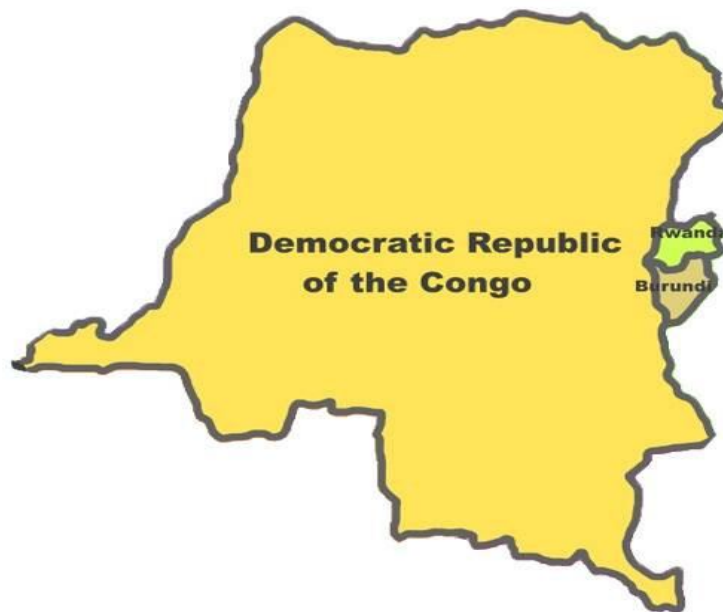


Study on BURUNDI, RWANDA and Democratic Republic of Congo (DRC) Social Security Portability Arrangement



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1. Executive Summary

- A. The General Convention on Social Security of the Member States of the Economic Community of the Great Lakes Countries (CEPGL) applies to legislation relating to the existing branches of social security in the three countries, namely invalidity, old age and survivors' benefits, work accident and occupational disease benefits;
- B. The General Social Security Convention and its implementing text (Administrative Arrangement) confer technical and operational responsibilities on the social security institutions of these countries. They grant social security benefits by reference to their national laws and use the principle of aggregation (totalisation) of periods of insurance completed. The insured beneficiary escapes by this principle to the loss of the acquired right;
- C. The competent social security institutions of the Member States provide mutual assistance in the processing of social security benefits (centralization of claims and payment of benefits) as if they are their own legislation. The Administrative provisions do not cause a bureaucratic burden for the institutions involved;
- D. The national social security laws of the CEPGL member states were inspired by the Belgian colonial law on social security of the Belgian Congo and Rwanda-Urundi. Each member state has its own legislation. Social security for foreign / migrant workers from the three countries is not explicitly taken into account in national social security legislation;
- E. Social security benefits granted in each Member State of the CEPGL and those transferred between Member States are in principle exempt from all taxes and levies;
- F. The advantages provided by the general social security agreement between the CEPGL countries include The aggregation (totalization) of insurance periods, unicity of place of application, payment and single application form for benefits, The increased collaboration between the social security institutions and central banks involved in the rapid processing of social security benefits, the calculation of social security benefits under the National Social Security Act;
- G. The challenges of implementing the General Social Security Convention within the CEPGL include maladjustment to national laws, the slowness in the transfer of benefits, lack of data and lack of exchange of information between countries, lack of regulatory and promotional mechanisms, and a large part of the workers not covered.

H. The best practices that EAEO and EATUC can use to advocate within the EAC to promote the portability of social security benefits are (i) the political commitment materialized by the signing of a bilateral or multilateral agreement for the coordination of social security systems within the EAC (ii) the commitment and the close collaboration of social security institutions and banking institutions of the Member States in the processing and payment of social security benefits, (iii) the totalization of the periods of insurance completed by workers, and (iv) the uniqueness of the place of application and payment of social security benefits where the worker resides.

2. Introduction

The portability of social security rights and benefits is currently a concern for workers who increasingly cross the borders of their respective countries in search of work and well-being. Portability is also of concern to regional and sub-regional organizations, such as the East African Community (EAC), whose constitutive charter includes the opening of borders, the free movement of goods and people, and so on.

The EAC Partner States have agreed to achieve, in the Common Market Protocol, the free movement of workers, capital and services, the right of establishment and residence. EAC's social security systems have different legal and regulatory frameworks and require organizational and political reforms to improve the performance of this sector. The draft strategic objective of the EAC pension policy is to widen and deepen pension sector development through the establishment of an integrated and stable pension sector within the EAC region, which promotes economic development. The specific objectives of the EAC pension Policy are: (i) promote free movement of labour and ensure workers enjoy the rights and benefits of social security accorded in the EAC region, (ii) develop legal and regulatory framework for portability of pension benefits and facilitate cross border pension investment within the EAC region, (iii) develop and promote common best practices and standards for the pension sector in the EAC region, (iv) harmonize pension taxation systems and procedures in the EAC region, (v) develop mechanisms to increase pension coverage for both the formal and informal sector, and (vi) promote the development of the market for the provision of post retirement products in the EAC region.

Legal and regulatory framework for portability of social security benefits within the EAC region still under discussion. The portability of social security rights and benefits in the EAC will allow greater mobility of workers in the region, multiply investment opportunities for social agency assets and allow greater choice for retirement coverage. Several actors in the region are committed to supporting the achievement of community visions and goals. The East African Employers Organizations (EAEO) and the East African Trade Union Confederation (EATUC) as well as affiliated members promote social dialogue within the Community to remove barriers to the free movement of workers.

Institutional and organizational arrangements within the Economic Community of Great Lakes Countries (Burundi-Rwanda-DRC) on the portability of social security benefits have lasted 40 years and seem to be bearing fruit. Can these arrangements inspire the EAC in its efforts to harmonize social security systems?

This study focuses on the development of portability arrangements for social security benefits in the Great Lakes region and whether the system can serve as an inspiration for EAC integration.

3. Objective of the study

The overall objective of this study is to describe and document achievements and results for social security portability arrangement in Burundi, Rwanda and DRC and to assess whether these good practices can serve as inspiration or be replicated at the EAC level.

The specific objectives and outputs are:

1. To document the current portability practices, challenges and gaps in the Burundi, Rwanda and DRC portability arrangements,
2. To identify the number of benefits (social security branches) included in Burundi, Rwanda and DRC portability arrangements,
3. To identify best practices in Burundi-Rwanda and DRC social security portability arrangements,
4. To identify how the national laws and policies are structured in Burundi and Rwanda (and DRC) to allow portability of social security benefits,
5. To analyze the taxation system of the countries involved in relation to portability of social security benefits,
6. Explore how the coordination mechanism is practically working, and
7. To generate a list of good practices which can serve as inspiration or be replicated at the EAC level to allow portability of social security benefits across EAC

In regards to the research questions, at least five key questions will be addressed during the research study:

1. How is the social security portability practiced in Rwanda, Burundi, and DRC?
2. What barriers and challenges have been observed in Rwanda, Burundi, and DRC within the portability arrangements?
3. What kinds of benefits are transferable in this portability arrangement?
4. Is there any gaps/or challenges with the current portability arrangement?
5. What interventions are needed to improve the portability of social security benefits?

