

an international perspective



Simone van Trier

Chairwoman

Programme

09.30	Diana Starmans
09.40	Paul Schoukens
10.00	Anne Pieter van der Mei and Luka Mišič
10.30	Ane Aranguiz and Maarten Bouwmeester
11.00	Coffee break
11.30	Gijsbert Vonk and Eleni De Becker
12.00	Frank Robben
12.30	Angela Liebregts and Eva van Ooij
12.45	Handover of Publication to Simon Sibma
13.00	Lunch
14.00	Workshops
15.15	Break
15.30	Panel discussion
16.15	Closure

Diana Starmans

Member of the Board of Directors Sociale Verzekeringsbank



The changing world and social security

Paul Schoukens

Professor at the Faculty of Law at KU Leuven Secretary-General of the European Institute of Social Security Institute Gak chair International and European social security Law at Tilburg University





Living and Working (Across Borders) in 2035

Future challenges for social security

Living and Working (across Borders) in 2035

- Future developments of social security (administrations)
 - Young academics in discussion with senior academics
 - The role of income in social security (E. De Becker S. Bekker)
 - A changing world of work (A. Aranguiz E. Brameshuber/P. Schoukens)
 - Digitalization in the world of work (J. Vallistu Y. Jorens)
 - Mobility and migration (M. Bouwmeester A.P. van der Mei)
 - Changing family compositions (L. Mišič G. Vonk)
 - Interviews leading administrators & academics
 - → 10/11 challenges



1. Increasing Mobility and Changing Work Patterns

- IT gives new impetus to mobility → virtual mobility
- Mobility of 2nd degree
 - 'mobility of the workplace'
- Problematic for *lex loci laboris*, starting from a fixed geographical place of work
- In addition: growing mobility of residence/stay
- Additional flows of mobility (immigration third-country nationals/non-active EU citizens)
- New procedures in coordination new coordination rules new application/control systems?



2. Increasing Flexibility in Work Arrangements

- Growing group of non-standard work
- Soc security system (still?) organized around standard work
 - Quid administrative processes?
 - E.g. role of the employer employer in flexible work forms?
 - Time income thresholds etc.
- Challenge of multiple flex work forms
- Gig Activity Work



3. Adapting Social Security Financing for the Changing Income Landscape

- Traditional income concept is changing
 - Wage?
 - Professional income (SE)?
 - Other income sources
 - Part of financial basis?
 - Part of calculation basis for benefits?
- Growing group of SE
 - Income basis
 - Declaration of income
 - Income fluctuations
 - SE in legal entities
- Social security and tax
- Position of employer
- → Challenge both for system design and administrative application



4. Changing Social Risks

Macro-evolution of system towards 'crisis-related' system (type COVID-19)

New risks? Ecological risk/scheme in social security?

- Or changing contents of existing schemes
 - Due to ecological impact
 - Digital evolutions
 - New family compositions



5. Harmonized Concepts for Enhanced Cross-border Cooperation

Definition of concepts in cross-border setting

Need for more harmonization of concepts

- European (coordination) interface?
 - See experience B Crossroads Bank in national setting

6. New Communication Strategies

- Changing communication between citizen and administrations
 - Default: digital?
 - Still need for traditional human contact (danger for exclusion)
 - Changing nature of communication with changing position of direct human contact

From negative to positive sanctioning approach

Challenges mass communication



7. More Transparency in Administrative Processes

- Data transfer, matching, use of Al
 - More proactive administrative processes
 - Automated benefit delivery
 - Fraud detection
 - Policy developments
- Growing (alleged) tension(s) with privacy protection
- Clear policy and relation between use IT, data transfer and privacy protection
- Cfr. origin Belgian Crossroads Bank



8. New Human Resources Strategies to Embrace the Digital Transformation

AI, chat GPT → human resources under threat?

• Quid in (social security) administrations?

- More likely evolution to new positions/work
- Forecast and assessment for future needs of HR

9. A Stronger Social Europe

- Coordination needs more harmonized concepts
- Coordination is no longer sufficient
 - "first and second circles of solidarity" (residence directives)
 - Minimum standards
 - SURE (collective action in social field), e.g. in case asymmetrical shocks
- Europe is a stronger/bigger player on international scene with growing power of (some) multinationals
 - See past COVID-19 crisis
 - Power position of some multinationals
 - Digital social security (E. Weber)
- Globalization → growing amount of transnational cases



10. Structured Migration Policy for Third Countries

Stronger need for (more) immigration/third-country nationals?

Clear policy?

Need for better accommodation but also coordination!

Coordination cases may grow more complex

11. Fundamental Protection Against Change in Social Security

Fundamental rights to social security (in broad sense)

- Not so much social security but more 'protection against change'
- May lead to more complex systems → more complicated administration

Challenges for social security explained from four different perspectives

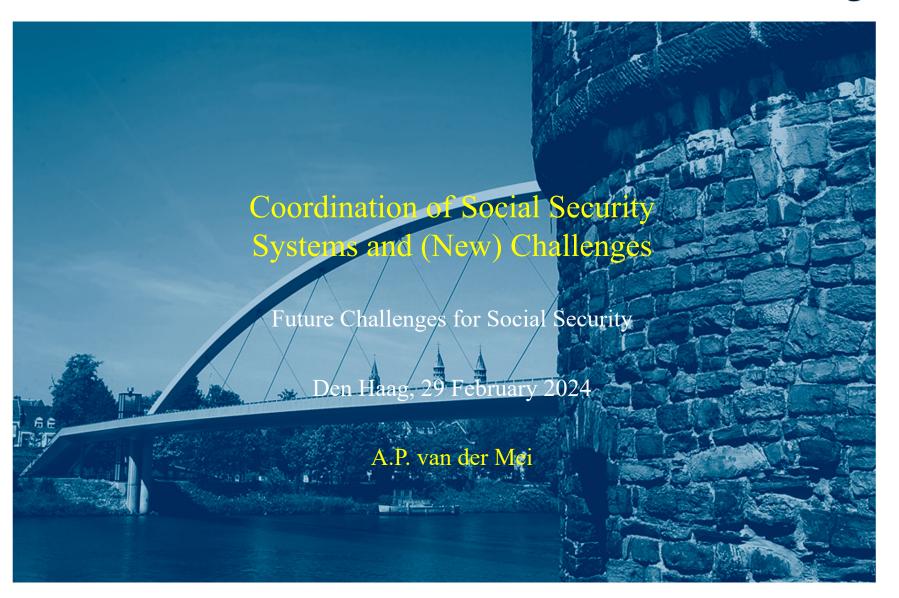
Anne Pieter van der Mei

Professor at Maastricht University

Luka Mišič

Assistant professor at the University of Ljubljana

Leading in Learning



New Challenges for the Conflict Rules					
Conflict rules	Art.11(3)(a): lex loci laboris Art.12: posting		Art.13: multi-state rules Art.16: deviation by agreement		
Challenges	Flexibilisation, digitalization, globalization/expansion of the labour market				
	Legal uncertainty, switches and decrease in protection, abuse and forumshopping,				
	Protecting rights and capacity of administrations				
Telework					
Framework agreement on	Cross-border telework:	Carried out in a MS other than place of employer's premise			
the application of Art.16		Based on information technology			
	Habitual teleworker may request to be covered by legislation of MS where employer is registered provided less than 50% is worked from home				
	Framework agreements as an a new form of regulating?				

