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**Ukrainian-Polish migration challenges:  
legal and policy aspects.**

**Case study of 2012 Polish-Ukrainian  
Social Security Agreement**

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The background of the slide features a light blue gradient with a faint, semi-transparent image of classical architectural columns on the left side. The columns are white with detailed capitals and fluted shafts, set against a darker blue background. The entire slide is framed by a thin brown border.

## Roadmap of the presentation:

1. Ukrainian and Polish migration policies  
(actors, forms, actions and priorities)
2. Specificity of social security for migrants
3. 2012 Polish-Ukrainian Social Security  
Agreement: general characteristic
4. The access challenge

# 1. Ukrainian and Polish migration policies: actors, forms, actions and priorities



mostly state, centralized



## 1. Actors

no unified state policy; officials, local self-governments, NGOs, media, society as such, individuals and groups

## 2. Forms

Legal documents at the level of by-laws      Depend on the actor, but many unofficial

- **Strategy of the State Migration Policy of Ukraine (SSMP)**, approved by the Resolution of the Cabinet of Ministers of Ukraine dated 12

July 2017, No. 482-p;

- **Action Plan for the years 2018-2021**

regarding realization of the SSMP for the period until 2025, approved by the Resolution of Cabinet of Ministers of Ukraine dated 29 August 2018, No.

602-p; + **Constitution and Law on External Labour Migration**

# 1. Ukrainian and Polish migration policies: actors, forms, actions and priorities (continued)



## 3. Actions and Priorities

In relation to external labour migration: among other, are declared solutions making **return** more attractive + **protection of rights of Ukrainian migrants abroad**;

“...emigration, and its negative consequences **can not be lessened by direct legislative and (or) administrative regulation**. These issues may be regulated by gradual elimination of economic, social and other factors of societal life, that lead to emigration” (From the Aim 2, To Decrease Negative Consequences of Emigration from Ukraine and Increase its Positive Influence on State’s Development, Strategy of the State Migration Policy of Ukraine);

+ Action Plan activities;

+ consular care, cooperation with international and non-governmental organizations, educational-informational campaigns, fostering vivid international cooperation and **signing international agreements multilaterally and with the receiving state(s)**.

(Law of Ukraine on External Labour Migration)



Remains to be seen with adoption of new migration policy document, however, from demographic point of view it seems that part of the actors see **longer stay** of migrant workers with families as beneficial + for “values-oriented” actors, among which ethical businesses, NGOs, **protection of rights of migrant workers is also important**

## 2. Specificity of social security for migrants

- **Migration as a social security instrument vs. vulnerabilities and risks** (Sabates-Wheeler, MacAuslan, 2008; Sabates-Wheeler, 2009; van Ginneken, 2010; ISSA Social Policy Highlight 17, 2011), **4 types of migrants' vulnerabilities** (Sabates-Wheeler and Waite, 2003).
  - **Social justice and fairness considerations** (Sabates-Wheeler, 2009).
  - **Impact of social security on migrants' decisions** (Sabates-Wheeler, 2009).
- ⇒ **Bilateral social security agreements as, arguably, one of the best and oldest practices among the instruments for ensuring social security for migrant workers** (Franssen, 2006; Sabates-Wheeler, 2009).

### 3. 2012 Polish-Ukrainian Social Security

#### Agreement: general characteristic

- **Personal and material scope of coverage**
- **Statistics:**

Estimated numbers of Ukrainians in Poland, their participation in social insurance.

Potential beneficiaries vs. beneficiaries as-of-now (on the basis of official data from the ASIF-KRUS, SII-ZUS and MFWandSP-MRPiPS).

## 4. The access challenge

**I. The types of access rules** (Sabates-Wheeler, MacAuslan, 2008).

**II. The types of barriers** (ISSA Handbook on the extension of social security coverage to migrant workers, 2014):

- legal;
- effective (for example, practical or administrative ones);
- choices of beneficiaries themselves.



**Thank you for your attention!**

Questions and answers time.