4. Methodology Approach

The adopted approach is first of all the available documentary review:

- conventions signed between the Republic of Burundi, the Republic of Rwanda and the Democratic Republic of Congo (Ex-Zaire), the arrangements adopted for the implementation of the conventions, the laws and their implementing texts of the social security in the three countries;
- tax laws in the three countries regarding social security benefits;
- international conventions on the portability of rights and social security benefits;
- Literature and research on social insurance for migrant workers to provide a comprehensive description of the arrangements adopted and implemented for the portability of social security benefits within the Economic Community of the Great Lakes Countries.

The next step is to organize meetings with the social partners of Burundi and Rwanda to collect their contributions to this study. The main actors are the employers 'and workers' representatives, the representatives of the social security organizations, the regulatory authorities of the sector, and the senior executives of the ministries concerned by portability. The aim of the interviews is to assess the practical implementation of the agreement.

Key informants are managers of social security organizations, recipients of social security benefits, and heads of manpower and employment services.

5. Portability Arrangement's Architecture of Social Security benefits between Burundi-Rwanda-DRC

5.1. Institutional Architecture

On September 20, 1976, Burundi, Rwanda and the Democratic Republic of Congo (EX-Zaire) signed the Convention Establishing the Economic Community of the Great Lakes Countries (CEPGL). The CEPGL has four main objectives: (i) to ensure, first and foremost, the security of States and their populations so that nothing disturbs order and tranquillity on their respective frontiers, (ii) conceive, define and promote the creation and development of activities of common interest, (iii) promote and intensify trade and the movement of people and goods, (iv) cooperate closely in the social, economic, commercial, scientific, cultural, political, military, financial, technical, touristic, and especially in judicial, customs, health, energy, transport and telecommunications fields.

The main motivations of the CEPGL are to (i) consolidate historical, geographical and cultural links in the light of similarities in development issues, community of interest and common aspirations for peace, security and progress, (ii)) to comply with the principles enshrined in the United Nations Charter and at the charter of the Organization of African Union (currently the African Union); (iii) to promote trade and to pursue in common their efforts for economic, cultural and social development;(iv) maintain their common will to strengthen understanding among their peoples and cooperation between their states with a view to consolidating brotherhood and integrated solidarity within a larger union that transcends national particularities, (v) to pursue the creation of regional groups which is an objective approach and a realistic foundation of African Unity; (vi) to foster understanding and mutual solidarity among member states so as to create a climate that is constantly conducive to economic cooperation and the maintenance of peaceful and friendly relations between them.

After the signing of the Convention establishing the CEPGL, a General Convention on Social Security between the same States was signed on September 10, 1978. An administrative arrangement for the application of this agreement was signed on the same day. The main reasons for this Convention are to (i) consolidate and intensify cooperation and pursue jointly economic, cultural and social development in accordance with the Convention establishing the above-mentioned CEPGL, (ii) to facilitate the free movement of persons which opens the possibility for the workers of each of the three States to contribute to the development of the other Member States

and to abolish the provisions discriminatory clauses, the neutralization of the restrictive clauses associated with the territorial application of social security legislation and the cooperation of national institutions and services for the granting of benefits and mutual administrative assistance, (iii) ensuring the continuity of the protection of migrant workers between the three countries on the basis of the fundamental principles of equal treatment, the maintenance of acquired rights and those in the course of acquisition as well as the service performed outside the territorial limits of a State, principles enshrined in the conventions of the International Organization (ILO), more particularly the Convention N°. 102.

The three States signatory to the General Convention on Social Security had not yet ratified the ILO Conventions concerning Minimum Standards of Social Security (Convention N°102 of 1952), the Convention concerning invalidity, old-age and survivors benefits (Convention N°128 of 1967) and the Migrant Workers Convention (Convention N° 143 of 1975). They had nonetheless recognized that they remained bound by international labour Conventions, the provisions of which had previously been declared applicable by Belgium to the Trust Territories of Rwanda, Burundi and Congo. These include (i) Convention N° 17 on Workers' Compensation of 1925, (ii) Convention N° 18 on the Compensation for Occupational Diseases of 1925, (iii) Convention N° 19 concerning the equal treatment of foreign and national workers in the field of compensation for injuries at work in 1925, (iv) Convention N° 42 concerning compensation for damage resulting from occupational diseases of 1934.

The principles of ILO Convention N°102 are (i) the guarantee of defined benefits, (ii) the participation of employers and workers in the administration of schemes, (iii) the general responsibility of the State for provisions related to benefits and the proper administration of institutions, (iv) collective financing of benefits through insurance contributions or taxes.

The ILO Convention N°102 establishes globally agreed minimum standards for nine branches of social security, namely (1) medical care, (2) health benefits, (3) unemployment benefits (4) old-age benefits, (5) workers' compensation benefits, (6) family allowances, (7) maternity benefits, (8) disability benefits, (9) survivors benefits.

The portability of benefits within the CEPGL applies only to the three branches of social security of the three countries, namely (i) **invalidity, old-age and survivors' benefits**, and (ii) **accident and occupational diseases benefits**. It should be noted that the social security structures organized in Burundi, Rwanda and the Democratic Republic of Congo (formerly Zaire) were exported by the Belgian tutelary authority. The three countries signing the

General Social Security Convention referred to the ILO Conventions that have not yet been ratified by them.

It was aimed at the compensation of work accidents and occupational diseases of so-called "native" workers of the Belgian Congo and Rwanda-Burundi (1949). In 1957, a system of old-age, invalidity and death pensions was introduced for the same "native" workers. After independence (1960-1962), each of the three countries of the Belgian colony created its own social security scheme under the same model.

The provisions of the Convention shall apply to workers who are or have been subject to the legislation of one or more Member States and who are nationals of a Member State, and to members of their families and survivors.

Persons residing in the territory of a Member State and to whom this Convention is applicable shall be subject to the obligations and benefit of the legislation of any Member State under the same conditions as nationals of that State. Two social insurance schemes are recognized by the Convention: compulsory insurance covering the branches of pensions and occupational risks, and voluntary insurance covering only the pension branch.

Workers subject to compulsory insurance are workers linked to the employer by an employment contract (workers subject to the Labor Code, non-retired political representatives, members of the State services under contract, members of defense and security corps, assimilated to salaried workers).

Workers subject to voluntary insurance are those who have lost the status of compulsory insured and who wish to continue pension insurance.

Excluded from the Convention are diplomatic and consular agents and officials belonging to the Chancelleries. Also excluded are civil servants and complementary agents (foreign or national agents without professional qualifications). The social security benefits of these are managed by the public treasury.

The general social security convention of the three CEPGL countries excluded a large part of the public sector workers, who at the time of its signature were very numerous in the three countries. The situation has led to very serious consequences for civil servants and complementary agents when collecting social security benefits. They were forced to return to the countries where they worked to qualify for social security benefits. **The social security benefits of civil servants and complementary agents are granted on the national territory (principle of territoriality)** and can only be transferred for exceptional cases (medical care abroad duly authorized).