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Highly mobile workers

Problem of the lex loci laboris	From day one a switch in the applicable legislation
	Ping-pong effect
	Mini jobs
How to solve it?	Re-interpret Arts. 12 and 13
	Art.16 agreements
	Ignore marginal activities?

Employment Outside the EU – What is the
competent EU State?

competent EU State:				
C-60/93 Aldewereld	Employment and the sufficiently close link to EU territory			
C-631/17 SF	Safety net provision of Art.11(3)(e) 883/2004: State of residence			
C-372/20 <i>QY</i>	State of employment			
C-743/23 <i>GKV-</i> Spitzenverband	A works 16% in Germany, 16% in Switzerland, 68% in third countries	A resides in Germany		
	What is the competent	State?		

From State of employment to State of residence principle?

Family benefits

C-328/20 *Commission v Austria*: No indexation of family benefits

Question: why are family benefits at all exportable?

Discrimination?

Lex loci laboris for residence-based systems?

Ane Aranguiz

Assistant Professor at Tilburg University

Maarten Bouwmeester

Ph.D. candidate at University of Groningen.





The social purpose v poverty & inequality trends

○1957 – Treaty of Rome

"The Community's mission is to [promote an] accelerated rise in the standard of living"

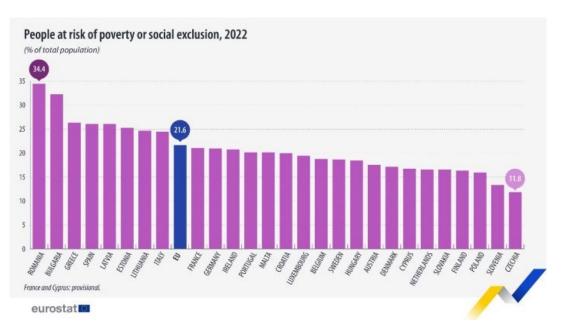
○2007 – Treaty of Lisbon

the well-being of its peoples//a highly competitive social market economy, full employment and social progress,

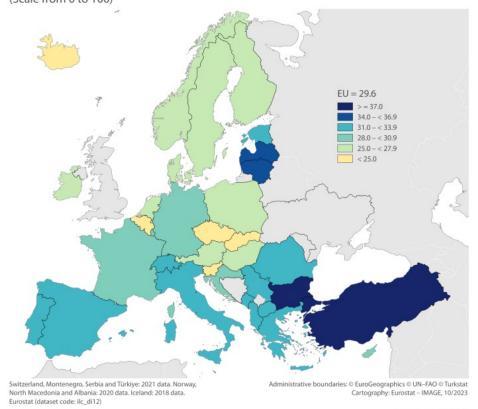
combat social exclusion and discrimination, and shall promote social justice [..]

"To promote economic and **social progress [through]** the creation of an area without internal frontiers [,]the **protection of the rights** trough the **introduction of a citizenship of the Union**

Gini coefficient for equivalised disposable income per inhabitant, 2022 (Scale from 0 to 100)



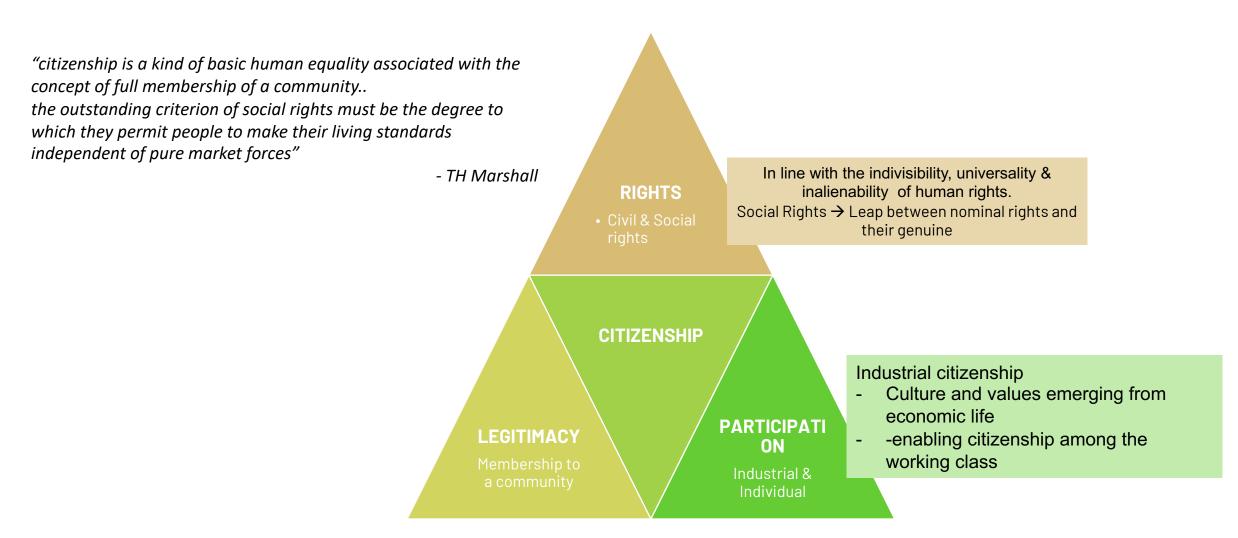
Need to reconceptualize EU citizenship?





eurostat 🖸

Citizenship Dimensions





EU Citizenship Dimensions

Isopolitical

Horizontal rights → The right to enter a new political community → Free movement

- · Mobile + economically active
- · Work intensity, and income thresholds
- >3% of EU citizens
- · Categories of citizens and administrative burdens

Sympolitical

- · Vertical rights
- · Common authority for all community members
- EU: Not citizenship linked social right
- Underdeveloped

Increasing internationalization

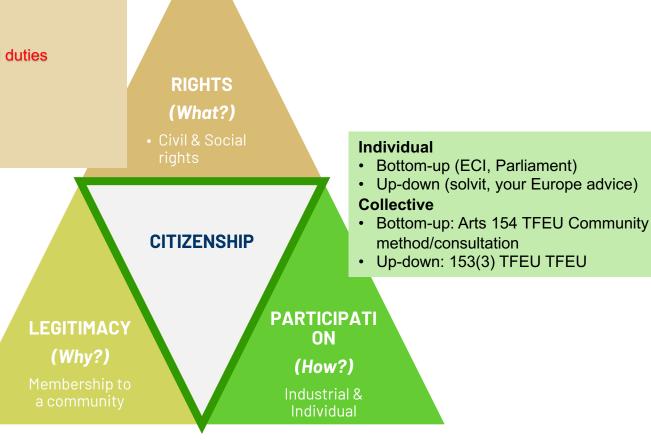
• Free movement, remote work, common market...

