COMMITTEE OF EXPERTS ON CO-ORDINATION
IN THE FIELD OF SOCIAL SECURITY
(CS-CR)

“The Specific Situation of Female Migrant Workers in Relation to Social Security”
Report to the Committee of Experts on Co-ordination in the Field of Social Security
by
Silke Steinhilber
1. Introduction

In the Final Communiqué from the 8th Conference of European Ministers responsible for Social Security (MSS-8) in Bratislava on 22 and 23 May 2002, the Ministers requested that the Council of Europe should take into account in its future work the specific situation of female migrant workers in relation to social security. At its 4th Meeting, the Committee of Experts on Social Security Coordination (CS-CR) set up a Working Party to carry out a study on the specific situation of female migrant workers in relation to social security.

This report is based on the responses of CoE member and observer states to a questionnaire on the situation of female migrant workers in comparison with other workers, nationals and migrants, and on the consequences for their social security coverage. Twenty-three member states and two observer states completed the questionnaire. Responses to the questionnaire were received from the following countries: Austria, Azerbaijan, Belgium, Bulgaria, Czech Republic, Estonia, Finland, France, Ireland, Latvia, Lithuania, Malta, Moldova, Netherlands, Norway, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Australia, New Zealand. A partial response was received from Denmark. To broaden the analysis and fill in data gaps where possible, the report also makes use of information gathered from other institutions and comparative research on the topic.

Before presenting the findings from the responses, some limitations should be noted. A number of countries pointed out difficulties in providing reliable answers to the questionnaire. Several problems were mentioned: First, some countries dispose only of a limited data set or no data at all at times, so that they were unable to give an accurate picture of migration patterns and the situation of migrants. Particularly data on irregular migration and illegal employment is sparse, almost by definition, even in countries with sophisticated data collection systems.

Second, the systems by which data are collected and the definitions used as a basis for data often differ widely between countries, thus reducing the comparability of statistical information. Inconsistencies have also appeared in a number of cases between the definitions applied for the collection of data on the national level and the definitions used in the questionnaire. Moreover, the responding states dispose of a great variety of administrative regimes to govern entry, residence and employment of foreigners, which has created a further obstacle to the comparison of the available statistical information on migrants, especially the labour market data.

The lack of data is all the more evident – and relevant for the analysis presented here – in the case of female migrant workers. The overall lack of information and data on the migration of women is
apparent in, or has been emphasized by, a number of other sources. Ex-disaggregated data on the occupational situation of migrant women appears to be the exception rather than the rule in the responding countries. More specific information, such as on occupational qualifications of female migrants, appeared to be completely out of the reach of many respondents. It has not been possible to assess whether the fact that many female migrants work in “hidden” economic sectors, such as in private households or the sex industry, has created further obstacles to answering the questionnaire. Certainly collecting data on these activities is particularly difficult, and the social stigma attached to some of these occupations in some countries is noticeable.

In sum, a great number of responses to the questionnaire were incomplete or not very detailed, and the responses to a range of questions are not comparable across countries. This has particularly negatively affected the interpretation of general data (questions 1.1. to 1.6.), and the questions on access to social protection law (questions 2.1. to 2.3.), where comparisons across a wide range of different social security schemes would have to be drawn. For the general information requested in questions 1.1.-1.6. other sources of data have been sought, so that a comparative overview is possible at least across those countries for which data was available.

A general introduction on trends relating to women and migration and comparative data on migrant women on the labour market are summarized in section 2. Thereafter, section 3 presents a comparative analysis of the responses to the questionnaire – to the extent that comparisons across countries were possible. Keeping the limitations of the information in mind, the section offers a cautious general interpretation of the specific situation of female migrants in relation to social security. Lastly, the concluding section 4 contains some final remarks and observations.

2. Women and Migration – Overview and Comparative Data

2.1. General Migration Trends

Until well into the 1980s, the debate on international labour migration and on the situation of migrants in their countries of destination was almost exclusively concerned with male migrants. Migrant workers’ integration into the labour market and their access to social security were considered an issue of migrating men. Women, if taken note of at all, were assumed to be

---

1 E.g. ILO 2002b. Sex-disaggregated data is not commonly available even in standard publications on the topic such as OECD/ SOPEMI.
2 The relatively short period assigned for preparing the responses to the questionnaire may have created additional obstacles to the completion, as some respondents pointed out. In most countries, the data needed to reply to the questionnaire is kept by a variety of different government bodies, as a number of responses make clear.
3 Han 2003, United Nations 1990, See the pioneering work of Phizacklea (1983), Kofman &
accompanying family members of male migrant workers. Family reasons were regarded the main motivation for women to migrate, and they were not regarded labour migrants themselves.4

For the last decades, women’s share among international migrants has been on the rise, a phenomenon sometimes referred to as the “feminisation of migration”.5 While, women accounted for 48.5% of the total number of migrants in 1960, this figure has further increased to more than 52% of all migrants in Europe in 2000. According to UN figures, 25 million out of 48 million migrants in Europe are women.6

In 1999 in European countries, the share of women in the overall immigration flow (foreigners and returning nationals) ranged between 41.3 per cent for Germany and 56.8 per cent for Greece (see table 1). In most Western European countries it was close to 50 per cent, with slightly higher figures in the United Kingdom, the Nordic countries, and Belgium, and slightly lower ones in Austria, the Netherlands, Denmark and Switzerland. The proportion of women in migration inflows in some OECD countries has risen by over 1 per cent a year since 1990. This trend was particularly marked in Portugal, and to a lesser degree in the Netherlands, Finland, and Switzerland (see table 1).7

Table 1: Proportion of women in immigration flows in OECD countries, (1999 unless otherwise indicated)

<table>
<thead>
<tr>
<th>Proportion of women in immigration flows, % of total</th>
<th>Average growth since 1990 (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia (1999-2000) (2)</td>
<td>48.2</td>
</tr>
<tr>
<td>Austria (1998)</td>
<td>46.5</td>
</tr>
<tr>
<td>Belgium</td>
<td>50.7</td>
</tr>
</tbody>
</table>

Erel 2003

4 The international legal framework dealing with the rights of labour migrants illustrates this male bias as well: For example in ILO Recommendation No. 86 which accompanied Conventions Nos. 97 and 143 from 1949 and 1975 the family of a migrant worker is defined as “his wife and minor children”. Similarly, Art. 19 of the European Social Charter about the rights of migrant workers and their families, includes a specification that the “family of a foreign worker” is “understood to mean at least his wife and dependent children”. In the European Union, the original legislation is not different: Council Regulation (EEC) No 1612/68 of 15 October 1968 on the free movement of workers within the Community speaks of the worker only as “he”.

5 see, for example OECD/ SOPEMI 2001; Boyd & Grieco, 2003


7 OECD/ SOPEMI 2001
Contrary to the widespread approach to regard women almost exclusively as family migrants, in fact the women’s motivations to migrate are diverse. Family reasons, asylum seeking and employment are the most common ones. Family linked immigration (which includes accompanying family members and family reunification at a later point in time) remains the predominant reason for women’s entry in most OECD countries: It explains 50-80 per cent of entries, depending on the country. For example, the family component of migration (i.e. female and male immigrants - but a majority of family migrants are women) dominates migration flows in France, where it accounted for 78 per cent of the inflows in 2000, the highest level ever reached.

Women constitute almost half of all refugees and asylum seekers in Europe. Osaki (1997) reports that women formed 45 per cent of the refugee population in France, 42 per cent in Belgium and 20 per cent in Greece. However, approximately 80 per cent of asylum

---

8 OECD/ SOPEMI 2001
applications in Europe come from men, which has been explained by the fact that in joint applications, men are considered the main applicants.⁹

Women also form an increasingly proportion of employment-related migration in Europe. Around a third of migrant women in EU countries are single and have migrated in search for employment opportunities. In Portugal the share of single women is over 50 per cent.¹⁰ Especially in the Nordic countries, women are now a substantial group among those who migrate for employment-reasons. Above all, migration for employment in the health care sector is dominated by women.¹¹ Moreover, existing data often do not describe an individual migrant’s reasons for immigration correctly. Even for female migrants whose legal status is based on family reasons, their motivations for migration might be employment-related: Given that in some European contexts today family unification remains almost the only legal means of immigration for many prospective migrants, the statistics might not capture the real motivations of a great number of female migrants. In 1975, for example, Norway adopted a complete ban on immigration, from which "foreign experts, refugees and persons arriving because of family reunification are the most significant categories excepted."¹² Similar restrictions to immigration apply in a range of other European countries.

While at the beginning of the 1990s, the largest migration movements in Europe were directed westward, as a flow into the European Union, these movements have become more complex over time. Many Central and Eastern European countries have progressively become the destination of significant immigration flows, as well as countries of transit. Overall, in Europe, there has been a decline in permanent migration, and temporary migration, often short-term or seasonal, has strongly increased.¹³ Short-term migrants often do not cross long distances, and the large majority of them are nationals of countries with no visa requirements to enter their country of destination. Consequently, a large share of short-term migrants enter as tourists or students, or they overstay the duration of their visa. There is no representative data on the share of women among short-term, as compared to long-term, migrants, however.