The duration of the general social security convention between the three countries mentioned is three years from the date of its entry into force. It is renewed by tacit agreement unless it is terminated, which must, three months before the end of the term, be notified to the current Chairman of the CEPGL through the Permanent Executive Secretariat. Two Member States may conclude between themselves specific social security agreements based on the principles of the Convention.

Disputes between two or three Member States concerning the interpretation of the application of the Convention are first the subject of negotiation between the parties to the dispute. In the absence of negotiation, an arbitration commission whose composition and procedure will be determined by an agreement between the Member States.

The social security scheme in place in CEPGL is pay-as-you-go. The contributions paid by the workers are immediately used to pay the beneficiaries' social security benefits. This system is based on strong intergenerational solidarity. This pay-as-you-go system is "contributory". **Social security benefits are calculated according to the level of contributions and the number of years of insurance.** The pay-as-you-go scheme differs from the funded scheme (defined contribution or defined benefit plan).

The social security benefits in the CEPGL's convention are exportable. National laws allow the exportability of social security benefits even in the absence of bilateral or multilateral social security agreements.

5.2. Coordinating the portability of social security benefits

A. The role of the social security institutions of the member states

The social security institutions (National Institute of Social Security of Burundi, the Social Security Board of Rwanda and the National Institute of Social Security of the DRC (ex-Zaire) are in charge of the technical and operational treatment of the social security convention. The three institutions owe each other mutual cooperation and assistance, the submission of claims for benefits, claims and recalls, administrative arrangements, medical checks, and others.

A specialized technical sub-committee on labour and social security (essentially from the three institutions) is set up and is responsible for (i) dealing with all administrative or interpretative issues arising from the provisions of the

Convention, (ii) drawing up models of certificates, attestations, declarations, applications for benefits and other documents necessary for the application of the Convention and (iii) promoting and developing cooperation between the Member States in the field of social security.

The specialized technical subcommittee on labor and social security thus establishes administrative standards enabling social security institutions to carry out easy technical and operational procedures. **It offers the insured persons a unique form that can be used in each Member State.**

This Technical Sub-Committee deals with the general direction of the implementation of the General Social Security Convention. It reports to the large joint commission of cooperation between the three member states which makes binding decisions. Seven meetings took place during the 40 years of the convention's existence, which means once every five years on average. It meets in turn in the different capitals of the three countries. Members from the Democratic Republic of Congo have participated in few meetings of this subcommittee. **It lacks a steady dynamism for the regulation and promotion of the general social security convention.**

The competent institutions of the Member States shall communicate to each other (i) all information concerning the measures taken for the application of the Convention, (ii) any information concerning their legislation and subsequent amendments, (iii) all statistical information concerning beneficiaries and the amounts of benefits provided.

The competent institutions of the Member States are responsible for centralizing all claims for benefits and paying them. **To this end, they have created a unique place to introduce the demand and the collection of social security benefits.** They lend themselves to their good offices as if they were applying their own legislation. The administrative assistance of these institutions is in principle free. They may agree on the reimbursement of certain expenses.

All acts and documents of any official nature to be produced for the application of the Convention are exempt from the visa of legalization of the diplomatic and consular authorities. Social security benefits are exempt from all taxes in the CEPGL region.

The social security institutions of the Member **States have thus developed, during the implementation of this Convention, increased collaboration within them.** The meetings between the representatives of the three institutions are regular according to the needs and the claims of the social insured. In 2011,

INSS Burundi and INSS RDC even agreed to meet every 6 months. But respect for this decision remains to be desired.

The social security institutions of the three member countries are exempt from all taxes and duties. The tax code of the three countries provides that **contributions made by the employer on behalf of the employee are excluded from the calculation of taxable income.** The tax code sets the ceiling above which these contributions will be taxed.

The tax code also provides that **social security benefits granted to insured persons (old-age pensions, invalidity pensions, survivors' pensions, annuities or allowances granted following an accident at work or occupational diseases, etc.) are exempt from all taxes.**

The Labour Code and the Social Security Code provide that social security institutions shall insure all regular workers without any distinction of race, nationality, sex or origin. The employment contract must be concluded freely without formalities and without authorizations. However, the hiring of a foreign worker requires that he fulfil the conditions of hiring the foreign labour determined by the order of the Minister having the work in these attributions. **There is therefore no legislation governing migrant workers.**

The Labor Code considers it unlawful to hire a foreign worker without a work permit. However, **the work permit is granted case by case, after a favorable opinion of the national labor council.** The precise criteria for obtaining a work permit should be included in the national law to avoid any subjectivity. **The signing of the general social security agreement should allow the adaptation of national laws to the new regional orientation of hiring foreigners.**

Rwanda has recently put in place laws governing foreign workers (from countries outside the EAC). Rwanda has also adapted its laws to the EAC Common Market Protocol

B. safeguarding acquired rights and transfer mechanisms of social security benefits

The fundamental principles for the protection of the rights of migrant workers contained in the General Convention on Social Security of the CEPGL and its administrative arrangement apply. **For the protection, continuity and retention of entitlement to social security benefits, the aggregation (totalisation) of insurance periods completed in each Member State for the purpose of determining the entitlements opened under the application of each scheme has been adopted.**

For the acquisition or maintenance of entitlement to benefits, the institution of each member State shall take into account, for the purpose of aggregating (totalising) periods of insurance completed under the legislation of any other Member State, as if they were periods completed under the legislation of the first state.

The principle of aggregation of periods of insurance allows workers to benefit fully from social security benefits. The national social security legislation of the three Member States provides for consideration of the insured person's career. An insured who has worked fifteen years or more has benefits from a continuous old-age pension. An insured who has worked less than 15 years receives a retirement allowance (single amount or lump sum). An insured who worked 5 years in Burundi, 8 years in Rwanda, 9 years in the DRC will have a continuous pension calculated over the 22 years. **Without the principle of aggregation of insurance periods, the insured would receive one-time retirement benefits calculated over 5 years in Burundi, 8 years in Rwanda and 9 years in the DRC.**

- ✓ **The principle of aggregation of insurance periods is as follows:**
The insured Mr X worked in Burundi for 12 years and his salary was capped during the last three years at 450,000 BIF per month; He also worked in Rwanda for 12 years and his salary was capped for the last three years at 200,000 FRDA per month.
- ✓ The average monthly remuneration (RMM) of M.X in Burundi = 450,000 BIF
- ✓ The average monthly remuneration (RMM) of M.X in Rwanda = 200,000 FRDA;
- ✓ The total career of M.X is 24 years, a weighting rate of 48%¹ ($24 * 2\%$ or $30\% + 2\%*9 = 48\%$);
- ✓ The theoretical monthly pension² of M.X in Burundi is $450,000 \text{ BIF} * 48\% = 216,000 \text{ BIF}$;
- ✓ The effective pension³ of M.X in Burundi is $216,000 \text{ BIF} * 12/24 = 108,000 \text{ BIF}$;

¹ The weighting rate is set at 30% of the average monthly remuneration for the insured who has 15 years of insurance (or 180 months of insurance). A rate of 2% is added for each additional year.