Fundamental rights as the milestone of EU legitimacy

- community & legitimacy to act
- (Art 2, 3 & 6 TEU):

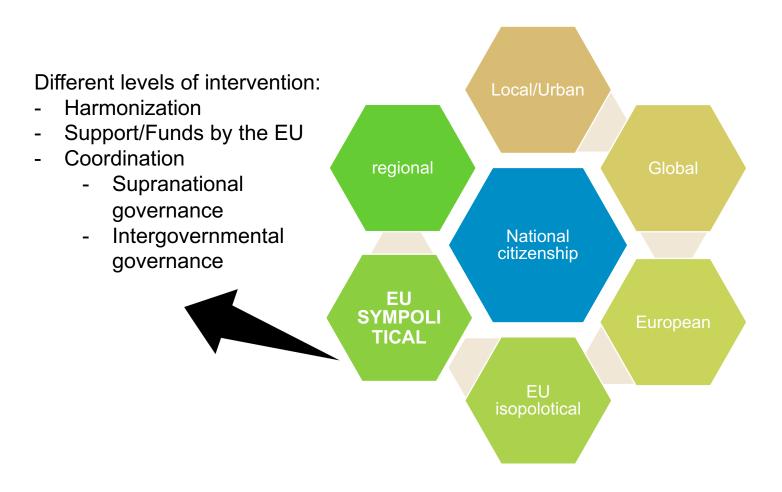
Free movement & the internal market

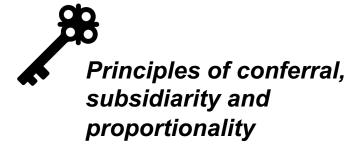
• (Art 3 TEU) 'social market economy'





Multilevel/ 'nested' citizenship







Discussion





Future-proof social security from an international perspective

Eleni De Becker

Assistant Professor at Vrij Universiteit Brussel

Gijsbert Vonk

Professor of social security law at University of Groningen

Navigating between policy choices and fundamental social rights

- Challenge 11 Ensuring fundamental protection against changes in social security amidst growing complexity of systems
- Trends in national/international and EU case law
 - Protection against change
 - Minimum protection
- **Why** do we need fundamental (social) rights?
 - Lay down a common set of values
 - Giving body to the notion of **dignity** and (social) **citizenship**
- Every power has a role to play? (idea of "checks and balances")
 - In particular: (multi-level) policy-making



Like a bridge over troubled water Gijsbert Vonk



The right to social security
Between political populism &
technocratic autism

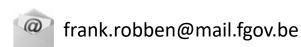
- 1. Rational policy (evidence based)
- 2. Pluriformity: no arbitrary exclusions or discriminatory practices
- 3. Elavation instead of repression
- 4. Democratic and transparent governance instead of leadership cult
- 5. Human dignity as a final test

Future-proof social security from an international perspective

Frank Robben

General manager of the Crossroads Bank for Social Security

Proper digitisation as a critical success factor for effective and efficient social protection and health care





https://www.frankrobben.be https://www.ksz.fgov.be https://www.ehealth.fgov.be

About me (°1961)

- education: law, ICT, ICT auditing, management, personal coaching
- professional activities
 - Crossroads Bank for Social Security
 - 1986-1991: originator as an advisor to the Minister of Social Affairs and the Prime Minister
 - since 1991: CEO
 - Data Protection Authority
 - 1991-2022: external member
 - Federal Ministry of ICT
 - 2000-2001: originator as an advisor to the Minister of ICT (ao conception of electronic identity card)
 - Smals (non for profit operational ICT association of public institutions of social security and health)
 - since 2004: CEO (ao originator of G-Cloud initiative)
 - eHealth platform
 - 2007-2008: originator as an advisor to the Minister of Public Health
 - since 2008: CEO
 - 2020-2021: enterprise architect of Belgian information systems to fight the COVID-19 pandemic (testing, tracing, vaccination) and contributor to development of components on EU and WHO level





