³⁴ See <https://www.dole.gov.ph/news/over-230k-ofws-seek-govt-cash-aid-2m-workers-displaced-by-pandemic/>.

A wide range of medium-to-long-term policy options are available to policymakers, both in countries of origin and countries of destination,³⁵ including:

- Ratification and implementation of relevant international standards³⁶ containing provisions relating to migrant workers' social protection that ensure the application of common rules by the different States concerned with migration and provide useful guidance for short-term, medium-term and long-term policy measures.
- Developing, through national social dialogue, national social protection strategies, policies, legal frameworks and effective administrative systems that are inclusive of migrant workers and their families and based on the equality-of-treatment principle. Countries of origin, transit and destination may decide on a unilateral basis to expand the scope of their social protection systems to include migrant workers and their families. Social protection systems are essential for addressing the socio-economic consequences of the COVID-19 crisis and any future crises.

Box: Employment and Decent Work for Peace and Resilience Recommendation

The ILO's Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), provides guidance to Member States on measures to generate employment and decent work, including social protection, for the purposes of prevention, recovery, peace and resilience with respect to crisis situations arising from conflicts and disasters. It highlights the need for Member States to ensure income-security measures and effective access to health care and basic social services (para. 21) and to establish, re-establish or maintain social protection floors, as well as seek to close the gaps in their coverage, taking into account the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Social Protection Floors Recommendation, 2012 (No. 202), and other relevant international labour standards (para. 22).

- Ensuring that social protection policies are coordinated with other policies, including employment, migration and other relevant policies (ILO 2020d).
- Protection of migrant workers in the informal economy who find themselves in dire situations owing to COVID-19 measures (lockdowns, restrictions on gatherings and closure of certain sectors of activity, etc.). The scope of social protection schemes (contributory and non-contributory) should be extended to cover migrant workers in the informal economy and facilitate their transition to the formal economy in the longer term (ILO 2020d; ILO 2020i; ILO forthcoming).
- Concluding and enforcing bilateral or multilateral social security agreements that coordinate the social security schemes of two or more countries. Such agreements are the most comprehensive option for overcoming, on a reciprocal basis, the barriers that might otherwise prevent migrant workers from receiving benefits under the social protection systems of the countries in which they have worked (Hirose et al. 2011). They ensure the portability of social security benefits.
- Concluding and enforcing bilateral labour agreements (BLAs) that include provisions for ensuring social protection. Before the crisis, BLAs were widely used around the world to govern labour migration. Although labour migration schemes and programmes covered by BLAs have been halted temporarily because of travel restrictions, the demand for migrant labour and labour shortages in certain sectors (such as the agricultural sector in Italy, Spain and France) remain significant. The medium-to-long-term expectation is that these restrictions will be lifted, allowing for the recruitment of migrant workers.³⁷ The current pandemic demonstrates the importance of including clear and comprehensive social protection provisions in BLAs and model employment contracts, or of making specific reference within BLAs to separate social security agreements. In crisis contexts, BLAs can serve to clearly outline responsibilities in terms of providing health care, income support measures and other

³⁵ The policy responses are not mutually exclusive.

³⁶ Equality of Treatment (Social Security) Convention, 1962 (No. 118); Maintenance of Social Security Rights Convention, 1982 (No. 157); Maintenance of Social Security Rights Recommendation, 1983 (No. 167); Migration for Employment Convention (Revised), 1949 (No. 97); Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); Social Protection Floors Recommendation, 2012 (No. 202); Domestic Workers Convention, 2011 (No. 189); Domestic Workers Recommendation, 2011 (No. 201); Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204); Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205).

³⁷ In April and May 2020, up to 40,000 seasonal EU migrant workers were allowed to enter Germany despite the COVID-19 travel restrictions. Employers are required to ensure compliance with strict hygiene, as well as with occupational safety and health standards. See <https://www.bmi.bund.de/SharedDocs/faqs/DE/themen/bevoelkerungsschutz/coronavirus/reisebeschraenkungen-grenzkontrollen/reisebeschraenkungen-grenzkontrollen-liste.html>

measures for ensuring the welfare of migrant workers, both during their time abroad and upon return to their country of origin. Although some BLAs already include provisions covering access to health care and work injury benefits, important protection gaps remain in terms of scope and benefits (Van Panhuys et al. 2017). This is particularly important in the absence of BLAs or when national social security or labour laws are not based on equality of treatment. For example, the African Union Labour Migration Advisory Committee has issued the following statement: "we call on African governments in the post-COVID-19 era to carefully look at and renegotiate the different Labour Migration Agreements that they may have signed with the view of ensuring the enjoyment by migrant workers of adequate health and safety, social protection and portability, and other human and labour rights protections".

Mobilizing resources for social protection

Even before the COVID-19 pandemic, low- and middle-income countries faced enormous financing gaps in social protection (Durán Valverde et al. 2019). Most governments need to urgently increase health and social protection expenditure, while at the same time revenues from taxes and social security contributions have sharply declined, putting additional pressure on national budgets (ILO 2020d).