² Pension calculated on the assumption that the entire 24 years of insurance period was acquired in the same country

³ Real pension to be perceived by M.X which is calculated over the period of 12 years worked in one country.

- ✓ The theoretical pension of M.X in Rwanda is $200.000\text{FRDA} * 48\% = 96.000\text{FRDA}$;
- ✓ The effective pension of M.X in Rwanda is $96,000\text{FRDA} * 12/24 = 48,000\text{FRDA}$;

According to the principle of totaling periods of insurance, Mr. X will have a monthly pension of 108,000 BIF + 48,000 RDA.

Without applying the principle of aggregation of periods of insurance, Mr. X will have an old-age benefit (single amount) in Burundi of $450,000\text{BIF} * 12 = 5,400,000\text{BIF}$; and a single amount of $200,000\text{FRDA} * 12 = 2,400,000\text{RDA}$

This practice is in line with Recommendation 167 of the International Labour Organization (ILO) on preservation of rights acquired or/and in course of acquisition: « where the legislation of a contracting party makes the acquisition, maintenance or recovery of the right to benefit conditional upon the completion of periods of insurance, employment, occupational activity or residence, the institution which applies that legislation shall, for the purpose of adding periods together, take account of periods of insurance, employment, occupational activity and residence completed under the corresponding legislation of any other contracting party, in so far as they are not overlapping, as if they were periods completed under the legislation of the first party” .

Relevant social security institutions of the Member States are required to apply the five principles contained in the ILO Conventions concerning the coordination of social security schemes:

1. Equality of treatment between migrant workers and permanent residents ;
2. Determination of the applicable legislation to ensure that only one national scheme applies;
3. Maintenance of acquired rights and provision of benefits abroad: the rights of migrant workers have to be guaranteed regardless of the territory in which it was acquired and the territory of his residence in one of the contracting states.
The provision of benefits abroad ensures their portability. Therefore, no restrictions on the payment of benefits are admitted, in any of the countries concerned;
4. Maintenance of rights in course of acquisition: where a right is conditional upon the completion of a qualifying period, account has to be taken of periods served by the migrant worker in each country =

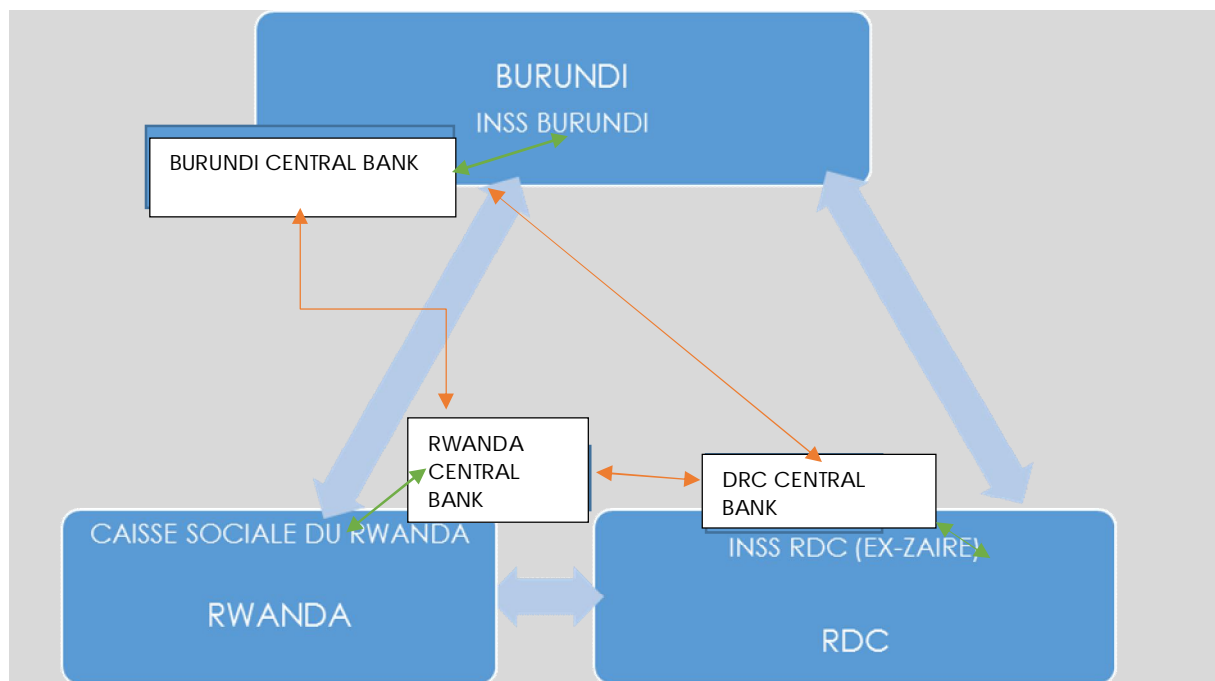
totalisation of employment/contribution periods served in several countries;

5. Reciprocity: Equal treatment has to be granted only to nationals from countries, which – by ratifying the respective convention – have the same legal obligation concerning migrant workers. The scale of reciprocity varies from convention to convention.

The institution liable for the benefits shall send to the beneficiary home institution, designated in the agreement by the term "paying agency", a list of names indicating the amount of benefits due, **which must reach that body within a specified period before the due date of benefits (twenty days in the agreement)**. This periodicity is respected only under several conditions: (i) **an adequate information technology (IT)** allowing the electronic filing of insured contributions and the automated calculation of social security benefits, (ii) **good governance of social security institutions** in collection of social security contributions, fluctuation of social security funds, processing of claims and claims of insured persons, etc. (iii) **a stable socio-political environment in the member states** allowing easy exchange of information and freedom of movement and opinion within the member states, (iv) **an efficient banking system** allowing rapid transfers of funds and a fast production of documents justifying the transfer of funds, etc. However, the socio-economic and political development of the CEPGL member countries has not allowed these countries to meet the conditions mentioned above. **Social security benefits can take several months or even years before the insured benefits.**

The debtor institution shall pay, in the currency of the Member State in whose territory where it is situated, necessary amount for the payment of the benefits mentioned on the abovementioned bill. Payment shall be made to the Central Bank of that Member State and to the account opened in the name of the bank or equivalent institution of the Member State in the territory where the paying agency is located, and to the order of this paying agency. This payment is final. The debtor institution shall simultaneously send the paying agency a remittance advice.

The coordination of the social security benefit is schematized as follows:



←→ Physical flow: requests for services, supporting documents, technical reports, correspondence, etc.

↔ Cross-border financial flows of benefits for migrant workers (or their dependents)

↔ Subnational financial flows of benefits to be provided to migrant workers (or their dependents).

