



► Briefing note

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Social protection for migrant workers, refugees and their families in ECOWAS Member States and Burkina Faso, Mali, Niger and Mauritania

This briefing note provides an overview of the legal access to social protection for migrant workers and their families in the ECOWAS Member States, Burkina Faso, Mali, Niger and Mauritania. It is based on a review of relevant international conventions, regional instruments, and national legislation. This note serves as an initial analytical foundation for the development of regional and national Action Plans aimed at extending social protection to migrant workers, refugees and their families in the sub-region.

Regional context

An estimated 3.8 billion people worldwide lack access to social protection. This includes migrant workers, refugees, and their families who often face both legal and practical obstacles to exercising their right to social security and to effectively accessing social protection benefits, including healthcare. These obstacles are frequently rooted in the principles of nationality and territoriality, with their acuteness and prevalence varying according to the availability of social protection schemes, migration patterns, gender, employment and migration status, and structural discrimination, among other factors. In the sub-region, one of the main obstacles to social protection coverage for migrant workers is the high prevalence of informal employment. According to the ILO, West African countries have some of the highest shares of workers in the informal economy, exceeding 75 per cent in all countries except Niger.¹ Migrant workers and refugees are disproportionately represented in

informal employment due to several factors, including concentration in low-skilled sectors with high informality (such as agriculture, garment, construction and domestic work), irregular migration status, limited recognition of skills and education.

According to the latest figures of the World Social Protection Report 2024-26, Africa remains the region with the lowest population coverage by at least one social protection benefit, with only 19.1 per cent of people effectively covered. Coverage gaps are particularly acute for mothers with newborns (6.7 per cent), for unemployed persons (3.8 per cent), and persons with disabilities (8.1 per cent). These significant gaps in social protection coverage exacerbate existing inequalities and heighten economic insecurity among marginalized populations.

¹ Intervention Model: for extending social protection to migrant workers in the informal economy: [Intervention Model](#)

While some progress has been recorded since 2015—when coverage stood at 15.2 per cent—these gains remain modest and insufficient to effectively address the legal and practical barriers that continue to limit universal access to social protection., including for migrant workers and refugees. Additionally, intersecting challenges such as climate change are increasingly acting as risk-multipliers, generating new migration corridors and triggering forced displacements, both within countries and across borders. These dynamics further strain already underdeveloped social protection systems and heighten the risk of poverty and social exclusion for migrant workers, refugees and their families, especially those exposed to socio-economic shocks, including those in the informal economy. Such pressures may result in long-lasting adverse effects on their livelihoods and resilience. According to the ECOWAS Centre for Renewable Energy and Energy Efficiency (ECREEE), the region contributes only 1.8 per cent of global greenhouse gas (GHG) emissions yet is projected to experience an average temperature increase of 2.3 degrees

Celsius by 2060, equivalent to approximately 0.6 degrees per decade.² Social protection systems therefore need to proactively prepare and adapt for climate-induced risks including floods, droughts, food insecurity, coastal and soil erosion, and declining productivity.

The regional context is further shaped by recent political developments. Burkina Faso, Mali and Niger officially withdrew from the ECOWAS regional economic community on 29 January 2025 and subsequently signed a new treaty aimed at deepening integration within the newly established Alliance of Sahel States (AES). Despite this development, ECOWAS issued a press statement calling on its Member States, inter alia, to continue treating goods and services originating from the three countries in accordance with the ECOWAS Trade Liberalization Scheme (ELTS), and to ensure that their citizens continue to enjoy the rights of free movement, residence, and establishment as per the Free Movement Protocol until further notice.³

ECOWAS developments

ECOWAS legal framework

Over the years, the Economic Community of West African States (ECOWAS) has taken significant steps towards greater social and economic integration among its Member States, including with respect to the coordination and portability of social security rights.

A foundational instrument in this regard is the [1979 Protocol relating to the Free Movement of Persons, Residence and Establishment](#) which grants ECOWAS citizens the right to enter, reside and establish economic activities in the territory of other Member States. The Protocol sets out a three-phase roadmap, each lasting five years, to achieve full freedom of movement within fifteen years.⁴

While phases 1 and 2 have been completed, phase three (right of establishment) is currently being implemented in most Member States.