2.2. Migrant women on the labour market

There are considerable differences between nationals and immigrants, as well as between men and

---

⁹ Kofman & Sales 2000
¹⁰ Ackers 1997
¹¹ OECD/ SOPEMI 2002
¹² ILO 1999
¹³ OECD/ SOPEMI 2002
women in both groups, when it comes to labour market integration. OECD data shows that in many - but far from all - European countries, male foreigners have lower labour force participation rates than nationals (table 2). In a majority of countries migrant women have lower labour force participation rates, both when compared to foreign men, and to national women. The gender-based disparity between immigrants’ labour force participation rates exceeds 30 points in some countries, notably in Italy, Greece and Belgium. In some countries, the gap between male and female participation rates is twice as large for immigrants as it is for nationals. In France, for example, the male participation rate for nationals is 12 points higher than for women, whereas the gap is 28 points among the foreigners. In Finland, the differences are even larger, with a 4.9 points difference between the participation rate of men and women for nationals, and 23 points for foreigners.

There are, however, a number of countries where the labour force participation rates of immigrant women are higher than among nationals, notably Austria, Greece, Ireland, Italy, Luxembourg, Portugal and Spain (all marked bold in the table). The difference is greatest in Luxembourg, followed by Spain and Greece. Moreover, in the few countries for which more detailed sex-disaggregated data on the foreign workforce is available, it appears that women are a majority of all foreign workers from some countries. In Spain, for example, women from the Dominican Republic constitute more than 80 per cent of all Dominicans working legally in the country, and more than 60 per cent of all workers from Peru, Ecuador and the Philippines are women. It is important to note in this context that these are all countries for which the Spanish legislation foresees immigration and work permits for employment in private households. It is not unfair to assume then that the large majority of women migrant workers from these countries are domestic employees in Spain. Note that Italy, Portugal and Greece are also known for having a substantial group of female migrants from Latin America, Southeast Europe and Southeast Asia working in domestic services.

In 2000-2001, the labour force participation of female migrants was particularly low (under 50 per cent) in Belgium, Australia, France and the Netherlands. Among these countries, it was lowest in the Netherlands, where only 49 per cent of foreign women participated in the labour force. Generally, particularly low rates of labour force participation of women are found in those immigrant communities where the female labour force participation is also low in the country of origin, for example among the Turkish and North African communities, as well as among immigrants from the Middle East and Afghanistan.

14 OECD/ SOPEMI 2002
15 There is also a group of countries where foreign men have higher participation rates: Austria, Czech Republic, Finland, Greece, Italy and Spain.
16 OECD/ SOPEMI 2002
Table 2: Labour Force participation rate and unemployment rate of nationals and foreigners, by sex, in selected OECD countries, 2000-2001 averages

<table>
<thead>
<tr>
<th></th>
<th>Participation rate</th>
<th>Unemployment rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Men</strong></td>
<td><strong>Women</strong></td>
</tr>
<tr>
<td></td>
<td>nationals</td>
<td>foreigners</td>
</tr>
<tr>
<td>Austria</td>
<td>78.9</td>
<td>85.1</td>
</tr>
<tr>
<td>Belgium</td>
<td>73.3</td>
<td>72.4</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>78.7</td>
<td>87.8</td>
</tr>
<tr>
<td>Denmark</td>
<td>84.1</td>
<td>71.2</td>
</tr>
<tr>
<td>Finland</td>
<td>79.4</td>
<td>83.1</td>
</tr>
<tr>
<td>France</td>
<td>75.1</td>
<td>76.6</td>
</tr>
<tr>
<td>Germany</td>
<td>78.9</td>
<td>77.6</td>
</tr>
<tr>
<td>Greece</td>
<td>76.2</td>
<td>89.2</td>
</tr>
<tr>
<td>Hungary</td>
<td>67.6</td>
<td>77.8</td>
</tr>
<tr>
<td>Ireland</td>
<td>79.2</td>
<td>77.0</td>
</tr>
<tr>
<td>Italy</td>
<td>73.6</td>
<td>87.7</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>74.0</td>
<td>79.7</td>
</tr>
<tr>
<td>Netherlands</td>
<td>84.9</td>
<td>69.5</td>
</tr>
<tr>
<td>Norway</td>
<td>84.6</td>
<td>82.1</td>
</tr>
<tr>
<td>Portugal</td>
<td>79.0</td>
<td>81.5</td>
</tr>
<tr>
<td>Slovakia</td>
<td>76.9</td>
<td>79.4</td>
</tr>
<tr>
<td>Spain</td>
<td>77.3</td>
<td>85.4</td>
</tr>
<tr>
<td>Sweden</td>
<td>78.0</td>
<td>63.1</td>
</tr>
<tr>
<td>Suisse</td>
<td>89.2</td>
<td>89.5</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>83.1</td>
<td>75.6</td>
</tr>
</tbody>
</table>


High male participation rates of foreigners have been explained by a predominance of
employment-related migration, for example in Southern Europe (Italy, Greece), and in Hungary.

In comparison, female migrants’ labour force participation does not appear to be particularly high as well in those countries where male migrant’s participation is high.

Rather, differences between women’s and men’s participation rates and employment trends indicate different migration motivations of men and women, and are shaped by the differential impact of the legal regulations for residence and labour force participation. For example, women who enter a country as dependents of a male migrant worker often face obstacles to participating in the labour market caused by the migration regime of the country of destination. Their legal status and resulting restrictions against the employment of accompanying family members of a migrant worker may relegate them to informal employment, for example domestic services or home working. These informal employment relations, however, are outside the coverage of labour legislation and employment-related social protection – and beyond the reach of official labour market information systems.

Further research and more detailed sex-disaggregated information on individual characteristics of migrants such as age, level of education, professional experience, family structure and length of stay would be needed to gain insight into existing differences between female and male migrants’ integration into the labour market of their host country.

Foreigners are more negatively affected by unemployment than nationals in all countries for which data is available (table 2). For men, in a number of countries the difference in unemployment rates between nationals and foreigners is close to 10 points. In Finland, the difference was the largest, with 14.2 points, followed by Sweden (10.6 points), France (10 points), Belgium (9.6 points), Denmark (8.6 points), Slovakia (6.4 points) and Germany (6.2 points). For women, the gap between nationals and foreigners was again the largest in Finland (18.7 points), followed by France (13.2 points), Belgium (9.5 points), Sweden (8.4 points) and Italy (7.4 points). There were only two countries were fewer foreign women were less affected by unemployment than nationals, Slovakia and Spain. In both countries the difference between foreigners and nationals is relatively small, however. Within the group of migrant women in the EU, unemployment rates of migrant women from outside the Union have been found to be higher than those of female migrants who are citizens of other EU countries.

Throughout Europe, foreigners are over-represented in certain sectors of the economy (i.e. they account for a larger proportion of employment than they do in the total labour force). These are mainly the secondary sector, notably mining, construction and manufacturing, as well as services

---

17 OECD/ SOPEMI 2002
18 Kofman & Sales 2000
19 Ackers, 1995, 1997, quoted in Balding et.al. (no year)
(hotels & restaurants, health and community services, services to households and other services).

In Spain, for example, 16 per cent of foreigners hold jobs in the hotel & catering business, and almost as many in services to households. In Denmark and Norway, 18.5 and 20 per cent, respectively, of the foreign workforce is employed in the health sector.20

In all countries for which data is available, foreigners are over-represented in services to households and in hotels and restaurants.21 The percentage of foreigners who are employed in household services is highest in Greece (18.1 per cent), followed by Spain (15.7 per cent), Italy (10.8 per cent) and France (6.5 per cent). The share of employment in hotels and restaurants of all foreign employment is 15.9 per cent in Spain, followed by 11.9 per cent in Ireland.22

Available statistics show that all the mentioned sectors employ a high proportion of female employees, but representative comparative data on the respective shares of foreign women and men in these employment categories is lacking.23 In Italy, for example, 46 per cent of the domestic employees were immigrants in 1996. Among the immigrants 71 per cent were women.24 Based on the patchy evidence available it seems fair to assume that the foreign workforce reproduces the gender segregation typical for the labour market in their host countries, with foreign women working in large numbers in the service sector, as well as hotel & catering and the health sector.

Large numbers of short-term labour migrants have been found to work in seasonal jobs in agriculture and tourism in Western Europe, but also in construction. For example, a large number of foreign workers takes advantage of Italy’s large informal seasonal economy in the agricultural sector. Most undocumented migrants work in agriculture (where a majority of the jobs are temporary or seasonal), construction and civil engineering, small-scale industry, tourism, hotels & catering, services to households and to business (including computer services).25

Among the group of female short-term irregular labour migrants, many women from Eastern and South-Eastern Europe have been found to participate in systems of “rotational migration” in Western European countries.26 Here, several women share the same job, typically domestic employment in private households. They enter the country as tourists, work illegally for a number of weeks or months, and return home for a period, in order to then return again to their post. Sometimes they only come on a daily basis, provided that the commuting distance is short enough.

20 OECD/ SOPEMI 2002
21 OECD/ SOPEMI 2002
22 OECD/ SOPEMI 2002
23 ILO 2001, OECD 2001b
24 D’Alconzo et.al. 2002
25 OECD/ SOPEMI 2002
26 Kofman & Sales 2000:198
There are a number of other relevant aspects regarding the labour market integration of migrant workers for which no comparative sex-disaggregated data appears to be available. For example, relatively more foreigners are found to have at least two jobs - is this also true for women? Relatively high rates of self-employment of foreigners are found in the Czech Republic, Denmark, Finland, Spain, Ireland, and the UK.\(^{27}\) To what extent are migrant women becoming entrepreneurs, and how do their rates of self-employment compare to those of nationals?