5.3. The granting of social security benefits (invalidity, old age, death)

A. Administrative arrangement

Invalidity, old age and survivors benefits depend on : (i) periods of coverage (**qualifying periods**), (ii) subject to the legislation at the time of contingency (**insurance clause**).

The procedure for obtaining social security benefits is initiated by the concerned worker or his dependents expressly mentioned in the social legislation of each State. The person concerned or the entitled person shall send an application to the local institution where he/she resides, in accordance with the procedures laid down by the legislation applied by that institution.

The local institution where he/she resides shall forward the application to the institution of the Member State whose legislation it was last submitted, indicating the date on which the application was submitted.

The application must be accompanied by supporting documents and established on the forms provided. **Claims for benefits are submitted by the institution in question to which they were sent or transmitted.** The investigating institution shall immediately notify claims for benefits with supporting documents to all the institutions concerned so that applications can be heard simultaneously and without delay by all the institutions.

All competent social security institutions use the same form for processing claims. This form includes, in particular, the statement and summary of insurance periods completed by the person concerned or his (her) heirs under the legislation of all the Member States concerned.

Each of these institutions shall determine the rights which are opened under the legislation which it applies according to the principle of aggregation (totalisation). It shall state on this form the theoretical amount and the effective amount of the benefit which it has calculated. The theoretical amount of benefits is calculated for all periods of insurance completed under the legislation of the Member States in question as if those periods were completed only under the legislation applied by the institution concerned. The effective amount of the benefit is calculated on the theoretical amount in pro-rata to the duration of the insurance periods completed under the legislation of the Member State of the institution in question in relation to the total duration of the periods of insurance completed under the laws of all the Member States in question. The indication of the lanes and the time limits for appeal are added on this form which is returned to the investigating institution.

Each of the institutions concerned shall inform the applicant of the decision it has taken on his claim for benefits as soon as that decision can be considered final after consulting the investigating institution and shall notify that institution simultaneously.

After final settlement of the claim, the investigating institution shall summarize and forward to the claimant all the decisions taken by the institutions concerned.

B. Payment procedures

The payment of benefits is made by the institution of applicant's place of residence on the basis of all the nominated slips and the amount of the benefits due.

All social security institutions have opened bank accounts at the Central Bank of their country. The institutions concerned pay the benefits of the beneficiary to the central bank of their country. The central bank is responsible for the transfer of benefits to the central bank of the beneficiary's country of residence. The central bank of the beneficiary's country of residence shall inform the social security institution of the receipt of benefits. The benefits are then paid into the beneficiary's bank account by the social security institution concerned. **The transfer fees are entirely supported by beneficiary.**

As soon as the paying agency becomes aware of a circumstance justifying the suspension or withdrawal of benefits, it ceases all payments. The same applies when the beneficiary transfers his residence to the territory of a Member State other than that where the paying agency is located. The paying agency shall notify the debtor institution of any reason for non-payment, suspension or cancellation of the services and, where appropriate, indicate the date of any event justifying it.

5.4. The granting of social security benefits (accidents at work, occupational diseases)

Accidents at work and occupational diseases occurring in the territory of a Member State other than the competent State shall be declared in accordance with the provisions of the legislation of the competent State, without prejudice to any legal provisions in force in the territory of the Member State.

The Member State where the accident or illness occur the application is still required. The declaration is sent to the competent institution and a copy is sent to the institution of the place of residence.

Workers residing in the territory of a Member State other than the State of origin (competent State⁴), victims⁵ of an industrial accident or an

⁴ « Competent State » means the member state in whose territory the competent institution is established; "Competent institution" means the institution to which the worker is affiliated at the time the claim is made.

⁵ Benefits in the event of accidents at work or occupational diseases are granted by the competent institution. To facilitate portability, the social security agreement between the three countries (Burundi-Rwanda-DRC) provides that a non-competent institution provides benefits to a worker from another member state. The institution concerned will then be reimbursed by the competent institution. A Burundian worker insured by the

occupational disease, shall, in the territory of the Member State where they reside, receive benefits in kind or/and in cash. Benefits in kind are provided at the expense of the competent institution by the institution of the place of residence, in accordance with the provisions of the legislation which the latter applies as if they were affiliated to it. Cash benefits are provided by the competent institution in accordance with the provisions of the legislation it applies, as if they were resident in the territory of the competent State. However, after agreement between the competent institution and the institution of the victim's place of residence, cash benefits may also be provided through the latter institution on behalf of the competent institution.

In order to receive benefits in cash, the worker shall submit to the institution of the place of residence a certificate certifying that he is entitled to these benefits issued by the competent institution on the basis of the information provided by the employer, the supporting documents required for the granting of benefits in cash under the legislation of the Member State where he/she resides. Benefits in cash provided by the institution of the place of stay shall be reimbursed by the competent institution.

To receive cash benefits, other than pensions, the worker applies to the institution of the place of residence as soon as possible from the date of the beginning of the incapacity for work, presenting the certificate of incapacity work performed by the attending physician and other documents required under the legislation of the competent State. The institution of the place of residence transmits on the one hand the aforementioned documents, specifying the probable duration of the incapacity for work and proceeds from the other to the medical and administrative control of the worker, as if it were his own assured. The competent institution shall provide cash benefits by all appropriate means.

RSSB will have benefits in Rwanda. If it happens that he has an accident in Burundi while he is on the move authorised by his employer, the INSS Burundi can grant him benefits after authorization of the RSSB. INSS Burundi will be reimbursed the funds by RSSB.

6. Lessons learned from the general social security convention in the CEPGL zone

The signing of the General Social Security Convention between the Republics of Burundi, Rwanda and Democratic Congo (formerly Zaire) was a commendable decision for migrant workers and their families in the three countries. The three signatory countries of the convention had many migrant workers. Some were regularly recognized refugees, the others were foreign workers recruited by the host country for their expertise.

The primarily social benefits of interest were long term benefits, which are typically based on some social insurance considerations: payment of contributions which give a right to benefit once eligibility conditions are met and potentially being paid over a protracted period of time.

Access to social security benefits and advanced portability regulated by the agreement said should not encounter any discrimination with regards to social security benefits, and transferability of acquired rights is guaranteed.

This agreement include provisions on non-discrimination with respect to social security between nationals and migrants. They include also specific rules on how to organize the transfer of acquired social security entitlements or entitlements in the process of being acquired between the signatory states.

Social security branches involved refer to long term benefits like old-age, disability, survivor's pensions and other annuities. The provisions ensure that periods of contributions to these schemes that have been paid in either of two or three states are totalized and payment of social security benefits can be obtained in either country.

Statistics on the number of workers involved are not available. The only data available are current beneficiaries of benefits based in Burundi and Rwanda in last years.

Inter-institutional collaboration has been weakened since 1996 when the INSS of DRC stopped sending benefits following the socio-political insecurity that the country has experienced. All Administrative procedures taken to relaunch tripartite co-operation according to the provisions of the convention referred to above have not yet led to concrete results.

Table1: Evolution of the average number of beneficiaries of CEPGL benefits.