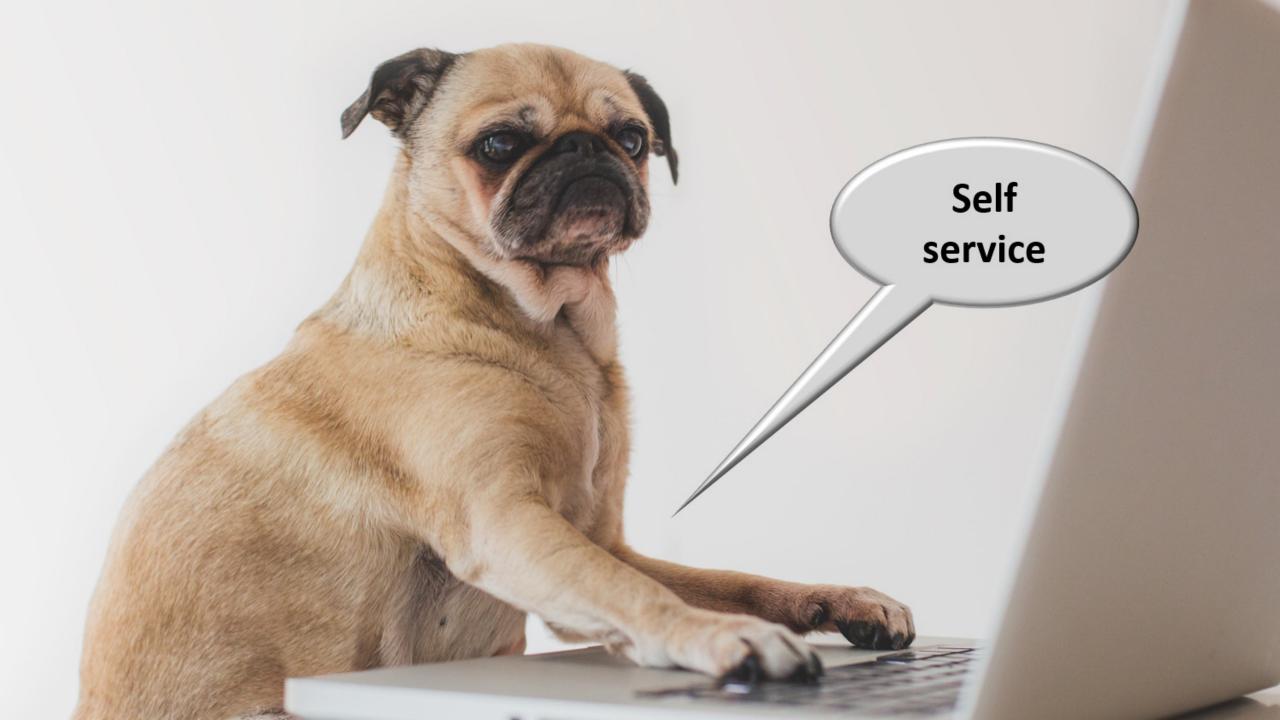




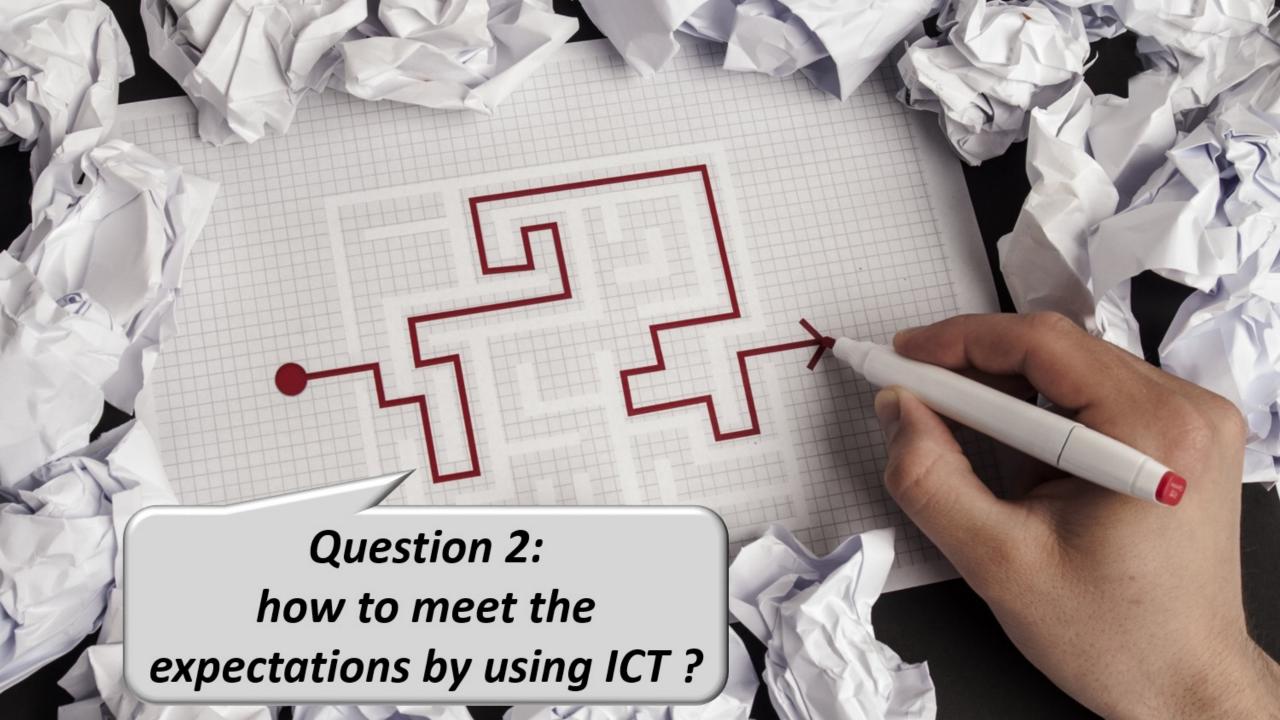






















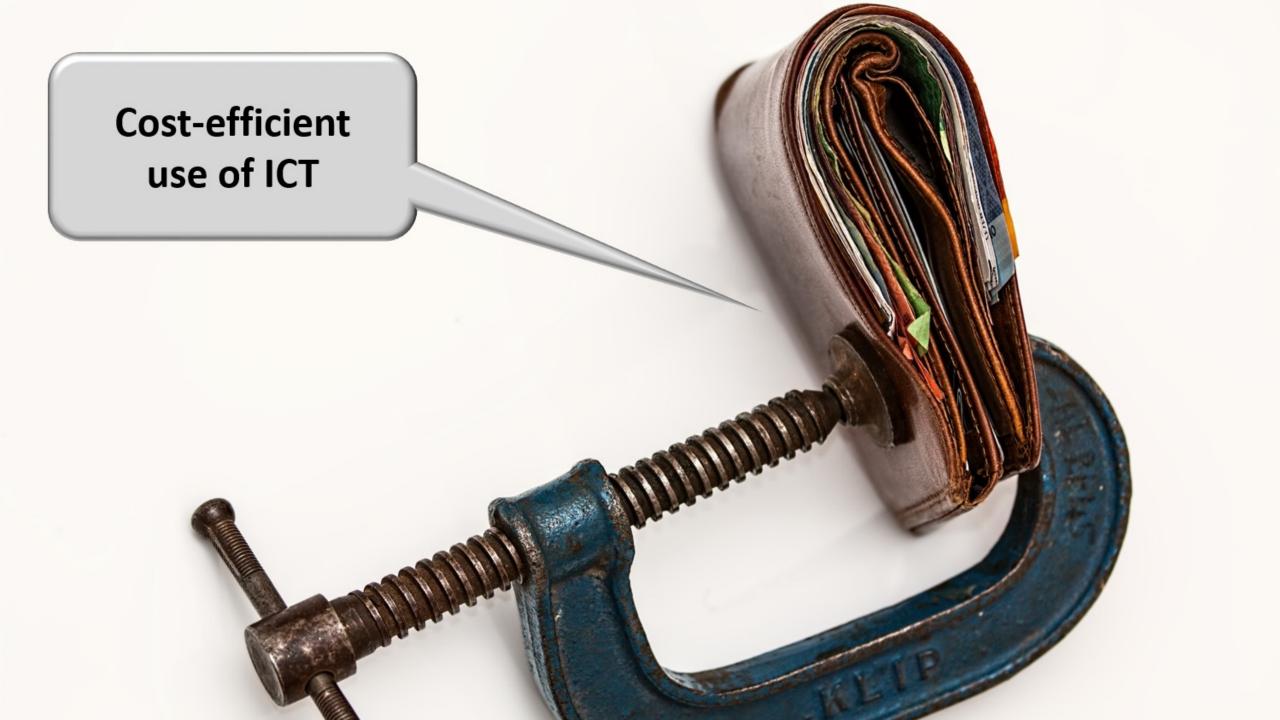


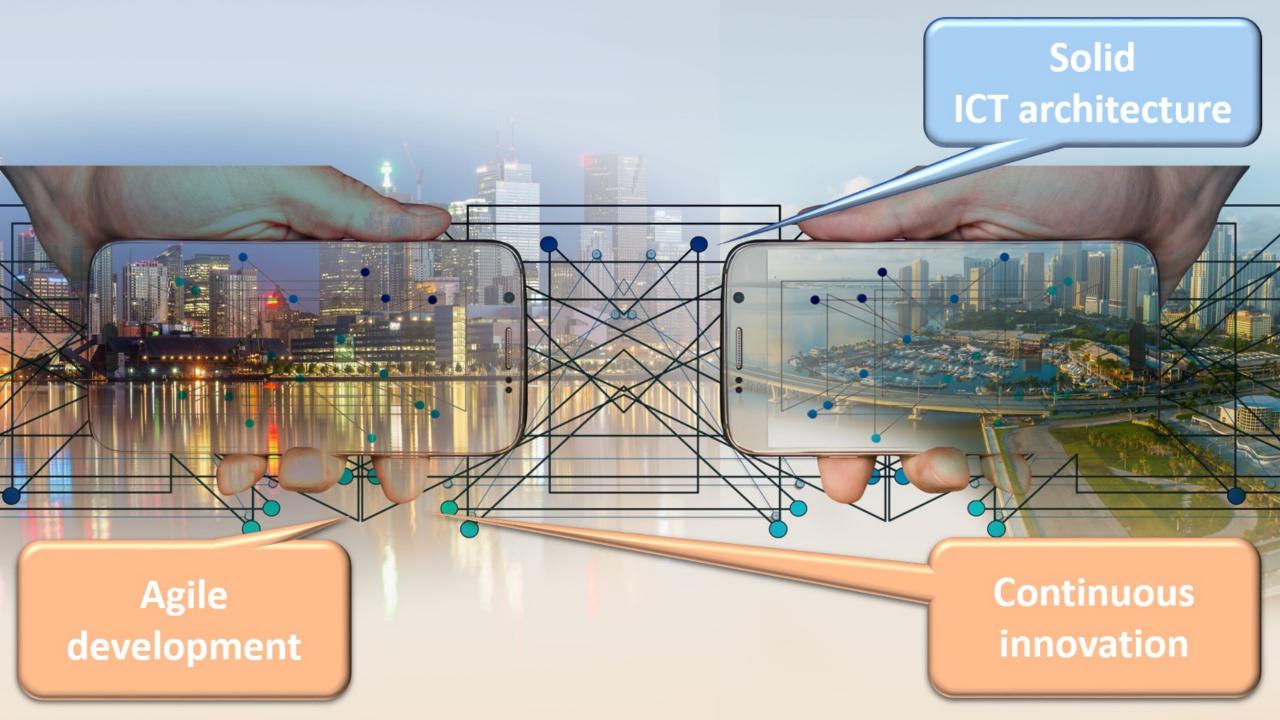


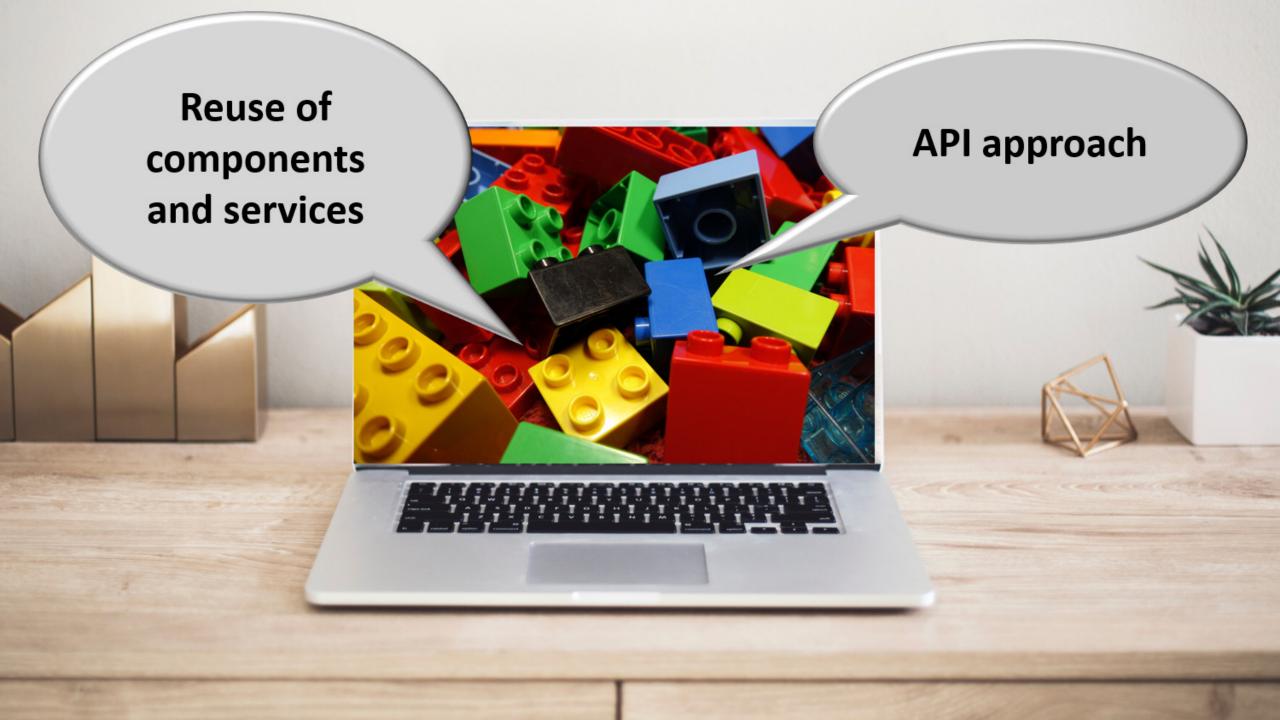


























Application in the Belgian social sector

Stakeholders of the Belgian social sector

- > 11,700,000 citizens
- > 230,000 employers
- about 3,000 public and private institutions (actors) at several levels (federal, regional, local) dealing with
 - collection of social security contributions
 - delivery of social security benefits
 - child benefits
 - unemployment benefits
 - benefits in case of incapacity for work
 - benefits for the disabled
 - re-imbursement of health care costs
 - holiday pay
 - old age pensions
 - guaranteed minimum income
 - delivery of supplementary social benefits
 - delivery of supplementary benefits based on the social security status of a person