### 2.3. Working Conditions of Female Migrants

Foreign employment is on the whole more concentrated than native employment in the lowest socio-occupational categories, in terms of pay, working conditions.\(^{28}\) Legal as well as irregular migrants in these jobs suffer from a lack interest representation, as well as security of employment and legal protection. The working conditions, and often the wages, of migrants have been described as being inferior to those of national workers, especially in agriculture and in a number of service jobs, for example in cleaning/maintenance and domestic employment, where high numbers of women work.\(^{29}\)

The expression "feminisation" of labour migration has also been used to describe the over-representation of female migrants in extremely vulnerable positions on the labour market.\(^{30}\) A large group of female migrants have been found to work in jobs which are characterized by a particularly strong bond of subordination between the employer and the employee. There are disturbing reports of the resulting exploitative employment relations, especially of migrant women in domestic service. The support organization for domestic immigrant workers in the UK, Kalayaan, for example, has documented that of the domestic workers assisted in 1996-97, 84 per cent reported psychological abuse, 34 per cent physical abuse, and 10 per cent sexual abuse. 54 per cent were locked in, 55 per cent did not have their own bed, and 38 per cent had no regular food.\(^{31}\) Other authors have summarized the typical features of female migrants working conditions: Invisibility, high risk of threats and pressure, little change for professional advancement, isolation, lack of social and family relations.\(^{32}\)

Many female migrants also work in sectors which are particularly affected by outsourcing and flexibilisation measures, leading to increased pressure on employees, a worsening of employment

---

\(^{27}\) OECD/ SOPEMI 2002  
\(^{28}\) OECD 2001b  
\(^{29}\) e.g. ILO 1999, Tschannen 2003, Heubach 2002  
\(^{30}\) ILO 1999  
\(^{31}\) Anderson, no date  
\(^{32}\) D’Alconzo et.al. 2002
conditions, and often also an increase in illegal employment.\textsuperscript{33} In some countries the sectors where substantial groups of female migrants work, for example domestic employment or the sex industry, are officially excluded from the scope of legal protection of employment, notably from the Labour Code, and are thus also excluded from employment-based social security schemes. Especially in domestic employment, the level of workers’ organisation is extremely low.\textsuperscript{34}

Trafficking and smuggling of people has become a phenomenon of significant scale throughout Europe over the last decade. Women and girls are affected in great numbers and often end in slavery-like conditions working conditions, often in the sex-industry, without social or legal protection in the countries of destination. By definition, data on trafficking are difficult to obtain and available data are incomplete: In 1997 an estimated 175,000 women and girls were trafficked from CEE (including CIS) countries for forced prostitution and other forms of sexual and labour exploitation.\textsuperscript{35} It should be noted that the increase in trafficking and people smuggling has been attributed not only to the economic situation in the countries of origin and the growth of the sex industry in the countries of destination, but linked to migration policy in general: As border controls and international migration regimes, especially in the European Union, have become stricter, potential migrants take recourse to the services of smugglers in increasing numbers if they see no opportunity to enter their country of destination legally.\textsuperscript{36}

\section{3. Responses to the questionnaire}

\subsection{3.1. General Information}

In the questionnaire, information was requested on the total population of the responding country, the number of migrants legally present, economically active population and numbers of migrants working legally (questions 1.1. –1.6).

The responses were too diverse to allow for a quantitative comparative analysis of the situation in the CoE member and observer states. For a presentation of comparable data, where available, reference is therefore made to section 2 of this report. The data provided in the responses to the questionnaire were insufficient or not comparable for two main reasons: First, in a number of

\begin{itemize}
\item \textsuperscript{33}Tschannen 2003
\item \textsuperscript{34}For example, in 1994 the respective German trade union NGG (Nahrung, Genuss, Gaststätten) had only 600 members who were employees in private households. Schultz in: Autorenkollektiv 2000
\item \textsuperscript{35}OSCE 1999 Smuggling of People, (Russian), IOM, Migration in Central and Eastern Europe: 1999 Review, both quoted in ILO 2002. According to IOM estimates, over 400,000 women from Ukraine were exported for sexual exploitation during the last half of the 1990s. See IOM 2001b.
\item \textsuperscript{36}ILO 2002c
\end{itemize}
countries, the quality of data on migration generally is low, as Estonia pointed out, so that the
information provided can not be other than incomplete. Sex-disaggregated is even harder to find.
No sex disaggregated data on the total number of migrants legally present was provided by
Azerbaijan, Czech Republic, Estonia, New Zealand, Poland, Slovakia.

Second, the responses were based on different indicators, both with respect to numbers of
migrants legally present as well as with respect to numbers of migrants working legally. While
Australia used birth outside the country, other countries based their information on residence
permits granted to foreigners, (e.g. in the Czech Republic and Bulgaria), or work permits granted
to foreigners (e.g. in Lithuania). Some countries (e.g. Sweden), refrained from providing
information at all, because of the difference between definitions used on a national level and those
in the questionnaire.37

The situation was not different for the employment statistics requested. While the questionnaire
had asked for the total figure of economically active, some of the responses provided employment
rates, or numbers of employed and self-employed. Similarly, the information on migrants working
legally was completely inconsistent, both with respect to the basis (born outside the territory vs.
all foreigners), as well as the indicator used (work permit - registered self-employed - employed
and self-employed - total economically active - labour force participation rate). Given the lack of
information on legal regulations for labour market access, it was impossible whether, or in which
country, permanent residents are automatically granted access to the labour market, or if they are
included in the category of holders of work permits.

The situation is even more complicated if one attempted to take the differences in labour
migration regimes within the EU/ EEA and among non-EU countries/ non-EU/ EEA citizens into
account. Depending on their nationality, labour migrants may fall under substantially different
legal regimes governing their residence and conditions of labour market entry, as well as their
access to social security schemes. The responses did not differentiate between numbers for
EU/ EEA migrants and others, however, so that it is not possible to determine the relative size of
each group.

Regarding the labour market integration of female migrants, a pattern emerged from the diverse
responses, however: Regardless of the indicator used to describe the labour market position
(holders of work permits - registered self-employed - employed and self-employed - total
economically active - labour force participants), the total number of women was always smaller
than that of men. The responses to the questionnaire thus were in general agreement with the data
presented in section 2 of this report.

37 Sweden does not use the definition “migrant” in data collection.
A cautious interpretation of the numbers of female migrants working legally in relation to men and to the overall number of labour migrants suggests that in those countries where the total number of migrants working legally is small (Bulgaria, Lithuania, Moldova) or very small (Azerbaijan), the gender gap in employment is greatest. In all these countries, female migrants constitute less than 20 per cent of all legally working migrants. In the other countries, the share of women of all legally working migrants falls between 26 per cent (Czech Republic) and 45.9 per cent (Norway). It is 41.9 per cent in Australia, 38 per cent in France, 37.1 per cent in Poland, 34.4 per cent in Spain and 36.4 - 42.2 per cent in Switzerland, depending on the work permit. An exception is Belgium, where the figure is only given for self-employed: Women constitute 14.6 per cent of the self-employed. No sex-disaggregated data was provided by Estonia, New Zealand, Portugal, Poland, Slovakia, Sweden, Turkey.

Only with more detailed labour market data would it be possible to produce a more substantive gender analysis of the labour market integration of legal migrants, and to compare CoE member states. To that end, it would be crucial to interpret at labour market data in relation to the migration regimes governing residence and work permits of foreigners, a piece of information which the questionnaire did not request.

3.2. National Social Protection Law

In this part of the questionnaire, information was requested on differences between the access of migrant workers and other workers to social security benefits (medical care, benefits for sickness, unemployment, old-age, employment injury, family, maternity, invalidity and survivors’ benefits) as well as access to employment services, occupational rehabilitation and vocational training (questions 2.1.- 2.2.). The questionnaire also asked for a presentation of differences between family members of migrant workers and family members of other workers to social protection (question 2.3.).

Migrant workers’ access to social security obviously depends on the overall design of a country’s social security system, particularly the criteria for benefit entitlements. Depending on their legal status, it is of great importance for migrant workers and their families if access to social security benefits is universal, based on residence (permanent or temporary), contributions from legal employment and/ or self-employment. Furthermore, it is crucial if a minimum contribution or residence requirement applies, if qualifying periods apply, if benefits are income-tested, and if derived rights to social security benefits exist. In addition, at least in a number of countries, access to social security differs according to the nationality of a migrant worker. Responses highlighted that access to social security is easier for migrants from EU/ EEA countries, or in some countries for those coming from countries which are signatories to the European Social Charter. Access
might also be based on reciprocity between partners which have signed bilateral social security coordination agreements. In some responding countries, the legal residence of a migrant is linked to an employment contract, so that residence-based benefits are de-facto only accessible through an employment relationship. Latvia is an example for this set-up.

Consequently, the picture of migrants’ access to social security is very diverse in the responding countries, as are the social security systems in general. Moreover, a great number of countries have not provided sufficient details, so that a comparative analysis is fraught with problems. A few general facts and trends, however, emerge from the responses.

In a majority of countries, social security benefits are available under equal conditions for nationals and migrants with permanent residence permits. Temporary residents are not eligible for a range of benefits, however, for example unemployment benefits in Azerbaijan, the Czech Republic, and Switzerland. In the case of employment-based benefits, access is generally open for those who are legally employed and fall under the compulsory insurance system, including migrants. Minimum contribution periods apply for unemployment insurance in a number of countries - for both nationals and immigrants - for example in Ireland.