Year	Burundi (beneficiaries from Rwanda)	Rwanda (beneficiaries from Burundi)
2017	250	132
2016	276	128
2015	290	127
2014	318	120
2013	263	128
2012	270	127
2011	231	109
2010	252	101

Source: INSS Burundi balance sheets

The table above shows the dynamism that exists between the two social security institutions (Rwandan Social Security Office - RSSB and the National Social Security Institute of Burundi - INSS Burundi). On the Rwandan side, all workers, including civil servants, were insured in the Rwandan social security fund (Caisse Sociale du Rwanda). From the Burundian side, civil servants and the complementary agents were covered by the public treasury, and were therefore not taken into account in the social security agreement said.

As mentioned above, **the national laws of the three countries have not been amended to reflect the Social Security Agreement. As a result, there have been few migrant workers who have been able to obtain employment in the formal sector.** Only a few migrant workers who were able to work in the formal sector benefited from the social security agreement (some Burundian refugees who were in Rwanda, some Rwandan refugees in Burundi, and some experts sought by the three countries). **All migrant workers working in the informal sector could not benefit from the social security agreement.**

The implementation of the general social security convention in the three CEPGL countries has had positive effects on the beneficiaries, but has also experienced challenges and failures.

6.1. Positive effects of portability of social security benefits in the CEPGL region

Portability is defined (World Bank, 2009) as the ability to obtain, preserve, maintain and transfer vested social security rights in the process of being vested, independent of profession, nationality and country of residence. Hence, portability consists of two critical elements: (i) the full receipt of vested and eligible social security rights as well as rights under private sector arrangements based on acquired rights through prior contributions/premiums or residence criteria in any chosen residence, (ii) the full transfer of social security rights as well as rights under private sector arrangements that are in the process of being vested before eligibility has established based on acquired rights through prior contributions/premiums or residence criteria in any chosen residence. The scope of social benefits for which portability applied here are (i) old age benefits, (ii) disability benefits, (iii) survivors benefits, (iv) invalidity benefits (workers accident and occupational diseases).

Obtaining portability means establishing international transportability in law and practice, ensuring maintenance of rights acquired and in course of acquisition, and cooperation to interface different national systems together in transnational situations. Portability gains are as follows:

1. **The aggregation (totalization) of insurance periods:** cross-border workers in the Great Lakes region benefit from all insurance periods completed. They thus escape four foreseeable losses: (i) the loss of the acquired right: if the worker leaves his job before having the minimum number of years required to claim the benefit; (ii) the loss of recent wages: most social security schemes calculate benefits over the last three or five years, (iii) accumulation losses: some social security schemes are capped, and ceilings increase as time, (iv) penalties: some social security plans apply penalties for periods below the required level;

The totalization of periods of insurance means that in order to determine a migrant's entitlement for a pension, the time during which a migrant contributed to the pension system of any signatory state of the agreement is accumulated. The totalization of periods of insurance is not only beneficial for the migrant in terms of establishing entitlements but also in the determination of the replacement rate. **Agreement which regulates the totalization of periods of contributions is the best practice** to remove disadvantages for the migrant through a reduction in the replacement rate or loss of contributions and entitlements. Such agreements ensure that the social security institutions concerned pay a fair pro-rata part of the migrant's pension that reflects the

contributions any particular social security institution received from the migrant.

- 2. Unicity of place of application, payment and single application form for benefits:** Each claimant applies for benefits in his current place of residence. It is in the same place that he will receive these benefits, introduce the possible claims, deposit the certificates of life, etc. The standardization of claim forms facilitates the obtaining of clear and useful information, easily exploitable by the three institutions involved.
- 3. The increased collaboration between the social security institutions and central banks involved in the rapid processing of social security benefits:** the processing of applications for benefits for cross-border workers has become one of the remit of the services of social security institutions in the CEPGL region. No financial burden arises for the social security institutions of one country while the social security institutions of the other country benefit from any provisions on portability or lack thereof. The administrative provisions don't cause a bureaucratic burden for the institutions involved and it is easy for migrant to navigate. The central banks of the signatory countries of the social security agreement guarantee, for their part, the transfer of funds from one social security institution to another, in a relatively short time⁶.
- 4. The calculation of social security benefits under the National Social Security Act:** the calculation of the applicant's social security benefits does not require the harmonization of the texts governing social security in the CEPGL region. Each Member State calculates the theoretical amount and the effective amount of benefits according to national legislation.

⁶ Central Banks of the three signatory countries of the convention, when they receive the order of social security institutions to transfer funds, execute the order within a relatively short period of time. Slowness is observed in social security institutions for the recognition of entitlements and the calculation of social security benefits.

6.2. The challenges of implementing the general social security convention in the CEPGL region

The challenges of implementing the general social security convention come partly from the convention itself. The said convention retained only the workers insured in the social security institutions of the signatory countries (National Institute of Social Security of Burundi – INSS Burundi, National Institute of Social Security of the DRC- INSS DRC, Rwanda Social Security Board – RSSB). However, the legislative and regulatory provisions of the three social security institutions differed from each other.

RSSB insures all workers in the public and private sectors. INSS Burundi and INSS DRC insures workers linked to their employers through a work contract. The civil servants were excluded and were insured by the public treasury. Former civil servants of Member States can only receive their social security benefits in the territory of the Member State where they have worked (principle of territoriality). There is **Non-transferability of social security benefits for former civil servants under the statute and supplementary agents.**

Workers moving from the public sector to the private sector vice versa lost part of their social security benefits. It is from 2011 that the National Office for Pensions and Occupational Risks (ONPR) was created in Burundi to manage the pension's branch and the occupational risks branch for civil servants.

To correct these imperfections, two conventions were signed and were inspired by the general convention of social security of the CEPGL.

The purpose of the agreement between INSS Burundi and ONPR Burundi is to set the terms for totalizing periods of insurance with a view to determining the rights of insured persons and their beneficiaries with regard to pensions. The people concerned are the insured who successively change sector by moving from under status to sub-contract and vice versa. The benefits covered by the two bodies are (i) the old-age pension and allowance, (ii) the old-age pension, (iii) the invalidity pension, (iv) the survivors' pension and allowance. Pension benefit entitlements are protected and retained when a person subject to them changes successively or alternatively in the public, par public, private, and informal sectors. For the protection, continuity and retention of entitlement to benefits, the periods of insurance completed in each sector shall be aggregated for the purposes of determining the entitlements under the provisions of each scheme. For the purpose of calculating benefits, each social security institution concerned shall calculate, in accordance with the provisions of the legislation which it applies, the theoretical amount and the effective amount of benefits as mentioned

above. The payment of benefits is made to insured or to his beneficiaries directly on his bank account.

The agreement between the RSSB and the ONPR Burundi signed in 2014 concerns the transfer of pensions from the former Rwandan complementary agents (who worked in Burundi) to the Rwanda social security Board. These pensions were perceived in the Burundian civil service before the creation of the ONPR. The convention resolves the serious problem of Rwandan pensioners who were forced to go to Burundi to collect their pensions.