Results

- no central data storage, but an agreed division of tasks between the actors within and outside the social sector with regard to collection, validation and management of information and with regard to electronic storage of information in authentic sources
- a network between all 3,000 social sector actors with a secure connection to the internet, the federal MAN, regional extranets, extranets between local authorities and the Belgian interbanking network
- a unique identification key
 - for every citizen
 - for every company
 - for every establishment of a company

Results

- 220 electronic services for mutual information exchange amongst actors in the social sector, defined after process optimization
 - nearly all direct or indirect (via citizens or companies) paper-based information exchange
 by > 800 paper forms between actors in the social sector has been abolished
 - in 2023, > 1,81 billion electronic messages were exchanged amongst actors in the social sector, which saved as many paper exchanges
- electronic services for citizens
 - maximal automatic granting of benefits based on electronic information exchange between actors in the social sector
 - 29 electronic services via an integrated portal and/or mobile applications

Maximum automatic granting of additional rights

- 'social statute' for about 2 million citizens in Belgium
 - limited income
 - handicap, physical or mental disability
 - child with special needs
- citizens with social statute receive 'additional rights'
 - social rate for gas, electricity, water, telecom
 - public transport
 - housing
 - tax reduction, free waste collection
 - reduction for socio-cultural activities, sports

— ...

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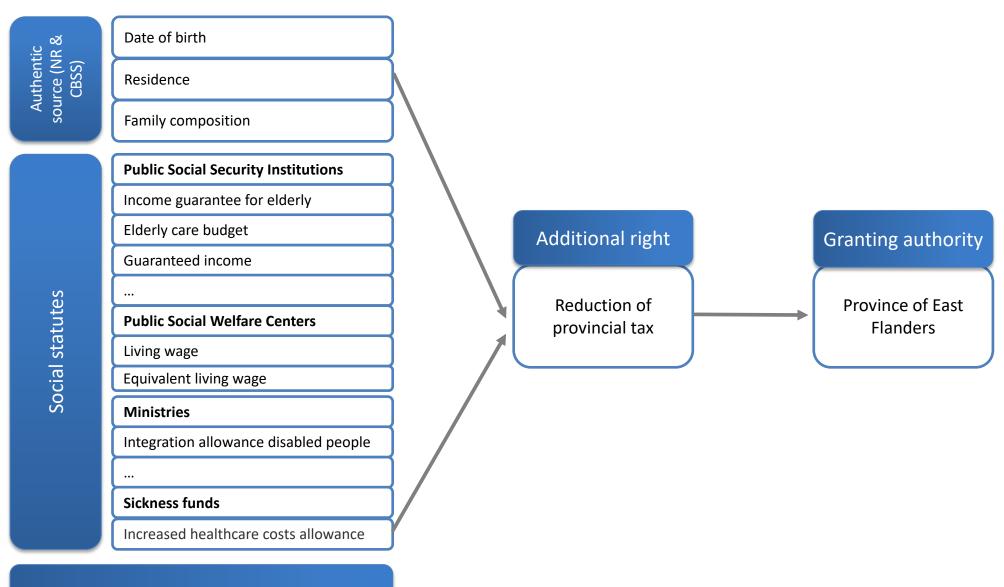
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Principles

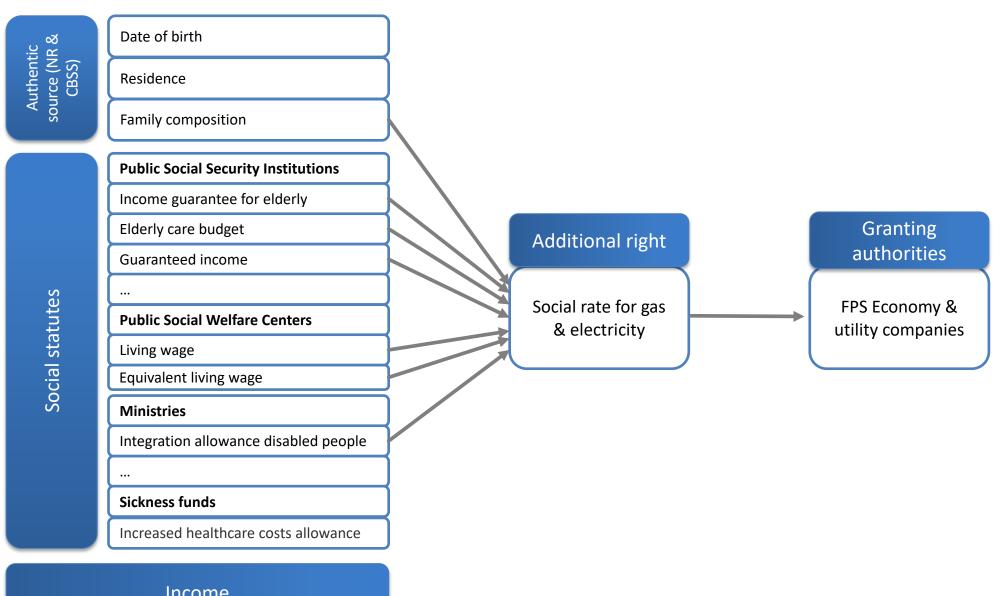
- factual information available from one or more actor(s) is made available to other actors who, on that basis, automatically grant rights to the citizen without him/her having to submit an application for this
- standardized services to respond as much as possible to information requests and avoid/reduce multiple developments, both for the data providers (authentic sources) and for the entities granting benefits
- reduction in
 - the number of statutes used and their complexity
 - data exchanges
 - the number of administrative formalities and paper certificates requested from this vulnerable population group