In general, migrant workers may not be able to benefit, or not in the short run at least, from those elements of social security where minimum contribution requirements, waiting periods or other restrictions apply. This seems to be the case relatively often for those benefits which are of particular importance for female migrant workers: Maternity benefits may have a qualifying period, as in Belgium for example. They may also be only available for permanent residents, as are parental and/ or family benefits in a number of countries. This is the case, for example, in the Czech Republic, Latvia, Lithuania and Poland. Minimum waiting or residence periods apply for parental benefits in Portugal, Sweden, and for family benefits in New Zealand. In Bulgaria and Slovenia, family benefits are restricted to one parent being Bulgarian, or from a few countries with which bilateral agreements exist. Malta applies similarly restrictive criteria, granting old-age, family and maternity benefits on the basis of reciprocity only to citizens of signatories to the European Social Charter. In Ireland the family benefit is considered a right of the child, so the child’s residency is determining eligibility.

In the case of old-age insurance, minimum contribution periods apply in a number of countries. This can potentially be a disadvantage for migrant workers many of whom have discontinuous employment histories. One might expect this to be a particular problem affecting migrant women as well, because of two aspects coming together: Women in general tend to have discontinuous

---

38 At least one parent must be a permanent resident of the country.
39 Beneficiaries also need to be tax-residents here.
40 There is a 40 years contribution minimum in Norway for example.
employment histories to a greater extent than men, typically because of family breaks. The problem might be compounded for migrant women with employment breaks due to the migration process (for example, restricted labour market access for family migrants). Detailed information which would allow to analyse the extent of this problem is not contained in the responses, however.

Access to employment services, occupational rehabilitation, vocational training etc. is in most countries equal for legal migrants and nationals, and typically based on contributions from employment (Australia, Azerbaijan, Estonia, France, Ireland, Netherlands, Norway, Portugal, Spain, Slovakia\(^\text{41}\), Switzerland\(^\text{42}\)). However, in a number of countries temporary residents are excluded from employment benefits and services, (for example in the Czech Republic\(^\text{43}\), Finland\(^\text{44}\) and Lithuania).

The information provided on the access of family members to social protection is very patchy. There appear to be two core groups of countries among those who responded: One group where no difference is made in the legal access of family members of migrant workers to social protection. Austria, Australia, Azerbaijan, Belgium, Estonia, France, Ireland\(^\text{45}\), Malta, Netherlands, Norway, Portugal, Spain, Switzerland\(^\text{46}\) and Turkey appear to fall into that category. In the other group of countries, derived rights to social security for family members are not available. From the responding countries, Bulgaria, Czech Republic, Finland, Latvia, New Zealand, Norway fall into this group of countries. Note that the information contained in the responses is in some cases insufficient to judge the reasons and the impact of the absence of derived rights for family members of migrant workers. Derived rights could be absent because the country’s social security system is universal or residence-based (for example in New Zealand and Norway), so that the absence of derived rights does not create coverage gaps among migrants. Or else, derived rights to social security might be restricted to nationals, which would clearly be disadvantageous for migrant workers.

Survivors’ benefits appear as a special case of derived rights. A number of countries of the first group has residence requirements for the recipients of survivors’ benefits, a majority of whom are typically women. Belgium is one example. Such a requirement may de facto be a disadvantage for

\(^{41}\) Equal for those who are legally employed or have in the past contributed to the employment fund.

\(^{42}\) Equal for those with a work permit. Access to rehabilitation benefits is tied to a one-year minimum contribution period and ten years minimum residence.

\(^{43}\) Temporary residents can have access to language training only.

\(^{44}\) Equal access is guaranteed for EU/EEA citizens and Swiss nationals.

\(^{45}\) Medical care in Ireland is based on individual entitlements through residence, no derived rights apply.

\(^{46}\) Access to basic insurance is equal.
migrant workers who might want to spend their retirement period in their country of origin.

3.3. Occupation

The questionnaire (questions 2.4. to 2.8.) asks about female migrant’s representation in certain occupations, differences in social security coverage, measures to improve social security coverage and differences in the occupational qualification between male and female migrants. Information was also requested if the actual occupations of female migrant workers match their occupational qualifications, or if there is a mismatch.

Again, in the field of female migrants’ occupational situation reliable data appears to be a significant problem. Nine responses to the questionnaire did not include any information on migrant women’s representation in different occupations at all (Belgium, Estonia, Ireland, Malta, New Zealand, Poland, Slovakia, Slovenia, Turkey). Azerbaijan and Bulgaria answered that women were not higher represented in any sector, but did not supply data which would illustrate the actual occupations held by female migrant workers. In contrast Austria holds that women are concentrated in certain occupations, but no data is available either.

The responses from countries where data was available indicate a higher representation of migrant women in three occupational groupings:

1. Low-skilled industrial employment, for example in the food industry (Czech Republic, France, Moldova, Netherlands, Norway, Switzerland, Sweden),

2. Service sector employment, predominantly health and social care, cleaning/ maintenance, and hotel/ restaurant/ catering (Czech Republic, Finland, France, Moldova, Netherlands, Norway, Portugal, Switzerland, Sweden), and

3. Domestic services (Czech Republic (but very few work permits were issued for domestic service on the whole), Lithuania, Portugal, Spain, Switzerland, Sweden).

Other occupations frequently held by female migrants include teaching, work in agriculture, as well as occupations in administration, commerce and trade, and employment in foreign firms and consulting enterprises (Latvia, Moldova). It is noteworthy that Slovenia is the only responding country which explicitly mentions migrant women’s employment in the entertainment industry (dancers, singers, bartenders etc.).

Switzerland categorized female migrants’ employment as frequently “badly paid”, and suffering from “insecure working conditions”, a description which is no unlikely to apply in other countries as well, as indicated by the comparative research presented earlier (see section 2 of this report). In contrast, Australia is the only responding country that shows a high rate of professional/ associate
professional occupations of women, alongside a high rate of labour market inactivity among migrant women.

Belgium, Ireland, Portugal, Spain and Turkey report a difference in the social security coverage for occupations in which predominantly female migrants work. Notably, in all cases the difference implies reduced social security coverage for domestic work. Clearly, domestic workers in a number of countries are not as well covered by social security as most other workers. Social security coverage is a problem especially for those domestic employees who work less than full-time or on an irregular basis - a very common practice in domestic employment. In Turkey, invalidity and old-age insurance is only accessible upon request for non-permanent domestic workers. In the Netherlands, some workers are not considered employed at all, for example those working in private households, so that they fall completely outside the scope of employment-based social security, as well as outside the protection provided by the labour law. the Netherlands reports that employees do not “feel any need to be insured”, because of the fear that demand for domestic workers would drop if employers would have to pay social security contributions. Also, net wages may drop. Nevertheless, it is debateable if indeed unprotected workers would not prefer to be covered by social security, and employers benefit in illegitimate ways from these conditions. Such unprotected employment relations are particularly disadvantageous for those workers who are not covered by social security through derived rights, i.e. husbands working.

Only a few countries report any recent measures taken to improve the social security coverage for occupations with a high representation of female migrants. In Latvia, social security coverage was expanded to include the self-employed. Portugal and Spain have introduced measures to extend social security to domestic workers by lowering the qualifying period for sickness insurance, and by introducing a lower minimum qualifying period for maternity benefits (Portugal), as well as a fixed amount of contributions (Spain).

The information on differences in the occupational qualifications of female and male migrants is very limited. The same is true regarding a possible mismatch between the occupational qualification of female migrants and their actual employment. In all the countries which possess data on occupational qualifications, migrant men appear to have higher qualifications than migrant women. (Australia, Czech Republic, France, Netherlands, Switzerland and Sweden). However, substantial differences exist in the occupational qualifications of migrant workers, depending on their country of origin: Among migrants from EU member states, differences between men and women appear to be smaller than among those migrants who come from non-EU backgrounds. Only Lithuania reports no significant gender differences in qualifications, but the available data is on the mostly highly skilled foreign specialists who constitute a large share of
the (small) migrant population in the country.

Interestingly, Portugal reports that gender differences in qualifications of migrant workers are perpetuated, or even created, in the country of destination: Women tend to work in occupations where they do not acquire further qualifications, or are even overqualified, whereas men accumulate further professional qualifications during their working life.

Australia, Finland, France, Portugal, Switzerland and Sweden report a mismatch between the qualifications and the actual occupations of female migrants. Note that they are all Western (European) countries. Only in the Czech Republic a survey has found that women’s jobs corresponded to the qualifications obtained. Sweden, for example, reports that the odds of being overeducated for the job held more than double for someone born outside the country. According to the Swedish Labour Market Board, in 2000 only 39 per cent of foreign-born workers had jobs that matched their education, compared to 85 per cent for those born in Sweden. The problem of over-qualification in Sweden has a clear gender dimension as well: For women (national and foreign) the odds of being overeducated are 43 per cent higher than for men. Portugal reports a significant mismatch between qualifications and actual occupations in the case of female migrants from Eastern Europe. Some other responding countries claim that there is no mismatch between women’s qualifications and their jobs, but supply no data on the actual qualifications of migrant workers.

The methods by which possible mismatches are detected vary greatly between countries: The assessment might be based on the individual worker’s judgement, or on an objective classification of jobs by employment category. Consequently, a comparison between the countries is very difficult. Also, little seems to be known as to the reasons for a mismatch, where it exists. On this topic, only France explicitly mentions discrimination in its various forms - from outright exclusion to downgrading of female migrant workers - as the reason for the disadvantaged position of migrants on the labour market. Based on the limited data available it seems fair to say that sex-based discrimination and discrimination based on ethnicity, race or origin seem to hit female migrant workers in especially disadvantageous ways.