In the immediate crisis context, domestic resource mobilization has included reprioritizing public spending; tapping into fiscal reserves; relaxing fiscal deficit rules and increasing borrowing levels; enabling more accommodative macroeconomic conditions in general; and requesting external financial support.

In the medium-to-long term, countries should consider using a variety of different methods to mobilize resources for social protection that take into account the contributory capacities of different population groups. In principle, national social protection systems should be financed by national resources. However, if economic and fiscal capacities are insufficient, countries can seek international support to complement their own efforts to expand fiscal space. Further options for increasing fiscal space in the medium-to-long term include tax reforms or increasing revenue from social security contributions through better compliance (ILO 2020d; Ortiz et al. 2019).

3. Conclusion

Migrant workers make important contributions to societies and economies and hold essential jobs in the current crisis. Nonetheless, migrant workers continue to suffer from a lack of adequate and comprehensive social protection. In that context:

- Ensuring adequate health and safety at work and access to social protection for all workers, including migrant workers, is fundamental (ILO 2020b).
- Although many countries have put in place short-term social protection measures to support migrant workers, not all migrant workers have been able to benefit from such measures. As countries emerge from the pandemic, they have an opportunity to build back better and stronger social protection systems. It is important that, where possible, these measures be incorporated into longer-term strategies.
- To successfully incorporate short-term measures that are often funded through expenditure reprioritization, fiscal deficits or external assistance into longer-term strategies, countries should explore additional options for expanding fiscal space in order to ensure adequate and sustainable financing (Ortiz et al. 2019).³⁸
- As part of the global ambition to achieve universal social protection and the 2030 Agenda for Sustainable Development, integrating migrant workers into contributory social security systems may support the expansion of social protection coverage and their transition to the formal economy, thereby also increasing fiscal space and potentially self-financing that expansion.
- Governments, together with social partners and other stakeholders, should take this opportunity to put in place integrated approaches that include migrant workers in national social protection responses, in line with the equality-of-treatment and non-discrimination principles enshrined in international human rights, international labour standards and the ILO Centenary Declaration for the Future of Work. Such approaches will play an important role in mitigating the effects of COVID-19, supporting economic and social recovery and building resilience for responding to future crises.

Canada has announced that seasonal farm workers coming from foreign countries will be permitted to return to Canada but would need to self-isolate for 14 days in order to prevent the spread of COVID-19.

See <https://globalnews.ca/news/6780779/seasonal-farm-workers-coronavirus/>.

³⁸ Including such options as: (1) expanding social security coverage and contributory revenues; (2) increasing tax revenues; (3) eliminating illicit financial flows; (4) reallocating public expenditures; (5) using fiscal and central bank foreign exchange reserves; (6) borrowing and restructuring existing debt; (7) adopting a more accommodating macroeconomic from work; and (8) increasing aid and transfers (Ortiz et al., 2019).

4. How the ILO and the International Social Security Association assist

The ILO is mandated to support the extension of social protection to all those in need of such protection, including migrants, and it provides technical assistance to its constituents in their extension strategies.

The ILO provides technical advice, expertise and capacity-building related to labour migration and social protection, including services for:

- ratification and application of ILO conventions and recommendations;
- drafting and negotiation of social security agreements;
- drafting or revision of national legislation and policies;
- drafting or revision of bilateral labour arrangements and memoranda of understanding with provisions on social security;
- formulation of national social protection policies and legal frameworks, in line with international standards and good practices and based on social dialogue, that extend coverage to migrant workers and their families;
- design, implementation and monitoring of rights-based social protection schemes and programmes, including national social protection floors, that aim to extend effective access to health care and income security to all, including migrant workers and their families;
- costing and financing of social protection schemes and reforms, including analysis of options to expand fiscal space with a view to ensuring their affordability and financial sustainability;
- financial governance of social protection schemes and programmes;
- development of a knowledge base, including statistics, on social security for migrant workers in order to support evidence-based policy-making and capacity-building.

The International Social Security Association (ISSA) brings together social security institutions and government departments in 160 countries. It has a mandate to promote excellence in social security administration and foster the exchange of good practices in order to enable its members to develop dynamic social security systems that are also inclusive of migrant workers.

The ISSA's products and services include:

- a database on international social security agreements with institutional, operational and administrative elements;
- ISSA guidelines, in particular regarding the ICT-based implementation of international social security agreements;

- the development of techniques and standards for international data exchange and exploration of blockchain technologies in this area;
- technical advice on the implementation and good governance of social security schemes;
- a database on good practices in social security administration, including on outreach to and coverage of migrant workers;
- a handbook on the extension of social security coverage to migrant workers.