Building on this framework, ECOWAS adopted the [General Convention on Social Security](#) in 2013. The Convention applies to nationals of ECOWAS Member States as well as refugees and stateless persons, across 15 countries. Its material scope is aligned with that of the [Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#), covering all nine branches of social protection. The Convention also draws inspiration from the Equality of Treatment (Social Security) Convention, 1962 (No. 118), and the Maintenance of Social Security Rights Convention, 1982 (No.157).

² [ECREEE : Climate Change Program](#)

³ [PRESS STATEMENT | Economic Community of West African States \(ECOWAS\)](#)

⁴ [ECOWAS - Free Movement of Persons | United Nations Economic Commission for Africa](#)

Its primary objective is to address the legal obstacles migrant workers face in accessing social protection benefits across ECOWAS Member States - obstacles that stem from the principles of nationality and territoriality and are compounded by the diversity of national social security systems.⁵

International legal framework relevant to the social protection of migrant workers, refugees and their families

United Nations Conventions

Social protection, or social security, is a **human right** enshrined in several international human rights instruments including the [Universal Declaration of Human Rights \(1948\)](#) and the [International Covenant on Economic, Social and Cultural Rights \(1966\)](#). Social protection is defined as the set of **policies and programmes designed to reduce and prevent poverty, vulnerability, and social exclusion throughout the life cycle**.⁶

As shown in the table 1, the core UN Conventions⁷ relevant to migrant workers, refugees, and their families are widely ratified by ECOWAS Member States as well as Niger, Burkina Faso, Mali and Mauritania, with only limited exceptions. Cabo Verde has not ratified the 1951 Convention relating to the Status of Refugees, while Côte d'Ivoire and Liberia have not ratified the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Key ILO Conventions relevant to migrant workers' right to social protection

International labour standards promote core principles of social security and the protection of migrant workers. Unless otherwise stated, all international labour standards are applicable to migrant workers. However, in the sub-region, ratification of several ILO instruments with provisions relevant to migrant workers' social

protection remains limited. One notable exception is the [Equality of Treatment \(Accident Compensation\) Convention, 1925 \(No. 19\)](#) which was ratified by all countries in the sub-region except The Gambia. This widely ratified convention establishes the principle of equality of treatment for "foreign workers and their dependants without any conditions as to residence" for workers who suffer personal injury due to industrial accidents.

The [Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#), the flagship ILO social security convention, sets minimum standards for all nine (9) branches of social security and explicitly enshrines the principle of equality of treatment between nationals and non-nationals (Art.68(1)). Complementing this, the [Equality of Treatment \(Social Security\) Convention, 1962 \(No. 118\)](#) recognizes the principle of equality of treatment between nationals and non-nationals and provides that ratifying States should aim to establish, through bilateral or multilateral social security agreements, the conditions for the maintenance of acquired rights and rights in the course of acquisition.

In addition, the migrant-specific ILO standards, the [Migration for Employment Convention \(Revised\), 1949 \(No. 97\)](#) and the [Migrant Workers \(Supplementary Provisions\) Convention, 1975 \(No. 143\)](#) also contain provisions promoting equality of treatment between nationals and non-nationals with respect to social security. Article 9(1) of the Convention No. 143 extends this principle to migrant workers whose status is irregular in respect of rights arising out of past employment.

⁵ ILO Toolkit on ECOWAS General Convention on Social Security.

⁶ ILO. (2024). World Social Protection Report 2024-26: Universal social protection for climate action and a just transition. Annex 1: Glossary.

⁷ The relevant UN Conventions are: 1951 Refugee Convention, 1967 Protocol to the Refugee Convention, 1963 Convention on the Elimination of All Forms of Racial Discrimination, 1966

Covenant on Economic, Social and Cultural Rights, 1979 Convention on the Elimination of All Forms of Discrimination against Women, 1989 Convention on the Rights of the Child, and 1990 Convention on the Protection of the Rights of All Migrant Workers and their Families.