3.4. Full-time/ part-time employment

This part of the questionnaire (questions 2.9. to 2.12.) is about migrant women’s part-time work and how well social security extends to those in part-time employment. Information was also requested on measures to improve the social security coverage of part-time employees and on the support infrastructure for workers, particularly migrant workers, to take up full-time employment, such as day care for children.
With respect to migrant women’s part-time work, the picture is mixed: In the responding Central and Eastern European countries, Azerbaijan, Bulgaria, Czech Republic, Latvia, Lithuania, as well as Ireland, Malta, Portugal, Spain, and Switzerland, migrant women are not more likely to work part-time rather than full-time. In Ireland and Malta this is an effect of the migration policy regime, however, since work permits for foreigners are tied to a full-time employment relationship. In a number of responding countries, especially the Central and Eastern European countries, part-time employment of women is not very common in general.

In some Western European countries, fewer migrant women work part-time than women who are citizens. Yet within the group of migrants, part-time work is more common for women than for men. This is the case in Norway and Sweden. In contrast, part-time work of migrant women is more common than part-time work of nationals in Finland and France. Part-timers do not necessarily choose this form of employment, however: In France, for example, where 44 per cent of migrant women work part-time (as compared to 32 per cent of nationals), the percentage of involuntary part-timers is reported to be significantly higher among migrant women as compared to nationals (43.9 per cent to 35 per cent).

In almost all cases, the social security coverage and entitlement criteria for part-time employees is the same as for full-timers. In Ireland, Norway and Switzerland, a minimum income requirement applies for some benefits, and in Sweden a working time minimum applies for unemployment insurance. While access to social security is equal for part-time workers in principle, in a vast majority of countries the level of social security benefits is calculated in accordance with income from employment. Consequently, those with a lower income from part-time work, both men and women, will receive lower benefits, as a number of countries highlight in their responses. In practice, women are affected in much greater numbers than men all countries where significant numbers of workers work part-time. Involuntary part-time workers are particularly unlucky with this situation. The disadvantage has particularly unfavourable consequences in the case of long-term social security benefits, such as pension insurance.48

A few countries describe measures, or planned measures, to improve the social security coverage for part-time employees. These initiatives include the lowering of income thresholds (Finland, Ireland, under discussion in Switzerland), changes in contribution requirements (Ireland, for

---

47 Except for EEA nationals
48 Obviously, this also applies to income differences in full-time employment, and has a negative effect for all low-income earners, men and women. Available data shows a gender wage gap of about 20-25% for the responding countries for which we have data (OECD 2001b). As a consequence, women on average tend to receive lower income-based social security benefits everywhere. We have, however, no information on the existence or extent of the wage gap between national women and female migrants.
week-on, week-off schedules), the creation of partial benefits available for part-timers, or state subsidies for low-income households, a measure in Spain and Sweden which benefits part-time employees disproportionately.

In response to the question on support infrastructure for full-time workers, e.g. child care, no special schemes tailed to the needs of female migrant full-time workers are reported by any country. A good number of countries have family-friendly workplace policies, child care allowances, child care services or special benefits for low-income families which are equally accessible for nationals and legal residents (Australia, Finland, France, Ireland, Latvia, Netherlands, New Zealand, Norway, Spain, Switzerland, Sweden). Netherlands mentions that non-working migrants who participate in social integration programs also have a need for child-care. The Czech Republic in turn sees no need for access to child care for migrants, because it assumes that temporary migrants do not have their children with them. No data is provided, however, to confirm if indeed the demand for childcare among migrants is lower than among nationals.

3.5. Irregular Migrants

The questionnaire (questions 2.13. – 2.16.) expect information, where available, on the overall estimated number of irregular migrant women and men, as well as their social rights in the country where they live, and measures taken by governments, if any, to improve the social situation of irregular migrants.

**BOX: Irregular Migrants - Illegal Work - Informal Sector**

Divergent definitions of the terms “irregular migrant”, “illegal work” and “informal employment/ informal sector”, as well as different legal approaches in the responding countries characterized the responses and have created obstacles to a comparative analysis.

The meaning of illegal migration is a matter of definition of each state, and is shaped by entry regimes, the length of permitted stay, and other factors. A migrant’s illegal status in a country may be temporary or provisional – on the way of achieving legality, or in transit to another country, for example – or permanent, depending on individual possibilities and characteristics and, again, the legal context.

The questionnaire did not specifically ask for information about occupations held by irregular migrants. Consequently, a lack of distinction between illegal work and work done by irregular migrants is found in some of the responses. Those migrants who take up illegal work (i.e. any work without the necessary permission by the responsible authorities) may or may not be irregular. The
difference may be essential for their access to social security: Employment-based and universal benefits can be legally accessible for irregular and regular migrants (but de facto irregular migrants may not be able to take advantage to the same degree as regular migrants) or can be restricted to legal residents. Obviously, benefits that are residence-based are only accessible to legal migrants.

Similarly, the distinction between illegal work and work in the informal economy (i.e. activities that are concealed from the authorities to increase profitability) has not been applied consistently in the responses, and responding countries do not share a unified definition of the informal economy either.

For female migrants’ access to social security, the different definitions and resulting social security entitlements can be of great relevance. A good example is domestic work, one of the most important sectors of employment for female migrants. Even within a single country, some domestic work may be regular, while some is done and paid for informally. Domestic work may or may not be covered by the labour code and the worker may or may not be irregular. Great differences result for the social security of individual workers from these differences. Similar problems of definition and analysis may occur with respect to prostitution, which, in addition, in some countries is not only irregular but prosecuted as a criminal activity.

Given these differences and the need for clear and consistent definitions, comparisons of the responses to the questionnaire can be drawn with great caution only.

Because of its very nature, data on the size of the population of irregular migrants in a country is difficult to obtain. Sex disaggregated data or even only estimates of the relative shares of women and men in the group of irregular migrants appear to be available only in exceptional cases. Consequently, only a few countries were able to provide information on the questions, and the information provided was not comparable across countries, because of the very different definitions and measurements used.

In all countries which provided any kind of data, regardless of the indicator used for counting the numbers of irregular migrants (detention at the border\(^{49}\) - precepts to leave - legalizations of previously irregular migrants\(^{50}\) - IOM estimates\(^{51}\) - overstaying a visa or work permit\(^{52}\) - or

\(^{50}\) both Estonia: 235 precepts to leave (93 to women), 597 legalizations (224 of women)
\(^{51}\) Portugal: 30,000 women, 70,000 men
\(^{52}\) Bulgaria: 7,616 women, 18,244 men
numbers given without information on the basis for calculation\textsuperscript{53}), women constituted around 20-40 per cent of the total number of irregular migrants. In Slovenia, women were only about 11 per cent of the irregular migrants detained at the border. These figures suggest that women constitute a smaller proportion of irregular migrants than of legal migrants, but given the weak data basis it is impossible to determine if this is indeed the case, and if so, why.

The IOM estimates that 120,000 – 500,000 persons enter the European Union illegally each year\textsuperscript{54}. The Netherlands reports a total figure of 112,000 – 163,000 irregular migrants (women and men), Portugal 100,000.\textsuperscript{55} Turkey gives a total figure of 82,825 illegally present persons detained at departure in 2002. Australia has counted 60,000 overstayers of their visa or residence permit. No information or estimates of total numbers of irregular migrants have been found for the remaining CoE member and observer countries.

In general, irregular female (and male) migrants have very limited social rights, as the responses to question 2.15 indicate. A number of countries (e.g. Belgium, Czech Republic, Finland, France, Norway and Spain), make medical treatment available to irregular migrants, but typically only in cases of emergency. In Portugal, foreigners without a stay or residence permit or work visa may access the health services if local authorities certify that they have been in the country for more than 90 days. In the Netherlands, irregular migrants can buy a private health insurance policy. In Switzerland, irregular migrant workers are subject to compulsory health insurance, as well as pension and accident insurance if they are employed, regardless if they have a work permit or not. Turkey reports that irregular migrant workers can be registered with social security schemes and qualify for benefits. Basic social assistance is available to irregular migrants in a few countries, notably Finland\textsuperscript{56}, Spain, Switzerland – depending on the canton, and Norway - before they are required to leave the country.

Given the little information available, it is impossible to judge some aspects of crucial importance: To what extent do irregular migrants who in some countries \textit{de jure} gain limited social rights through an employment relationship, like in Switzerland, \textit{de facto} receive the benefits they are entitled to? Or, where irregular migrants can buy a private insurance policy, (like in the Netherlands), how many do so? Are women and men taking advantage of this possibility in equal shares? For a further analysis, it would also be necessary to distinguish between temporary (short-term) irregular migrants and permanent irregular migrants who may have different social security needs. Obviously, the question of access to social security of dependent family members of

\textsuperscript{53} Lithuania: 51 women, 266 men
\textsuperscript{54} IOM 2003
\textsuperscript{55} IOM estimates
\textsuperscript{56} In Finland, since 1995 basic rights and liberties are ensured, but irregular migrants have no access to residence based benefits.
irregular migrants would be of interest as well. Unfortunately no country provided any information on such questions. Also, it is impossible to consider differences in the situation of female and male irregular migrants, as no country has provided any information on the issue.