5

Lego brick philosophy



Lego brick philosophy



MyBenefits

- mobile app & web application
- which allows citizens to consult and prove their social statuses on the date of the day itself in order to assert their rights with the various authorities that grant additional benefits
- which allows the awarding authority to verify the social statutes
 - actors who typically do not cooperate directly with the CBSS (e.g. sports, child care, museums, leisure centers, amusement parks, etc.)
 - actors who do not (yet) have an automatic data flow (e.g. pro bono legal assistance, municipal tax reduction, ...)
- which allows authorities granting additional benefits in the culture, sports and entertainment sector to report them, and citizens to consult them

Citizen - consult & create code





Professional - consult





Professional - result



Results

- more than 50 electronic services for employers, either based on the electronic exchange of structured messages or via an integrated portal site
 - 50 social security declaration forms for employers have been abolished
 - in the remaining 30 (electronic) declaration forms the number of headings has on average been reduced to a third of the previous number
 - declarations are limited to 3 events
 - immediate declaration of recruitment and discharge (only electronically)
 - quarterly declaration of salary and working time (only electronically)
 - occurrence of a social risk (electronically or on paper)
 - in 2023, more than 45 million electronic declarations were made by all 230,000 employers, 98 % of which from application to application

Results

- an integrated portal site and mobile applications containing
 - electronic transactions for citizens, employers and professionals
 - simulation environments
 - information about the entire social security system
 - harmonized instructions and information model relating to all electronic transactions
 - a personal page for each citizen, each company and each professional
- an integrated multimodal contact centre supported by a customer relationship management tool
- a data warehouse containing statistical information with regard to the labour market and all branches of social security

Useful tool: the reference directory

- reference directory
 - directory of available services/information
 - which information/services are available at any actor depending on the capacity in which a person/company is registered at each actor
 - directory of authorized users and applications
 - list of users and applications
 - definition of authentication means and rules
 - definition of authorization profiles: which kind of information/service can be accessed, in what situation and for what period of time depending on in which capacity the person/company is registered with the actor that accesses the information/service
 - directory of data subjects
 - which persons/companies have personal files at which actors for which periods of time, and in which capacity they are registered
 - subscription table
 - which users/applications want to automatically receive what information/services in which situations for which persons/companies in which capacity

Common vision on information management

- information is being modelled
 - in such a way that the model fits in as closely as possible with the real world
 - in order to allow multifunctional use of information
- information is collected from citizens and companies only once by the public sector as a whole
 - via a channel chosen by the citizens and the companies
 - preferably from application to application
 - and with the possibility of quality control by the supplier before the transmission of the information
- the collected information is validated once
 - according to established task sharing criteria
 - by the actor that is most entitled to it or by the actor which has the greatest interest in correctly validating it

Common vision on information management

- a task sharing model is established indicating which actor stores which information as an authentic source, manages the information and maintains it at the disposal of the authorized users
- information can be flexibly assembled according to ever changing legal concepts
- every actor has to report probable errors of information to the actor that is designated to validate the information
- every actor that has to validate information according to the agreed task sharing model, has to examine the reported probable errors, to correct them when necessary and to communicate the correct information to every known interested actor
- once collected and validated, information is stored, managed and exchanged electronically to avoid transcribing and re-entering it manually

Common vision on information management

- electronic information exchange can be initiated by
 - the actor that disposes of information
 - the actor that needs information
 - the organisation that manages the interoperability framework
- electronic information exchanges take place on the base of a functional and technical interoperability framework that evolves permanently but gradually according to open market standards, and is independent from the methods of information exchange
- available information is used for
 - the automatic granting of benefits
 - prefilling when collecting information

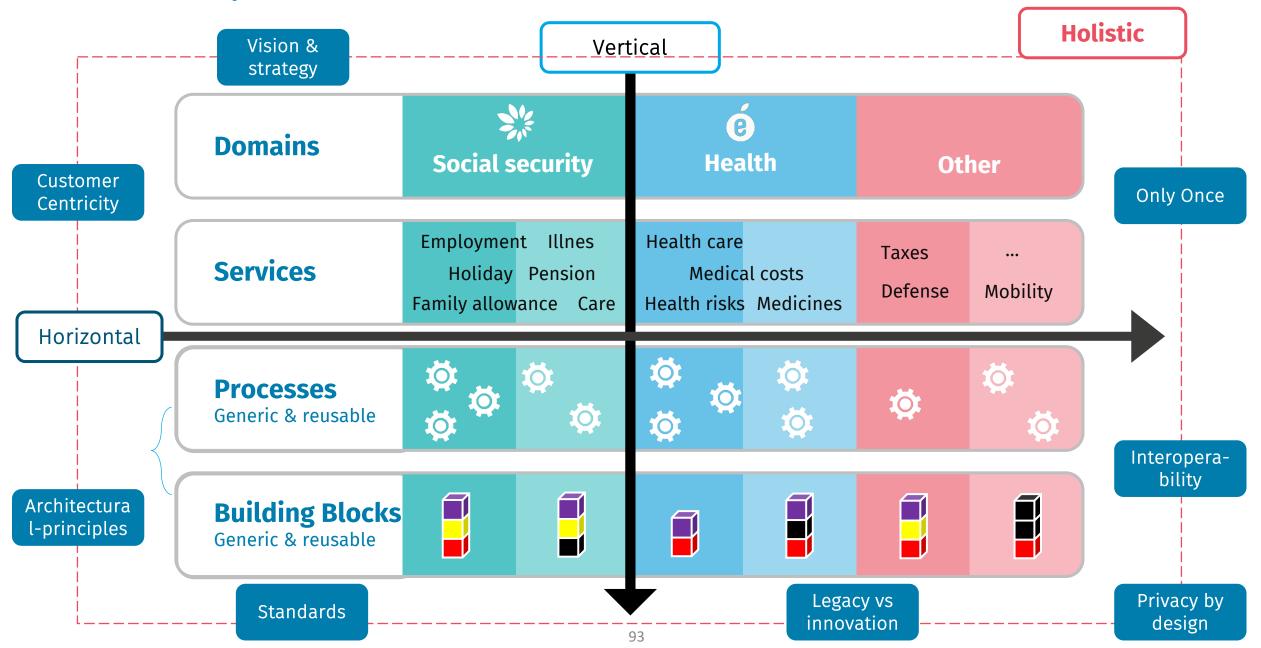
Common vision on information security

- security, availability, integrity and confidentiality of information is ensured by integrated structural, institutional, organizational, HR, technical and other security measures according to agreed policies
- personal information is only used for purposes compatible with the purposes of the collection of the information
- personal information is only accessible to authorized actors and users according to business needs, legislative or policy requirements
- the access authorization to personal information is granted by an Information Security Committee, designated by Parliament, after having checked whether the access conditions are met
- the access authorizations are public