References

- CIPRES. 2020. *Principaux risques liés à la prévoyance sociale et Recommandations CIPRES*.
- Durán Valverde, Fabio, José F. Pacheco-Jiménez, Taneem Muzaffar and Hazel Elizondo-Barboza. 2019. *Measuring Financing Gaps in Social Protection for Achieving SDG Target 1.3: Global Estimates and Strategies for Developing Countries*. ILO.
- Gammarano, Rosina. 2020. "COVID-19 and the New Meaning of Safety and Health at Work". *ILOSTAT Blog*.
- Hirose, Kenich, Miloš Nikac, and Edward Tamagno. 2011. *Social Security for Migrant Workers: A Rights-based Approach*. ILO.
- ILO. 2015. *ILO Global Estimates on Migrant Workers: Results and Methodology: Special Focus on Migrant Domestic Workers*.
- . 2017. *World Social Protection Report 2017–19: Universal Social Protection to Achieve the Sustainable Development Goals*.
- . 2018a. *Global Estimates on International Migrant Workers: Results and Methodology*.
- . 2018b. *Social Dialogue and Tripartism: A Recurrent Discussion on the Strategic Objective of Social Dialogue and Tripartism under the Follow-up to the ILO Declaration on Social Justice for a fair Globalization, 2008*, ILC.107/VI.
- . 2019. "Universal Social Protection: Key Concepts and International Framework". *Social Protection for All Issue Brief*, April.
- . 2020a. "COVID-19 and the World of Work, Third Edition: Updated Estimates and Analysis". *ILO Monitor*, 29 April.
- . 2020b. "Protecting Migrant Workers during the COVID-19 Pandemic: Recommendations for Policymakers and Constituents". *Policy Brief*, April.
- . 2020c. "Social Protection Responses to the COVID-19 Crisis around the World". *Social Protection Monitor*, 16 June.
- . 2020d. "Social Protection Responses to the COVID-19 Pandemic in Developing Countries: Strengthening Resilience by Building Universal Social Protection". *Social Protection Spotlight*, May.
- . 2020e. "Social Protection Responses to the COVID-19 crisis: Country Responses and Policy

- Considerations". *Social Protection Spotlight*, 23 April.
- . 2020f. "COVID-19 and the Health Sector". *ILO Sectoral Brief*, 11 April.
- . 2020g. *An Employers' Guide on Managing your Workplace during COVID-19*.
- . 2020h. "COVID-19: Impact on Migrant Workers and Country Response in Thailand". *Update*, 17 April.
- . 2020i. "COVID-19: Impact on Migrant Workers and Country Response in Malaysia". *Update*, 8 May.
- . 2020j. "Sickness Benefits: An Introduction". *Social Protection Spotlight*, May.
- . 2020k. "Sickness Benefits during Sick Leave and Quarantine: Country Responses and Policy Considerations in the Context of COVID-19". *Social Protection Spotlight*, May.
- . 2020l. "COVID-19 Crisis and the Informal Economy: Immediate Responses and Policy Challenges". *ILO Brief*, May.
- . Forthcoming. "COVID-19 Brief on the Informal Economy".
- ILO, ISSA and ITC. Forthcoming. *Extending Social Protection to Migrant Workers, Refugees and their Families: ILO Guide for Policy-makers and Practitioners*.
- KNOMAD. 2020. "COVID-19 Crisis through a Migration Lens". *Migration and Development Brief* 32, April.
- Ortiz, Isabel, Anis Chowdhury, Fabio Durán Valverde, Taneem Muzaffar, and Stefan Urban. 2019. *Fiscal Space for Social Protection: A Handbook for Assessing Financing Options*. ILO.
- United Nations. 2020. *COVID-19 and Human Rights: We are All in this Together*.
- Van Panhuys, Clara, Samia Kazi-Aoul, and Geneviève Binette, G. 2017. "Migrant Access to Social Protection under Bilateral Labour Agreements: A Review of 120 Countries and Nine Bilateral Arrangements". *ESS Working Paper No. 57*. ILO.
- World Bank. 2020a. "Potential Responses to the COVID-19 Outbreak in Support of Migrant Workers". "Living Paper" Version 8, 26 May.
- . 2020b. "World Bank Predicts Sharpest Decline of Remittances in Recent History". Press Release No. 2020/175/SPJ, 22 April.
- WHO. 2020. *Interim Guidance for Refugee and Migrant Health in relation to COVID-19 in the WHO European Region*.

This issue brief has been prepared by Mariano Brener (ISSA), Samia Kazi-Aoul (MIGRANT), Karuna Pal (SOCPRO), Stefan Urban (SOCPRO) and Clara Van Panhuys (MIGRANT) and has benefitted from comments from the Social Protection Global Technical Team, MIGRANT, ISSA, ACTRAV, ACTEMP and UNHCR. The Editor of the Social Protection Spotlight brief series is Shahra Razavi, Director, Social Protection Department.

► **Social Protection Department**
socpro@ilo.org

International Labour Organization
International Social Security Association
4 route des Morillons
1211 Genève 22
www.ilo.org

Consult our websites for regular updates:
The world of work response to the COVID-19 crisis
► ilo.org/global/topics/coronavirus
► www.social-protection.org/gimi/ShowWiki.action?id=62&lang=EN

► **Conditions of Work and Equality Department**
Labour Migration Branch
migrant@ilo.org

► **International Social Security Association**
issa@ilo.org

► www.issa.int/coronavirus
► www.ilo.org/global/topics/labour-migration/lang--en/index.htm