There are only a few reports on measures taken by governments to improve the social situation of irregular migrants. They are limited to the provision of government funding to no-governmental organizations, which provide services to irregular migrants in Ireland and Spain, and other programs directed at refugees and asylum seekers in Latvia and Lithuania. In the Netherlands, health care providers which assist irregular migrants can receive subsidies from the government.

Two concerns are expressed on the issue of irregular migrant workers’ entitlements to social security benefits: First, it appears to be a widespread practice that employers evade social insurance payments for irregular migrants, where such obligations exist. Thus, even where migrants would legally have access to social security schemes, their social rights do not become a reality, so that “advantages of irregular migration tend to mostly be on the side of the employer”. 57 Secondly, there is a concern, as expressed explicitly in the Swiss response, that social rights for irregular migrants would be a potential incentive to illegal immigration. While not mentioned in the responses, this concern may be influencing policymaking in other countries as well: There is evidence that the social rights of irregular migrants in Europe have undergone a process of restrictions over the last decade. 58 Switzerland reportedly will address both problems with a new social security tax bill, which foresees reinforced sanctions to employers and restrictive measures against irregular immigration. Given the difficulties for irregular migrants to access social security described, some have questioned if indeed social rights for irregular migrants would induce illegal immigration. 59

3.6. Illegal Work

The questionnaire asks for estimated numbers of migrants working illegally, their occupations and social rights, and measures to improve the situation of migrants working illegally (questions 2.17. - 2.21.).

As in the case of irregular migrants, data for illegal work is by definition difficult to obtain. However, as Estonia points out, we can assume that the large majority of migrants, regular as well as irregular, who migrated for economic reasons will work in their country of destination. Australia estimates that about 50% of all those unlawfully present in the country worked in 2002.

57 Tapinos 2000
58 Autorenkollektiv 2000
59 Tapinos (2000), for example, takes this position.
Irregular migrants have few alternatives to working illegally, while regular migrants, may be found in regular employment as well as in illegal employment, depending on the regulations for labour market access. One should keep in mind, however, that migrants are only a part of all those who are engaged in illegal activities.

Representative sex-disaggregated data on illegal workers appears to be almost impossible to come by. The Czech Republic reports that women constitute about 30% of all illegal workers (12,000 of a total of 40,000). In Latvia, all illegal workers detained in 2002 were men, a majority of whom had worked in the construction industry. The Netherlands also reports that most illegal workers are men who work in the construction industry, but also in agriculture, or in hotels and restaurants. Azerbaijan claims that there are no gender differences in the illegal occupations of migrants, but does not provide any data.

All countries which supply information on the occupations of migrant women working illegally (France, Portugal, Switzerland, Turkey – all without any figures) mention domestic work and child care as the main field of illegal work of migrant women. Domestic work is generally not widespread in the Czech Republic, but also here it offers illegal employment opportunities to women. Other sectors mentioned include cleaning (Portugal), hotel and catering (France, Switzerland), agricultural work such as fruit picking (France) and the clothing industry (France). The Czech Republic, Finland, France, Portugal and Switzerland mention prostitution as a frequent illegal activity of migrant women. Slovenia reports that in the last years short-term work permits for women seem to have been used for illegal employment in the entertainment industry, as well as for prostitution in significant numbers.

Access to social security of those working illegally depends on the entitlement criteria as well as the legal residence status of the worker. While all illegal workers are by definition excluded from employment-based social security schemes, legal residents who work illegally may, in some cases, still enjoy access to those social security / social assistance benefits which are not employment-related. A problem may occur, as Ireland reports, in that illegal work, if detected, invalidates the conditions under which legal residence was granted to a migrant. Benefits that are unrelated to employment exist in Ireland and Finland. There is a residence-based health insurance system in the Netherlands and Portugal\textsuperscript{60}, as well as a compulsory health insurance scheme in Switzerland. Illegal workers may also have access to accident/occupational injury insurance schemes, as France, Spain and Switzerland report.

There are numerous reports about poor working conditions in all the occupations described as

\textsuperscript{60} Provided that a migrant can prove to have been in the country for more than 90 days.
frequently held illegally by female migrants.\textsuperscript{61} Excess working time and tempo, insufficient resting time, low pay and frequent harassment by employers are among the most important problems mentioned. Weak employment protection and low levels of organization among illegal workers create additional obstacles to the improvement of working conditions in these jobs. Reports show that all these problems are even more acute the illegal workers do not have a legal residence permit in the country and are therefore particularly vulnerable.\textsuperscript{62}

Only very few countries report measures to improve the social situation of migrants working illegally. These measures include penalties for employers who evade social security contribution requirements in Belgium and Switzerland, as well as general measures to enhance legal employment opportunities in Latvia. Netherlands reports subsidies for health care providers that cover persons without work permits, and Spain supports non-governmental organizations which help migrants. It is noteworthy that apart from Sweden, which mentioned a proposal to improve the rights of women victims of trafficking, no specific measures addressed to female migrants are described in any response.

3.7. Informal Sector

The questionnaire asked about the representation of migrants, especially female migrants, in the informal economy, the social rights of those working informally, and measures to improve the social situation of migrants in the informal economy (questions 2.22. – 2.25.).

As with the questions on irregular migrants and illegal work, data and information on the informal economy is very scarce. From the few responses received it is apparent that quite a large proportion of the migrant population might be engaged in informal activities (e.g. in the Czech Republic, Moldova and Switzerland). Yet migrants form only a limited group of all workers in the informal economy.

It is impossible to present any general analysis about female or male migrants’ representation and roles in the informal economy, as there were only two responses which addressed the issue: Reportedly, in the Czech Republic there are more men working informally, and in Portugal more women.

Once more, the access to social security benefits for those in the informal economy depends on the entitlement criteria stipulated in the social security legislation. As in the case of the illegally employed, those who are engaged in the informal economy may still enjoy access to those social rights which are not employment-based. Reportedly, this is the case with some basic benefits in

\textsuperscript{61} see, for example Anderson, & Phizacklea 1997, Schäfter & Schultz 1999, Tschannen 2003
Finland, Ireland, Spain, Norway and Australia. Health insurance is available in the Netherlands, Portugal\textsuperscript{63}, and Switzerland.

Finland points out that in principle all measures aimed at strengthening and widening residence-based benefit systems would improve the social situation of migrants in the informal economy. Such measures, however, are not commonly initiated or planned in the responding countries. Instead, the interventions in those countries which replied are directed at tracking and prosecuting informal employers in Belgium, Portugal and Switzerland, or at strengthening labour law enforcement generally in Latvia.

As in the case of measures to improve the situation of irregular migrants, there is a concern that improving the social situation of workers in the informal economy might be seen as a way of encouraging those activities. On the basis of available data, it is difficult to show that improving the social rights of workers increases the amount of informal work done. However, France emphasizes that any such measures would run counter to the policy of limiting the informal economy. No assistance to those who work informally is therefore planned.

\textbf{3.8. International Social Security Coordination Instruments}

How does the existence of a social security agreement or convention improve the access to social security for female migrant workers (question 3.1.)? In general, the responding countries see social security coordination instruments as useful tools because they help overcoming mobility barriers for workers while ensuring equality of treatment of migrants and nationals.

Some responding countries address exclusively the positive aspects of multilateral agreements, such as the EU instruments and the European Social Charter (e.g. the Czech Republic), while others highlight bilateral agreements (e.g. Latvia, Moldova, Slovakia, Slovenia). Some responding countries mention bilateral as well as multilateral agreements (e.g. France, Ireland, Norway).

A number of countries acknowledge that equal treatment and rights for men and women are the basis of the social security coordination instruments in force. Yet these instruments typically do not include any specific provisions for female migrant workers, as the responses also point out. There appears to be a wide agreement among the responding countries that a general commitment to gender equality is sufficient, and special provisions for female migrants would not be needed. The Czech Republic highlights the explicit obligations regarding women and families resulting from the European Social Charter and Protocol, but recognizes that those are not specifically addressed at the situation of female migrant workers, but women in general. In fact these

\textsuperscript{62} Schäfter & Schultz 1999, Schultz 2000

\textsuperscript{63} See footnote 49 above.
references treat female migrants as accompanying family members rather than migrant workers on their own (see footnote 4 above).

3.9. **Social and Medical Assistance**

Legal migrants are generally entitled to medical assistance in most responding countries (question 4.1.). Medical assistance is accessible either upon the basis of universal entitlements, as in Australia, or on the basis of residence and a means-test as in Ireland, or contribution-based as in Lithuania. Medical assistance is residence-based in Finland, and residence or occupation based France.\(^{64}\) In some countries, for example in Slovakia, medical care is employment-based. Given that a migrants’ legal residence status is tied to an employment relationship, however, de facto a legal migrant worker is automatically covered by medical insurance in the Slovak scheme. Other countries report that they offer equal access to medical assistance legal migrants but do not provide further details on the entitlement criteria (Azerbaijan, Turkey, Moldova, Norway, Portugal, Spain, Switzerland).

In some countries, medical assistance is only available to permanent residents, and not accessible to temporary migrants or those who do not yet qualify for permanent residency. This is the case in the Czech Republic, for example, where only emergency assistance is available for those without a permanent residence permit, and in Poland. These restriction may also apply in other countries which have omitted this aspect from reporting. In contrast to the Czech and Polish cases, Australia reports that access to health services is not restricted to permanent residence but even available for visitors from a restricted number of countries. In a number countries, (e.g. in Slovenia) access to medical care may be regulated through international or bilateral social security agreements as well so that medical assistance is accessible to temporary migrants as well.