Other challenges in implementing the General Social Security Convention within the CEPGL can be summarized as follows:

1. Maladjustment to national laws: the principle of the portability of social security benefits has not been transposed into national social security legislation by all Member States. Only Rwanda introduced into the 2003 law a clause of "entitlement to benefits in Rwanda for non-resident insured persons in the territory". The law regulating migrant workers was introduced in Rwanda. The other signatory states of the convention have laws that allow foreigners to work on their territories (labor code, social security code, etc.), but work permits are granted on a case-by-case basis, which may lead to take into account subjective criteria. The conditions of access to the labour market in the CEPGL region remain marked by access restrictions for foreigners;

2. The slowness in the transfer of benefits: the deadlines contained in the general social security agreement are no longer respected to the detriment of beneficiaries. The signatory countries of the convention have different levels of access and use of new information and communication technologies. The processing of social security benefit files is not automated in most social security institutions. Good governance of social security institutions, a stable socio-political environment in the member states and an efficient banking system continue to be major challenges within CEPGL to ensure rapid transfers of social security benefits.

3. Lack of data and lack of exchange of information between countries: Although it is recognized that migrant workers in all three countries are numerous, the statistics are missing. The exchange of information between social security institutions has been ensured between certain institutions, but remains marked by the socio-political conjunctures of the Member States. Since 1996, the exchange of information with the INSS DRC has been suspended following the socio-political crisis. The Congolese beneficiaries are victims of this state of affairs and are obliged, if they are able to come to Burundi or Rwanda to receive their dues. Burundian and Rwandan beneficiaries who have worked in DRC no longer receive their benefits.

4. Lack of regulatory and promotional mechanisms: The technical sub-commission set up to deal with all the administrative and interpretation issues of the convention reports to the large joint commission of cooperation between the three member states which makes binding decisions. The face-to-face meeting of the great joint commission of cooperation between the signatory States took place at most once every five years, which does not give the sub-technical commission of labor and the social security to better regulate and to promote the portability of social security benefits. Portability arrangements therefore lack dynamism and innovation.

5. A large part of the workers not covered: The general social security convention signed by the CEPGL member states excluded a large part of the workers. However, social security conventions are aimed above all at protecting the rights of both national and foreign workers. Civil servants were excluded. There has been a huge loss for the majority of workers who have not been able to fully benefit from social security benefits.

6.3 Good practices to be replicated in the EAC region

The General Social Security Convention was concluded following the demonstration of the political commitment of States to work together, in a structured and coordinated regional group, for the common will of their peoples. The arrangements for the portability of social security benefits in the CEPGL region have enabled migrant workers to benefit fully from their compensation following the occurrence of insured risks. Workers also benefited from free choice to settle in a member country of their choice. They also benefit from the proximity services made possible by the dynamism of the social security institutions fully committed to serving the insured.

Good practices from the implementation of the said General Social Security Convention, which can serve as an inspiration in the EAC region, are chosen in the light of the EAC's social security orientation.

The strategic objective of the EAC pension policy is to widen and deepen pension sector development through the establishment of an integrated and stable pension sector within the EAC region, which promotes economic development. The specific objectives of the policy are as follow:

- (1) Promote free movement of labor and ensure workers enjoy the rights and benefits of social security accorded in the EAC region;
- (2) Develop legal and regulatory framework for portability on pension benefits and facilitate cross border pension investment within the EAC region;

- (3) Develop and promote common best practices and standards for the pension sector in the EAC region:
- (4) Harmonize pension taxation systems and procedures in the EAC region;
- (5) Develop mechanisms to increase pension coverage for both the formal and informal sector; and
- (6) Promote the development of the market for the provision of post retirement products in the EAC region.

The best practices to follow are:

1. **Political commitment:** The success of any regional community depends on the will of the political leaders to work for the good of the community, and more precisely of the peoples who are in their charge. This political commitment is manifested in the EAC region by the ratification of the EAC treaty, the signing of the various protocols relating thereto.
2. **The aggregation of insurance periods completed:** the free movement of persons and goods opens up economic and social opportunities that must be consolidated by a social insurance guarantee covering the entire territory covered by the community. The portability of entitlements to social security benefits, without loss of any assured period, encourages workers to take investment risks. To this end, the best practice is the signature by the Member States of a bilateral convention of social security, preferably based on multilaterally agreed standards. The social security agreement would provide more coordination of national social security systems than harmonization. Coordination refers to a set of regulations that adapt the effects of national schemes without changing the parameters of the national schemes. The coordinating provisions do not determine what groups of individuals are covered by social security in each country, they merely coordinate existing schemes. **Coordination establishes mechanisms through which social security systems can work together to achieve mutual agreed objectives while maintaining and respecting the separate rules and definitions of each system.**

Harmonization refers to a process of reforms of national schemes aimed at reducing differences between schemes. **Harmonization of social security schemes might be resisted by different policymakers on a sovereignty basis.** Harmonization establishes mechanisms through which social security systems can work together to achieve mutually agreed objectives by replacing the different definitions and rules of each system with common definitions and rules.

Five elements are to be taken into account in the said agreement: (i) all workers and their families would be protected, (ii) migrant workers would be subject to the legislation of only member state, usually the one in which they work, even if they live in another member state, (iii) an worker should not suffer discrimination on ground of his or her nationality, (iv) social security benefits generated in one member state can be received in any other member state, and (v) workers accumulate rights from periods of service in all member state in which they have worked.

It has been shown by different studies that the different social security schemes are transferable: pay-as-you-go, defined contributions, defined benefits, provident funds, etc. A careful study could be commissioned within the EAC region.

3. **The commitment of social security institutions and central bank to work in synergy:** the close and rapid collaboration of social security institutions makes it easy for claimants to obtain benefits easily, at the lowest cost, and at the place that suits them. Social security institutions would have the technical and operational role in the implementation of the proposed convention. They would be responsible for calculating social security benefits according to the legislation they apply, using the formula for the aggregation of periods of insurance and pro rata temporis. They would be a unique place of contact with the insured for the application and obtaining social security benefits. Central banks would ensure quick and easy transfer of social security benefits. Signatory states shall afford each other administrative assistance free of charge.

7. Conclusions and recommendations

7.1. Conclusions

General Social Security Convention between the Republics of Burundi, Rwanda and Democratic Congo (formerly Zaire) was a commendable decision for migrant workers and their families in the three countries. The three signatory countries of the convention had many migrant workers. Some were regularly recognized refugees, the others were foreign workers recruited by the host country for their expertise.

This agreement includes provisions on non-discrimination with respect to social security between nationals and migrants. They include also specific rules on how to organize the transfer of acquired social security entitlements or entitlements in the process of being acquired between the signatory states.

Social security branches involved refer to long term benefits like old-age, disability, survivor's pensions and other annuities. The provisions ensure that periods of contributions to these schemes that have been paid in either of two or three states are totalized and payment of social security benefits can be obtained in either country.