As summarized in Table 2, ratification levels in the sub-region remain uneven:

- Migration for Employment (Revised) Convention, 1949 (No. 97): 3 ratifications
- Social Security (Minimum Standards) Convention, 1952 (No. 102): 8 ratifications
- Equality of Treatment (Social Security) Convention, 1962 (No. 118): 3 ratifications
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143): 7 ratifications

Expanding the ratification and effective implementation of these international labour standards is essential, as they provide a critical normative foundation for extending social protection to migrant workers and their families across the region.

Key principles relating to the right of migrant workers to social protection set out in ILO Conventions and recommendations

- ▶ **Equality of treatment** recognizes that migrant workers should have, to the extent possible, the same rights and obligations as nationals of the destination country with regard to social security coverage and social security benefits.
- ▶ **Determination of the applicable legislation** calls for the establishment of rules to ensure that migrant workers are governed by the legislation of only one country at any given moment. An employed person should normally be subject to the legislation of the country in which he or she is employed (principle of *lex loci laboris*). Exceptions to this principle are sometimes made in the case of posted workers, self-employed migrant workers and temporary migrant workers.
- ▶ **Maintenance of acquired rights and provision of benefits abroad** recognizes that migrant workers who have acquired rights in one territory should be guaranteed those rights in any of the States parties to the agreement. Under this principle, benefits payable under the legislation of one State party should be paid abroad and should not be subject to any restrictions (reduction, modification, suspension, cancellation, or confiscation) simply because the person resides in the territory of another State party.
- ▶ **Maintenance of rights in the course of acquisition** (also referred to as totalization) provides for the accumulation of qualifying periods under different national social security schemes with a view to the aggregation or totalization of periods of insurance, employment or residence that may be required for the acquisition, maintenance or recovery of rights and for sharing the costs of benefits paid.
- ▶ **The provision of mutual administrative assistance** ensures the coordination and the exchange of data and information required for the implementation of social security agreements. [KeyList] Occiam urnimovfurei publi uerternima, ne et; et facrest ellatis, ut furo urs pulictum obulvideli, nonsus lorem ipsum dolor siet amet consist.

Table 1. Ratifications of Human right instruments with provisions relevant to migrant workers and refugees' social protection

Country	The 1951 UN Convention Relating to the Status of Refugees	The 1967 Protocol amending the 1951 UN Convention Relating to the Status of Refugees	The 1963 International Convention on the Elimination of All Forms of Racial Discrimination	The 1966 Covenant on Economic, Social and Cultural Rights	The 1979 Convention on the Elimination of All Forms of Discrimination against Women	The 1989 Convention on the Rights of the Child	The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
Benin							
Burkina Faso							
Cabo Verde							
Côte d'Ivoire							
Gambia							
Ghana							
Guinea							
Guinea Bissau							
Liberia							
Mali							
Mauritania							
Niger							
Nigeria							
Senegal							
Sierra Leone							
Togo							

International Social Security Agreements

Bilateral and multilateral social security agreements are treaties that are governed by international law designed to coordinate the social security schemes of two or more countries to overcome, on a reciprocal basis, the barriers that might otherwise prevent migrant workers from receiving benefits under the system of any of the countries in which they have worked.⁸

Since the 1970s, ECOWAS Member States and Burkina Faso, Niger, Mali and Mauritania have signed several bilateral social security agreements, as shown in the Table 3 below.

Table 3. List of bilateral social security agreements

ECOWAS/WEST AFRICA		
Year	State Parties	
1971	Benin	Niger
1994	Burkina Faso	Mali
1971	Central African Republic	Niger
1971	Burkina Faso	Niger
1971	Congo	Niger
2001	Burkina Faso	Togo
1971	Chad	Niger
1987	Mali	Mauritania
1996	Mali	Senegal
1996	Mali	Togo
1971	Niger	Senegal
1971	Niger	Togo
2011	Senegal	Togo

Source: ISSA (2021)

⁸ [African Union Report on Labour Migration Statistics in Africa](#)

The ECOWAS General Convention on Social Security

The ECOWAS Member States adopted the General Convention on Social Security in **2012** as an Additional Act to the Revised ECOWAS Treaty (1993).⁹ This convention **does not require ratification**.