Social assistance appears to be generally available for legal migrants in the responding countries, at least at the level of basic assistance and livelihood support. The entitlement criteria seem to be equal for migrants and nationals in most cases. Like medical assistance, social assistance can be residence-based as in Finland, France, Latvia (under municipal, not national authority), Netherlands, Poland and Sweden. It is employment- or contribution-based in Lithuania and Slovakia. Information on entitlement criteria is missing from a number of responses, but equality of access for legal migrants appears to be a fact also in Azerbaijan, Estonia, Ireland, Malta, Moldova, Norway, Portugal, Spain, Switzerland, Turkey. Access to social assistance is restricted in Belgium in the case of guaranteed income for the elderly: It is restricted to nationals or those

\(^{64}\) There are two schemes, one for those present less than three months, and the regular residence or occupation based scheme thereafter.
covered by special agreements, and a residence requirement applies.

The situation is completely different for irregular migrants (question 2.5.). Apart from emergency medical assistance which appears to be generally available, irregular migrants have very limited social rights in most countries, or no social rights at all. Finland is an exceptions, where social assistance is available for all, and France, where medical assistance can be granted on the basis of an income-test, regardless of the residence status. Spain reportedly grants medical assistance to irregular migrants below the age of 18.

Spain is also the only country which reports that medical assistance is granted to irregular female migrants during pregnancy, delivery and puerperium. Since reproductive health and rights are a crucial component of female migrants' human rights and a central contingency to be covered by social security, it is somewhat surprising that no other country mentioned it in the response. On the basis of the available information from the responses it is impossible to say whether, or to what extent, this essential support for migrant women and their new-born children is warranted, regardless of a woman's residence status.\footnote{The highly problematic situation of undocumented female migrants in Germany during pregnancy and childbirth, as well as with respect to abortion, was documented in FIAN Germany & Büro für Medizinische Flüchtlingshilfe 2001. See also IOM 2001.}

A few countries highlight the provision of social and medical services for asylum seekers and refugees. Given that the questionnaire did not specifically ask for information about the situation of female refugees and asylum seekers in relation to social security, the information available from the responses is very limited, however.

In sum, while state medical and social assistance are available to legal migrants, undocumented migrants can only access them with great difficulties, if at all. Spain and the Netherlands mention that social assistance to irregular migrants is provided by non-governmental and faith-based organizations. Other initiatives of non-governmental organizations to provide medical assistance to undocumented migrants exist in a number of countries, but are not mentioned in any of the responses to the questionnaire.\footnote{The Platform for International Cooperation on Undocumented Migrants (PICUM) organized an International Experts Seminar on ‘Access to Health Care for Undocumented Migrants’ in 2001 (www.picum.org). A list of initiatives which provide free medical assistance to undocumented migrants exist in Germany, for example.}

3.10. Information, Legal Assistance and Monitoring of Legal Provisions

In its final section, the questionnaire addresses the practice of informing migrants about their rights and obligations, efforts to raise awareness among the national population, in particular
potential employers, about the specific situation and social rights of migrant women, and the practice of monitoring compliance with national legislation about the access of migrant workers, in particular migrant women, to social protection (questions 5.1. – 5.3).

The responding countries have very different ways of informing migrants about their social rights and obligations. There are some countries which do not have any specific information directed at migrant workers at all. Consequently, no information directed at migrant women in particular exists either. Instead, in these countries migrants receive the same information as nationals on social rights and obligations and on the functioning of the social security system. This is the case in Austria\textsuperscript{67}, Estonia, Latvia and Malta. In contrast, Australia and Sweden have settlement information kits for newly arriving legal migrants which contain information on issues of particular relevance for migrants such as employment, taxation, housing etc.. Specific information material on social security rights, as well as immigration procedures etc. is also available to migrants in Azerbaijan, the Czech Republic, Finland, Ireland, Netherlands, Norway, Poland, Portugal and Switzerland.

Information on migrants workers’ rights and obligations is typically distributed through the respective governmental offices which deal with immigration policy or with social security. Other governmental bodies can be involved as well in the dissemination of information: The Czech Republic and Poland report that printed information material is available in various ministries, but also in embassies or consular offices abroad, through local governments (Poland), labour offices, or hospitals (both Czech Republic). Non-governmental organizations help distributing official information to migrants in a number of countries, for example in Slovenia. In the Netherlands, in addition to the already mentioned locations information is also available in large post offices, and through the radio or TV. In the Netherlands, private health insurance companies disseminate their own information to potential new clients in the migrant community. A number of countries report that information is publicly available on the Internet (e.g. the Czech Republic, Finland, Portugal and Sweden).

Often, migrants do not yet speak the national language when the take residence. Even after some time, they might have a problem understanding complicated legal and social security matters in the national language. Language is a special problem for many migrant women who come as family migrants, for at least as long as they are not integrated into the labour market. Are receiving countries ready to communicate with them in other languages? Again, the situation is very diverse among the countries which provided information in response to this question. In some countries, information material is accessible in a large number of languages, typically the

\textsuperscript{67} Questions of special interest to migrants are included in the general material.
main migrant languages in that country, in addition to English. In a number of other countries, printed information is at least available in the national language(s) and English. Latvia reports that information material on social security is only available in the national language, but that staff will try to “find a suitable language for communication”.

Australia, Norway and Switzerland report that migrants can take advantage of interpretation services to communicate with the authorities when needed. In Austria, interpreters for court procedures are available free of charge. In Spain, interpretation services are accessible to migrants on the basis of a means test. There are pilot projects providing interpretation services in Ireland, because the authorities saw a need for such services. A few other countries report that there are no formal regulations on interpretation services, but that public servants will “try to find a suitable language” for communication.

Legal assistance to migrants is also available in some countries. In Switzerland, assistance can be provided through governmental bodies, though labour offices, trade unions and non-governmental organisations. Norway and Australia also offer subsidized or free legal assistance. In Portugal, a phone service offers counselling through fellow migrants. Spain reports that the government subsidize to the Red Cross and NGOs to provide assistance services to migrants, as does Slovenia.

Do countries initiate the contact with migrants, or do migrants have to approach the authorities in order to get information? The approach differs as well among the countries, as the responses illustrate. Poland for example reports that persons need to “call on the authorities” for information. In Moldova also, reportedly, migrants receive information “at their request”. The same is true in Austria as well. In turn in Australia a “Charter of Public Service in a Culturally Diverse Society” explicitly outlines the government’s commitment to service provision, including to migrants in the country. France reports on quite elaborate reception arrangements for legal arrivals, including a briefing session with personal interview, language assessment and medical check-up. In the future, it is foreseen that a reception and integration contract will be concluded between the country and the individual migrant which would establish “mutual confidence and obligations”. Reception services in France are supported by non-governmental organizations as

---

68 Australia: over 20 languages; Czech Republic: 7 languages, Ireland: 8 languages, Moldova: 4 languages, Netherlands: main migrant languages, Norway: 3 languages, Poland: 7 languages; Sweden, Finland. In Switzerland, information is available in the three national languages, and in other languages in the major towns and cities. Social insurance information will reportedly soon be available in twelve languages. Information on bilateral social security coordination agreements is available in the official languages and the partner language.

69 Austria (English only occasionally), Azerbaijan (Azeri and Russian), Bulgaria, Malta, Lithuania (Lithuanian and Russian), Turkey
well. In Moldova, foreigners also undergo a personal consultation process at registration, in which essential information is conveyed.

Only Switzerland and Austria mention the trade unions as social actors to assist and inform migrant workers of their rights and obligations. Unions in these countries also provide legal assistance in employment-related conflicts.

Hardly any information is contained in the responses on information and services about social security rights and obligations specifically directed at migrant women. Apparently there is also no information addressed at female migrants integrated into general information material. Only France reports integration measures addressed particularly at women and girls, while the Portuguese Commission for Equality and Women’s Rights is committed to assisting all women regardless of their nationality. Elsewhere, a Finnish brochure “An immigrant woman in Finland” has been mentioned, which informs migrant women on the policy of equality between women and men, as well as general rights and obligations in the country.70

The responses illustrate a significant deficit of information and communication which would take into account the different motivations and circumstances under which men and women migrate and enter the labour market in their new country of residence. Based on the meagre information contained in the responses, it is impossible to explain the reasons for this omission.

Little information was provided in the responses on efforts to raise awareness and promote understanding among the national population, in particular potential employers, for the situation and social rights of migrant women. Australia, Azerbaijan and Lithuania mentioned general information and assistance provided to employers who want to hire a migrant worker - male or female. Employment relations oversight is referred to in the Bulgarian response. More proactive initiatives to encourage the employment of migrants are reported from Switzerland and Lithuania where the employment of refugees is subsidized by the government. Ireland reports on an annual anti-racist workplace week and anti-discrimination training of public servants. Portugal reports on an EU funded program to prevent discrimination. Spain mentions the Program for Regulation and Coordination of Foreign Status and Immigration which supposedly combines the goals of immigration management and integration of migrants. None of these measures is dealing specifically with the situation of female migrants.

Given the great importance of private households as employers for female migrants, it is surprising that no response addresses this aspect. Considering the above mentioned reports on the working conditions and lack of protection of a great number of domestic employees in a variety of European countries, there appears to be a substantial need for information and action. Employers

70 ILO 1999
and employees would need information and assistance so that rights and obligations are fulfilled. From the responses it is impossible to say whether, or where this information is available for those who need it. It might be not unreasonable to conclude that in many countries there is a information and protection deficit for female migrant workers.