The implementation of the general social security convention in the three CEPGL countries has had positive effects on the beneficiaries, but has also experienced challenges and failures.

Positive effects on insured workers are (i) The aggregation (totalization) of insurance periods, (ii) Unicity of place of application, payment and single application form for benefits, (iii) The increased collaboration between the social security institutions and central banks involved in the rapid processing of social security benefits, (iv) The calculation of social security benefits under the National Social Security Act.

Challenges are: (i) maladjustment to national laws, (ii) the slowness in the transfer of benefits, (iii) lack of data and lack of exchange of information between countries, (iv) lack of regulatory and promotional mechanisms, and (v) a large part of the workers not covered.

7.2. Recommendations

EAEO and EATUC who are currently engaged in a social dialogue project within the EAC could draw inspiration from the general convention on social security implemented in the economic community of the Great Lakes countries. It should be recalled that the said Convention was signed following the presence in the three countries of a large number of migrant workers from these countries. The following elements would help advance the discussions:

1. **Have a census of migrant workers in the EAC:** the knowledge of migrant workers who are and will be concerned by the portability of social security benefits will appeal to political decision-makers. The signature of the social security agreement under study came to solve a problem that arose with regard to migrant workers. There had been workers' movements between countries due to research by signatory states of skilled workers, but also refugees. Knowledge of migrant workers in the EAC countries will be a political stimulus for policy makers to intervene in their favor. Nevertheless, it has been found that the EAC protocols which facilitate migrant workers are slow to be implemented (the protocols on the right of establishment, right of residence, free movement of workers). **EAEO / EATUC should advocate for EAC member states to adapt their national laws to signed protocols.**

2. **Promote the coordination of national systems of social security:** Coordination refers to a set of regulations that adapt the effects of national schemes without changing the parameters of the national schemes. The social security agreement signed between the three CEPGL member states enshrined the principle of portability of social security benefits. This principle is based on the totalization of the insurance periods of the worker. By totalization, the worker is fully entitled to his rights acquired or in course of acquisition relating to social security benefits. The social security agreement within CEPGL did not require the harmonization of laws and regulations between member states. **This is why the EAEO / EATUC should advocate for coordination of social security systems within the EAC.** However, the social security agreement within the CEPGL was discriminatory: a large part of the workers were not concerned. **EAEO / EATUC should advocate for all insured workers in the various social security institutions of the EAC to be included in the EAC Social Security Coordination Agreement.**

3. **Advocate with policy makers to conclude bilateral/multilateral social security agreement** in order to ensure the maintenance of rights in long term social security branches in force in the EAC. This agreement concerns the totalization of periods of insurance and of assimilated periods for the purpose of the acquisitions, maintenance or recovery rights and for the calculation of benefits. These agreements shall contain rules about calculation of benefits, the repartition of the costs of long term benefits among the states concerned, etc. a social security agreement within the EAC would be of great benefit to migrant workers. **EAEO / EATUC should advocate for the portability of rights to social security benefits.** The social security agreement in CEPGL was based on the pay-as-you-go system. This system is based on a clear mathematical formula: a monthly average remuneration multiplied by a weighting rate. The latter depends on the insurance periods. The social security systems within the EAC have pay-as-you-go schemes, but also defined contribution plans, defined benefit schemes, and so on. These systems are also portable. **The portability procedures of funded plans should be the subject of a study. EAEO / EATUC should advocate for workers who leave one scheme to another to fully benefit from all benefits.** Social security benefits would be calculated in accordance with the principle of aggregation of insurance periods. Social security benefits would be granted according to the law of the country in which they are calculated. Transfer fees would be borne by the beneficiary. The system of taxation of social security contributions and benefits within the EAC would remain unchanged.

During the implementation of the social security agreement within the CEPGL, a technical subcommittee was set up. It works in a large joint commission of cooperation, which is more a political structure than a technical one. **EAEO / EATUC should advocate within the EAC for the establishment of an operational technical structure that works closely with the social security institutions of the Member States.**

4. **The uniqueness of the place of application and payment of social security benefits:** The social security agreement in place within the CEPGL provides for the uniqueness of the place of application and payment of social security benefits which is the place of residence of the applicant. The procedures put in place make it possible to use the same forms within the community and only one social security institution is responsible for processing the application and paying social security benefits. **EAEO / EATUC should advocate within the EAC so that workers can apply for and benefit from social security benefits in a Member State of their choice. EAEO / EATUC should also advocate for social security institutions to work closely together for the best interests of the insured worker.** This collaboration between social security institutions should involve banking and financial institutions for the transfer of social security benefits.

In this study on the social security agreement in the CEPGL, it was noted that delays in the transfer of social security funds due mainly to the inadequacy of information and communication technologies, poor governance social security institutions, socio-economic instability in the Member States, the inefficiency of the banking system, etc.

EAEO / EATUC, aware of the existence of different levels of development of States and social security institutions of the Member States, should advocate for the exchange of experience and expertise within the social security institutions of the Member States in the EAC. EAEO / EATUC should also advocate for the establishment of a database accessible to all social security institutions for the easy exchange of information.

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Annex 1: Meeting of Burundi's Stakeholders: Attendance list

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Inputs from Burundi's stakeholders on the draft report

1. Reformulate Challenges 2 and 3 of the study taking into account the provisions of Article 16 of the Burundi Labour Code, the Social Security Code and the new draft social protection code currently being drafted;

2. Organize meetings with some beneficiaries of social security benefits transferred from one country to another to assess their satisfaction levels;
3. Visit services considered useful for the obtaining of the figures and the reports of the meetings of the steering bodies of the convention (INSS, general labour inspectorate, ONPR, PAFE, Ministry of the Interior);
4. Identify the gaps in the Convention itself and the shortcomings in the implementation of the Convention;
5. When formulating recommendations, take into account the need to include the principle of portability of benefits in national legislation, to create agreements between social security institutions to ensure the implementation of portability, to implement set up a monitoring and evaluation framework for the implementation of signed agreements and define appropriate mechanisms for the adaptation (revision) of signed agreements.

Annex 2: Meeting of Rwanda's Stakeholders: Attendance list

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Inputs from Rwanda's stakeholders on the draft report

For best practices

1. Add political commitment
2. Combine the point on the uniqueness of the introduction of the application and payment of benefits and the point on the single form of claim
3. Close collaboration between social security institutions must involve the central banks which provide the service of transfers of social security benefits

For the challenges

4. The portability of social security benefits is only possible if the movement of migrant workers is real. Protocols on the right of establishment, right of residence, free movement of workers should be implemented by EAC Member States
5. The general social security agreement between Rwanda, Burundi and DRC has taken into account some of the workers. The proposal for the EAC should be to take account of all insured workers in the different social security institutions of the Member States
6. It will be necessary to refer to the various studies carried out within the EAC which are available. The partners promised to share them with the consultant
7. Reference should be made to the EAC Common Market Protocol, Annex 2
8. Other barriers to consider are the underprivileged political environment, poor governance of social security institutions, outdated computer system