The establishment of the Convention was aimed at strengthening the effective implementation of the ECOWAS Free Movement Protocol and at better coordinating their national social security systems.

The convention applies to **migrant workers** who are nationals of any ECOWAS Member State and who are or have been subject to the legislation of one or more of these states; **refugees and stateless persons** who have acquired social security rights by paying contributions in the territory of a Member State and are resident there; and **members of their families and their survivors**.

The Convention includes the **nine (9) branches of social security** and guarantees the basic principles of equality of treatment and non-discrimination between nationals and non-nationals, the maintenance of acquired rights and the payment of benefits abroad and the maintenance of rights in the course of acquisition and determination of the applicable legislation. In addition, the ECOWAS Commission established a Committee of Experts on Social Security (Art.44-45) to oversee the implementation of the Convention.

⁹ The ECOWAS General Convention on Social Security was drafted in 1993, year of adoption of the Revised Treaty of ECOWAS, within the context of renewal of interest in strengthening regional integration. However, the political will which the Convention enjoyed at its inception was not maintained and this slowed down its adoption till 2004 after which it could not obtain sufficient ratifications to enable it to enter into force.

In 2011, the setting up of a technical working group supported by UNDP and driven by ECOWAS Commission gave a new impetus to the process of ratification. Representatives of Social Security Agencies of Member States, ILO, UNDP, CIPRES and IOM participated in the working group. Several meetings were held between 2011 and 2012 to revise and update the Convention so as to take into consideration the developments in national social

The Committee is mandated to address administrative and technical matters, develop model documents, facilitate information-sharing and cooperation among Member States, and raise awareness among migrant workers of their social security rights and the administrative procedures required to exercise them. These efforts are intended to complement national-level initiatives to strengthen administrative capacity.

CIPRES Multilateral Social Security Convention

The Multilateral Social Security Convention of the [Inter-African Conference on Social Insurance \(CIPRES\)](#), adopted in February 2006, aims to enhance the protection of migrant workers' social security rights within the region. CIPRES comprises eighteen Member States, of which eleven have ratified the Convention.¹⁰

The convention applies to workers, their family members and their survivors who are nationals of a State party and who are or have been subject to the social security system of one of the States parties.

It provides for both cash and in-kind benefits and covers key contingencies including old-age, disability, death, employment injury, maternity, sickness and family benefits.

The preamble of the Convention affirms the fundamental principles of equality of treatment between migrant workers and nationals of the host country, as well as the maintenance of acquired rights and rights in the course of acquisition.

security systems since the drafting of the initial document in 1993, notably on the privatization of some branches of social security, and further development of administrative arrangements needed for its implementation.

Further to its adoption in December 2012 by the Ministers in charge of Social Security, the Convention was adopted in 2013 by the Authority of the Heads of State and Government of ECOWAS, thus making it binding without being ratified by Member States.

¹⁰ The Convention has been ratified by the following States: Benin, Burkina Faso, Cameroon, Central African Republic, Congo, Mali, Niger, Senegal, Chad, Togo, and Comoros. During its January 2025 session, the Parliament of the Republic of Guinea adopted a legislation authorizing the competent authorities to proceed with the ratification of the Convention. However, the Executive Secretariat is still awaiting the formal instruments of ratification.

IPRAO Agreement

Côte d'Ivoire, Senegal, Benin, Togo and Burkina Faso are parties to the **IPRAO Agreement** signed on 27 February 1963 between the West African Pension Fund (IPRAO) and the Pension Fund for Salaried Workers of Côte d'Ivoire (Caisse de Retraite des Travailleurs Salariés de Côte d'Ivoire – C.R.T.C.I.). The Agreement entered into force on 1 April 1963. This agreement establishes coordination rules between the pension scheme of the National Social Welfare Fund (Caisse Nationale de Prévoyance Sociale – CNPS) and the pension schemes of the above countries. Its scope is limited to old age pension branch. The objective is to allow employees, irrespective of nationality, who have been employed by enterprises affiliated with the CNPS and by pension institutions in one or more of the participating countries, to aggregate their periods of employment in order to qualify for an old-age pension.