The Czech Republic, Finland and Portugal are the only countries which highlight civil society initiatives directed at raising awareness and understanding among the national population on the situation of migrants. Norway reports that the situation of migrants is a frequent topic in public debates, but does not highlight concrete measures undertaken by any actors, governmental or non-governmental, in this respect. The lack of general information and data on the situation of female migrants which the response to the questionnaire brought out, might explain why the topic has not yet received more attention.

Who is in charge of monitoring the compliance with existing laws and regulations on migrant workers’ rights? The labour inspection services, as well as social protection inspectorates, where they exist, are the most frequently mentioned bodies charged with monitoring migrants’ legally prescribed access to social protection. Employment offices are involved as well in the Czech Republic and Lithuania. Other institutions mentioned include Equal Opportunity Agencies, the Sex Discrimination Commissioner (both Australia), Ombudsmen offices (Australia, Netherlands), as well as judicial or extra-judicial labour dispute resolution bodies, and the tax authorities in the case of Latvia.

It is difficult to assess whether the bodies mentioned are indeed the appropriate institutions and dispose of the adequate powers for monitoring compliance with social security regulations. It is debatable, for example, if these institutions have the powers and capacities to reach out into those areas where large numbers of migrant women work, such as private households or home work. The fact that domestic employment is not covered by the labour legislation in a number of countries illustrates a gap in legislation of great relevance for female migrants.

4. Conclusion

This report has provided a comparative analysis of the responses of twenty-five member and observer states of the Council of Europe on the specific situation of female migrants with respect to social security. The concluding summary will highlight six main points which describe the patterns of female migrants’ labour market participation in the countries of destination and their

---

Azerbaijan mentions the “respective authorities”. Czech Republic, Belgium, Spain, Switzerland: social protection inspectorate; Bulgaria, Finland, Latvia, Spain: labour inspection services. In Switzerland, sickness insurance is monitored at the level of cantons.
resulting position in the social security systems. Upon this basis, the main problems and challenges to ensuring the social security of female migrants are addressed.

1. The responses to the questionnaire, as well as the additional research have brought out a significant deficit of data and information on the situation of female migrants in general. Very little is known about female migrants’ position with respect to social security in particular, and the overall adequacy of social security systems to address the needs of female migrants. We have insufficient general data on female migrants as well, and little information about their motivations for migration, social and economic position, their qualifications, family and occupational situation, and the resulting impacts for social security.

   Given the inadequate data situation, all following points are subject to further investigation and possible revision in the future.

2. The migration policy regime governing entry, residence and employment of migrants has a strong influence on the social and economic situation of female migrants. It shapes the channels for migration, for example, by setting the conditions under which individual migration for employment is possible at all, or if family reunification is the road to entering a country. It also regulates the legal status of a migrant in the country of destination and the resulting rights and opportunities.

   Thus, migration policy also governs the access to the labour market of a migrant, i.e. under which conditions and in which occupations access to legal employment is available, or if the only available channel into the labour market is through informal or even illegal employment. For the large group of female migrants who enter as family dependents, for example, it is crucial how quickly and under what conditions they can work legally. Those for whom legal employment is available can participate in and benefit from employment-based social security schemes. In turn, all others depend on universal or residence-based social security, or on derived rights to social security, to the extent that these are available and accessible.

3. Equal access to social security for legal migrants, male and female, is available de jure for the most relevant contingencies in a great majority of responding countries. To capture the access and the extent to which female migrants can benefit from social security de facto, a more thorough analysis of the set-up of the social security system is needed. Especially the entitlement criteria are of great relevance in determining access for migrants de facto. The analysis has shown that, as a tendency, a larger group of female migrants benefits relatively more from social security where benefits are universal or residence-based, and
where derived rights to social security are available. Employment and contribution-based systems de facto offer relatively fewer opportunities for female migrants. This is due to the lower position that a majority of female migrants have on the labour market (see next point), as well as the fact that the migration process itself often constitutes a break in the employment history with negative consequences in employment-based social security schemes. The analysis is inconclusive with respect to female migrants’ access to maternity benefits, which are employment-based in most countries.

4. Family and parental benefits have been found to be among the benefits most difficult to access for migrants, because they are quite often tied to residence requirement and other restrictions. It is thus a question for further investigation if in fact migrant families benefit less from available family and parental benefits. It would also be interesting to know if migrant families are in a more difficult situation than nationals in combining employment and family responsibilities, which is what this group of benefits is supposed to facilitate.

5. In countries with sizeable immigrant populations, a large group of female migrants is found in lower and disadvantaged positions in the labour market. Hardly anything is known about the share and position of women in the group of highly skilled labour migrants.

The majority of female migrants is worse off on the labour market, both when compared to male migrants and to national women, in areas such as pay, working conditions and employment rights and protection. Female migrants often hold occupations which do not correspond to their qualifications.

Female migrants tend to work in stereotypical female occupations in large numbers. These include domestic work, health care, cleaning/maintenance, child care or other personal services. There is evidence that female migrants in these sectors are at a particular risk of inadequate or even exploitative employment conditions, especially when working in private households, and have limited access to social security. Often, the sectors where female migrants work are “hidden” from data collection and workers’ protection because the are part of the informal economy.

More information is needed on the labour market integration of female migrants, including in less visible sectors if the economy. Further action might be needed to extend or improve the protection of occupations typically held by migrant women.

6. Irregular female migrants, or those who have to take up illegal work, are in a particularly vulnerable position with respect to their employment and social security rights. Social security systems typically provide for very limited social rights or no rights at all. Even access to medical attention, for example reproductive health services, can be a great
problem for irregular female migrants. In this context the situation of women victims of trafficking for sexual and other labour exploitation also requires further attention and urgent improvement.

7. Awareness about the specific situation of female migrants appears to be relatively low among governments. The issues are apparently not considered of pressing need for attention by the responding countries. Even efforts to better understand the situation and determine the possibly resulting special needs with respect to social security are uncommon. For example, there seems to be a widespread lack of attention to the deficit in employment rights and social protection coverage in domestic employment in a number of countries, where this is relevant. It is not also clear if the mechanisms for monitoring compliance with legal provisions adequately cover the circumstances under which many female migrants work.

8. Compliance with the labour legislation and social security regulations appear to be low on the side of many employers of female migrants. Especially private employers appear to take advantage of the vulnerable situation of many female migrants and of the inadequate law enforcement mechanisms in this sector. Special efforts might be need to raise awareness of the rights and obligations of female migrants, both among the (potential) employers, as well as among the workers themselves who are reportedly often unaware of their rights.

From the responses to the questionnaire, there appear to be very few initiatives to address the challenges to the social security coverage for female migrants, either at the national level or at the level of social security coordination instruments.
References


Anderson, Bridget with Kalayaan and Anti-Slavery International (no year). Britain’s Secret Slaves: An Investigation into the Plight of Overseas Domestic Workers. London: Kalayaan


Anthias, Floya & Lazaridis, Gabrielle. Gender and Migration in Southern Europe

http://www.contrast.org/borders/kein/archiv.html#ohne. English version:
http://www.noborder.org/without/index.html


Boyd, Monica & Grieco, Elizabeth 2003. Women and Migration: Incorporating Gender into International Migration Theory. MPI Migration Information Source
http://www.migrationinformation.org/Feature/print.cfm?ID=106


FIAN Germany (the German section of the international FoodFirst Information and Action Network) & Büro für Medizinische Flüchtlingshilfe 2001. Social Human Rights in the Federal Republic of Germany. Parallel Report concerning the Rights of undocumented Migrants with Focus on the Right to Health,
http://www.proasyl.de/texte/mappe/2001/52/2.htm

Han, Petrus 2003. Frauen und Migration. Stuttgart: Lucius & Lucius


Respect Network 1999. Building Respect. Migrant Domestic Workers in Europe Share Advice and Experiences. Edited by Lucy Rix and Bridget Anderson


Many thanks to members of migrant organisations and NGOs we have interviewed. G. Uide to the report. The first part of the research provides an overview of the situation in the enlarged European Union with regard to the integration and social inclusion of immigrants. The second part of is designed to analyse and discuss integration policies on a national and local level in three selected fields related to the social and economic integration of migrants. Chapters 3-5 analyses recent policies of integration in relation to employment, social cohesion and social protection, in a selected number of Member States. The chapters highlight key issues and experiences in the context of the individual national settings. Social security is a human right enshrined in the Universal Declaration of Human Rights and in the Covenant of Economic, Social and Cultural Rights. States are in the obligation to provide a minimum level of well-being and social support for all citizens. Programmes can be universal or targeted to specific groups. The payment of social welfare benefits can be given unconditionally to all meeting the set criteria's (all children of poor family) or they are linked to conditions (e.g. the children goes to school and is vaccinated). Furthermore social protection systems such as outline in the concept of Social Protection Floors are not just stagnant concepts. Social protection systems are developed step by step, reacting to new groups of population and new emerging risks. Crisis situation social workers provide emergency support and assistance to persons with physical or mental disorders by addressing their distress, impairment, and instability. They assess the level of risk, mobilise client resources, and stabilise the crisis. Would you like to know what kind of career and professions suit you best? Assess the social situation of service users situation balancing curiosity and respect in the dialogue, considering their families, organisations and communities and the associated risks and identifying the needs and resources, in order to meet physical, emotional and social needs. Handle conflicts.