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**THE CONTRIBUTION OF CIVIL SERVANTS
IN GUARANTEEING THE FUNDAMENTAL RIGHTS
OF MIGRANTS THROUGH THE EFFICIENT APPLICATION
OF INTERNATIONAL SOCIAL SECURITY AGREEMENTS**

The increasingly diverse migration, caused by the current situation in the region, constitutes an international challenge in ensuring the fundamental rights of migrants. One of the fundamental human rights stipulated in The Universal Declaration of Human Rights is the right to social security. The internal mechanisms of the state are not always effective in guaranteeing social security rights for migrant workers, so the international community pays increased attention to this topic. The most effective of the international mechanisms for social security of migrants are the international bilateral social security agreements. The subject related to the negotiation of bilateral social security agreements is found on the foreign policy agenda of every contemporary state. The topicality and importance of the topic addressed can be assessed through the prism of the branches of international law dedicated to the social security of migrants, and starts from the intention of states to expand the levers for guaranteeing social rights to all citizens. The purpose of the article is to illustrate the mechanisms for ensuring fundamental human rights among migrants, by applying the provisions of bilateral social security agreements, and the role of civil servants in the application of social security treaties, as well as their contribution to ensuring the fundamental rights of migrants. In order to create a general perception of the field of social security for migrants by applying the international regulatory framework, several research tools and methods are used, including:

the method of document analysis, the comparative method, the descriptive method, the analytical method, the method of deduction and induction. Researching scientific works and social phenomena through a multitude of methods has allowed us to understand the role of a social security system in contemporary society, the benefits offered to migrants as a result of social security agreements have been analyzed, and the idea has been deduced that the state, through its authorities and civil servants, is the only legal guarantor of its citizens.

Social insurance is defined as a set of legal regulations aimed at ensuring the state of social security at the population level, especially among vulnerable people. Social insurance is the activity of the state that covers the process of formation and development of the human personality, creating favorable conditions for individual and collective evolution [1, p. 8].

In the international context, social security policies are found in agreements, conventions, recommendations, standards, policies, pacts and other international norms concluded between states or approved by them. The international normative framework on social security is nothing more than a cross-border practice of insuring the migrant population, by guaranteeing fundamental human rights. By concluding or ratifying these international norms, the state undertakes to protect its citizens, regardless of their residence [2, p. 309]. Bilateral social security agreements are formal treaties that help coordinate social security systems between contracting countries. The main purpose is to help people migrate from one country to another while obtaining or maintaining their due social security benefits. Social security treaties, also called totalization agreements, have two objectives: to eliminate the double payment of social security contributions, with contributions being paid only in the country where the activity is carried out or in the country of residence, and another objective being to guarantee social security rights for citizens who have carried out short periods of activity in several states [3].

The objectives and principles of these international treaties are similar but not identical, each bilateral agreement being a separate legal instrument. An international social security agreement coordinates the application of national laws, and does not modify them. In principle, an international agreement does not refer to or cover the field of social

assistance and medical or health insurance [4]. Bilateral agreements promote the free movement of persons and encourage labor mobility. Each signatory state keeps its national social security regime intact, but the agreements impose certain rules: equal treatment between residents and migrants; recognition of work performed on the territory of both parties and application of applicable legislation; granting and payment of social security rights without deviations. Bilateral social security agreements aim to promote the free movement of persons and, therefore, provide for the coordination of the social security legislation of the states. They provide for it in such a way that persons moving from one state to another are not subject to any penalties [5, p. 24].

There are two principles underlying bilateral social security agreements. We distinguish agreements based on the principle of territoriality and agreements based on the principle of proportionality. If the financing of social security payments is carried out by the contracting party on whose territory the beneficiary resides, then an agreement based on the principle of territoriality is applied. The main element of the payment of benefits being linked to the residence or domicile of the beneficiary. The main distinguishing feature of agreements based on the principle of territoriality is that they provide for the guarantee of all social benefits: social security payments as well as uninsured social assistance payments [6, p. 45]. Agreements based on the principle of proportionality involve the distribution of social security payments according to the contribution period completed in the territory of each party. In order to benefit from the payment of benefits, the beneficiary, as a rule, is not obliged to reside in the territory of the state paying the benefit. The principle of proportionality is considered to be fair and correct in the matter of social security, because the benefit will be calculated according to the contributions paid by each person. Agreements based on the principle of proportionality guarantee the export/ transfer of benefits on the territory of the state party to the agreement. Thus, impediments to the mobility of beneficiaries are eliminated [6, p. 45].

Both the guarantee of social security rights for migrants and the implementation of all administrative procedures related to the negotiation and application of bilateral social security agreements are the responsibility of public authorities and the officials employed in these

authorities. Ensuring performance within public authorities requires the involvement of a body of capable civil servants knowledgeable of international practices. The achievement of efficient governance is determined by the activity of civil servants and the professionalism they demonstrate in the exercise of public office, especially in the current conditions. It is very important that civil servants involved in administrative processes related to the application of international social security agreements are aware of and responsibly fulfill their duty to serve society and focus on achieving the general interest [7, p. 195]. In carrying out tasks related to guaranteeing social security rights to migrants, civil servants need to demonstrate professionalism and objectivity. Professional activity involves fulfilling service tasks by applying theoretical knowledge and using acquired practical skills. The contribution of civil servants in guaranteeing social security rights to migrants can be extremely valuable if public sector employees perform their service duties with dedication. The application of international social security agreements involves the involvement of civil servants who possess a rich knowledge base in national legislation, in international cooperation and communication practices, and the implementation of modern technologies in the provision of public services. The impact of the level of knowledge and skills of civil servants is directly proportional to the effective application of international social security agreements. In this regard, the authorities responsible for the social security of migrants practice the recruitment of civil servants according to professionalism criteria, since the spectrum of knowledge possessed at the time of employment guarantees a productive accomplishment of tasks in very limited terms. Civil servants represent the human resources of public administration, which, together with the material and financial ones, ensure the conditions for the functioning of the state. At a time when Eastern European states aspire to protect their territorial integrity and the lives of their citizens, the role of civil servants is of crucial importance in achieving this goal. The massive waves of migration caused by the war in Ukraine require states to guarantee all citizens fundamental rights, including social security. For citizens migrated due to the danger posed by war, states have the responsibility, through civil servants, to negotiate and implement as many social security agreements as possible, so that

migrated citizens benefit from the right to social security, regardless of their domicile or residence.

In conclusion, we reiterate that the success of achieving the general interests of the state by public authorities depends on the professional qualities, skills and will of civil servants participating in administrative processes, on the extent of each civil servant's involvement in achieving the interests of citizens, and the guarantee of social security rights of migrants in the current unfavorable conditions can be ensured through the efficient application of international social security agreements by a body of professional and knowledgeable civil servants, who ensure interaction with citizens and their problems.

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