Payment Agreements

The [Caisse Nationale de Prévoyance Sociale \(CNPS\)](#) of Côte d'Ivoire also concluded bilateral payment agreements with the social security institutions of **Benin, Togo, Senegal, Niger, Burkina Faso and Mali.**

These agreements aim to facilitate the payment of social security benefits to beneficiaries who are insured exclusively under the Ivorian social security scheme and who reside in one of the partner countries. The benefits covered include employment injury benefits, old-age pension and survivors' benefits.

Legal social protection coverage of migrant workers, refugees and their families

In ECOWAS Member States, Burkina Faso, Mali, Niger and Mauritania, migrant workers generally enjoy broad legal access to social protection across all existing branches, with only limited exceptions. The main gap concerns self-employed migrant workers, who often lack legal access to social protection or are only able to participate on a voluntary basis. This situation is largely attributable to employer-liability schemes, which by definition exclude self-employed workers, as well as to their exclusion from many contributory social insurance schemes across all branches.

Below is an overview of legal social protection coverage,¹¹ based on available information, as reflected in Table 4:

- **Old Age, disability, survivor's benefits:** These three branches are grouped together as they are generally administered under the same schemes and share common legal bases across ECOWAS countries, Burkina Faso, Mali, Niger and Mauritania. Migrant workers and refugees generally have legal access to most social protection schemes across the three branches. However, self-employed migrant workers are frequently excluded. In addition, migrant domestic workers in Liberia and migrant agricultural workers in Mali are legally excluded from access to these benefits. From a financing perspective, all schemes under these branches are predominantly contributory, with one exception: Cabo Verde operates a non-contributory social assistance scheme.

- **Maternity benefits:** All countries have established a social protection scheme for maternity protection. Migrant workers and refugees are legally included in all schemes. Ten countries have a contributory social insurance scheme; seven countries – Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Nigeria and Sierra Leone – have an employer-liability scheme.¹² Guinea has two maternity schemes, one contributory and one employer-liability. Côte d'Ivoire also has two maternity schemes, both are contributory.
- **Sickness benefits:** All countries except for Burkina Faso and Senegal, have established a social protection scheme for sickness benefits. Migrant workers and refugees are legally included in all existing schemes in this branch. Most schemes in this branch are employer-liability schemes, and only five countries have social insurance schemes (in Cabo Verde, Côte d'Ivoire, Gambia, Guinea, and Guinea Bissau).
- **Work Injury benefits:** All countries have established social protection schemes for work injury and occupational diseases benefits. Migrant workers and refugees are legally included in all schemes in this branch. Most employment Injury schemes are contributory social insurance schemes, with the exception of employer-liability schemes¹³ in Benin, Gambia, Ghana, Guinea Bissau, Liberia and Sierra Leone.
- **Unemployment benefits:** Only two countries in the sub-region have established a social protection scheme for unemployment protection: Cabo Verde and Nigeria. Migrant workers and refugees, including self-employed workers, are legally included in both schemes.

¹¹ The division into 9 branches is based on the Social Security (Minimum Standards) Convention, 1952 (No. 102).

¹² Employer-liability schemes often fail to meet several core principles established by international social security standards,

such as the principles of risk sharing and solidarity in financing, predictability and adequacy of benefits.

¹³ Employer-liability schemes exclude self-employed workers.

- **Family allowances:** In the sub-region, not all countries have established a social protection scheme for family allowances. There is no such scheme in The Gambia, Ghana, Liberia, Nigeria, and Sierra Leone. Where family allowance schemes do exist, they are all contributory social insurance schemes, and migrant workers and refugees have legal access to them. These schemes operate in Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Senegal, and Togo. However, self-employed migrant workers are covered only in Cabo Verde, Guinea Bissau, and Togo, and on a voluntary basis in Mali.
- **Healthcare:** Healthcare coverage schemes are widely established across ECOWAS Member States, Burkina Faso, Mali, Niger, and Mauritania, but the legal basis and inclusiveness for migrant workers vary. A visual representation of this information is provided in Table 4. Key patterns observed:
 - i) **Predominance of contributory schemes:** In most countries, healthcare coverage is provided through mandatory contributory (MC) social insurance schemes. This is the case in Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Ghana, Guinea, Mali, Mauritania, Niger, Senegal, and Togo.
 - ii) **Limited non-contributory coverage:** Non-contributory (NC) healthcare schemes appear in several countries (e.g. Benin, Burkina Faso, Côte d'Ivoire, Ghana, Mali, Senegal, and Togo), but these schemes do not systematically guarantee legal inclusion of migrant workers, and in some cases, migrants are explicitly excluded.

Table 4. Legal social protection coverage in ECOWAS Member States, Burkina Faso, Mali, Niger and Mauritania – 9 branches

	Old Age	Disability	Survivor's	Maternity	Sickness	Work Injury	Unemployment	Family Allowances	Healthcare			
Benin												
Burkina Faso									MC		NC	
Cabo Verde									NC	V	NC	
Côte d'Ivoire									MC	MC	NC	
Gambia												
Ghana									MC		NC	
Guinea									MC			
Guinea Bissau												
Liberia												
Mali									MC	NC	V	
Mauritania									MC			
Niger									NC			
Nigeria									NC	MC	RF	NC
Senegal									NC		MC-V*	
Sierra Leone												
Togo									MC		NC	

MC: mandatory contributory; NC: non-contributory ; V: voluntary contributory; EL: employer-liability; RF: Régime des fonctionnaires – Specific scheme for civil servants (in most countries these schemes exclude non-nationals)

	Migrant workers legally included
	Migrant workers legally included in employer-liability schemes
	Migrant workers not legally included
	No scheme

*Senegal has several mandatory contributory schemes, as well as two voluntary schemes, for health care, which legally cover non-nationals

Potential work areas discussed with ECOWAS

Starting in March 2025, ECOWAS proposes a set of actions to support the implementation of the General Convention on Social Security and to guarantee access to social protection for migrant workers, refugees and their families in the subregion. These actions would be carried out with ILO support within the framework of the FMM (West Africa) II Project,¹⁴ funded by the European Union, and include the following:

- ▶ Reactivation of the Committee of Experts on Social Security, including nomination of new members.
- ▶ In-house training for ECOWAS staff on the ECOWAS General Convention on Social Security, with the involvement of relevant ECOWAS institutions and stakeholders, including directorates responsible for education, agriculture, statistics, free movement, private sector, the ECOWAS Parliament, the ECOWAS Court of Justice, and social partners (FOPAO, the ECOWAS Federation of Chambers of Commerce and Industry (FEWACCI), and the Organisation of Trade Unions of West Africa (OTUWA)). Initial activities may include:
 - ▶ Refresher training based on the existing ILO ECOWAS: A Capacity Building toolkit
 - ▶ Training on the Social Security Inquiry (SSI) module on migration
- ▶ Preparation of a draft action plan or road map based on the review of legal social protection coverage for migrant workers, refugees, and their families in the subregion.
- ▶ Awareness-raising activities including the use of ECOWAS radio, information sheets, and existing communication material and brochures on the ECOWAS General Convention on Social Security.

Other potential areas of work for discussion

- ▶ Assessment of the degree of **implementation of the ECOWAS General Convention on Social Security** including good practices, remaining challenges and recommendations for further progress;
- ▶ Deepening knowledge on **effective access** to social protection benefits at the national level;
- ▶ Further analysis of practical **barriers** faced by migrant workers, refugees and their families in accessing social protection in ECOWAS Member States, Burkina Faso, Mali, Niger and in Mauritania;
- ▶ **Awareness-raising and capacity-building** to promote wider ratification of relevant ILO Conventions and the effective implementation of those already ratified; Capacity-building for staff of the national social security institutions on administrative procedures related to the application of the Convention;
- ▶ Sensitization of migrant workers about their rights and the procedures required to effectively claim and enforce those rights.

¹⁴ [Support to Free Movement of persons and Migration in West Africa, Phase II \(FMM West Africa II\)](#)