Common vision on information security

- every actual electronic exchange of personal information has to pass an independent trusted third party and is preventively checked on compliance with the existing access authorizations by that trusted third party
- every actual electronic exchange of personal information is logged, to be able to trace possible abuse afterwards
- every time information is used to take a decision, the information used is communicated to the person concerned together with the decision
- every person has right to access and correct his/her own personal data
- every actor in the social sector disposes of an information security officer with an advisory, stimulating, documentary and control task

Enterprise architecture on national level: framework



Advantages

- gains in efficiency
 - in terms of cost: services are delivered at a lower total cost due to
 - a unique information collection using a common information model and administrative instructions
 - a lesser need to re-encoding of information by stimulating electronic information exchange
 - a drastic reduction of the number of contacts between actors in the social sector on the one hand and companies or citizens on the other
 - a functional task sharing concerning information management, information validation and application development
 - a minimal administrative burden
 - according to a study of the Belgian Planning Bureau, rationalization of the information exchange processes between the employers and the social sector implies an annual saving of administrative costs of about 1.7 billion € a year for the companies

Advantages

- gains in efficiency
 - in terms of quantity: more services are delivered
 - services are available at any time, from anywhere and from several devices
 - services are delivered in an integrated way according to the logic of the customer
 - in terms of speed: the services are delivered in less time
 - benefits can be allocated quicker because information is available faster
 - waiting and travel time is reduced
 - companies and citizens can directly interact with the competent actors in the social sector with real time feedback

Advantages

- gains in effectiveness: better social protection
 - in terms of quality: same services at same total cost in same time, but to a higher quality standard
 - in terms of type of services: new types of services, e.g.
 - push system: automated granting of benefits
 - active search of non-take-up using data warehousing techniques
 - controlled management of own personal information
 - personalized simulation environments
- better support of social policy
- more efficient combating of fraud

International perspective

Let's not reinvent the wheel, but work together

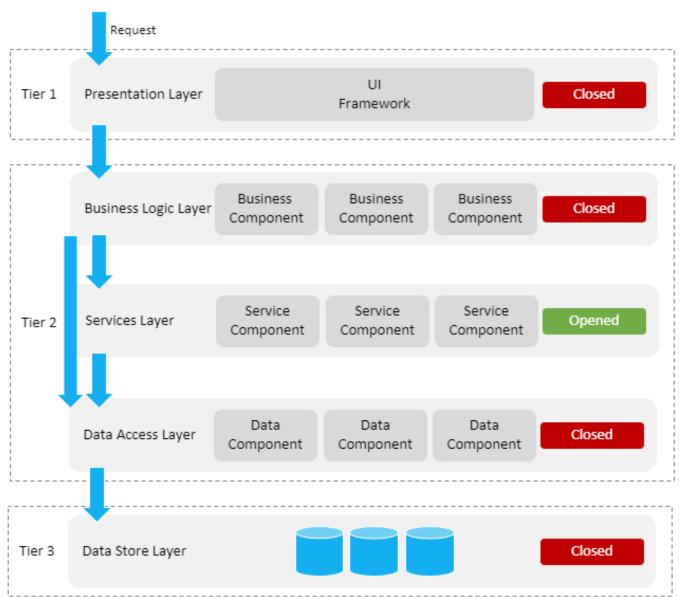
- share and reuse existing assets
 - common vision on information management and information security
 - data modelling
 - business processes
 - software components and API's
 - procurement and licences
 - infrastructure
- align and collaborate
 - promote and rely on mature business concepts
 - enforce proven semantic, technical and security standards
 - share knowledge and techniques
 - exchange good practices
 - co-creation with all actors involved

Some basic international requirements

- correct identification of every entity (citizens, companies, organisations, ...)
- correct routing of information request/provision
- privacy and information security management
 - user and access management
 - end-to-end encryption
- interoperability standards
 - technical
 - semantic

Layered, service oriented architecture

- presentation layer, e.g.
 - web applications
 - mobile applications
- business logic layer, e.g.
 - workflow
- services layer, e.g.
 - user & access management service
 - communication service
 - blockchain
- data store layer, e.g.
 - authentic sources
 - personal vaults
 - local storage on mobile device



Across layers

- interoperability standards
 - technical: oa APIs (Application Programming Interface)
 - semantic
- security, eg
 - access authorisation
 - logging
 - business continuity
- configuration, eg
 - capacity management
 - load balancing

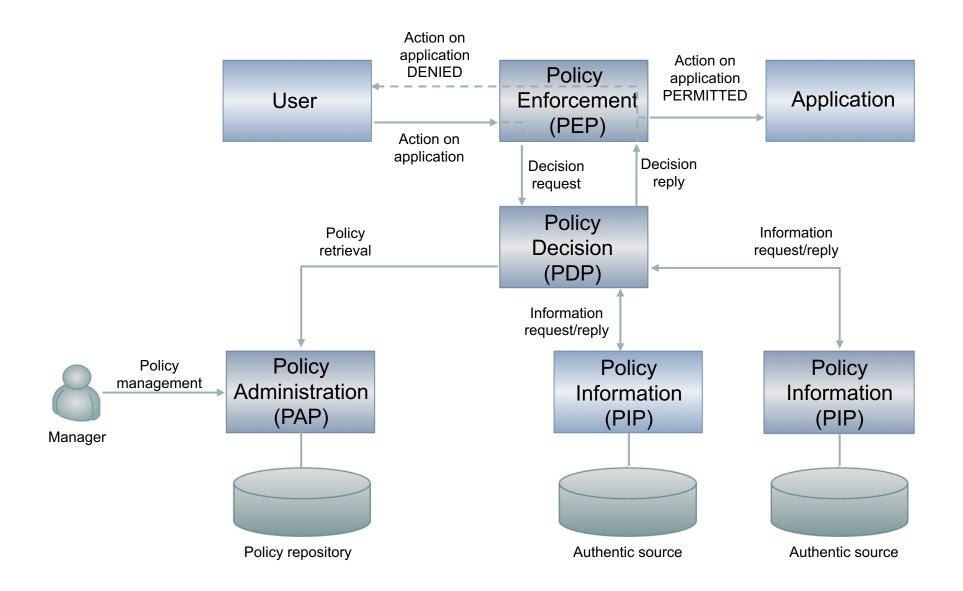
Advantages of layered, service oriented architecture

- multifunctional reuse possibility
 - lower cost
 - higher quality
 - quicker time to market
 - better user experience
- reduced dependency of components
 - easier and less costly maintenance
- easier unit testing because each component can be tested individually
 - but need for sound integration and performance testing

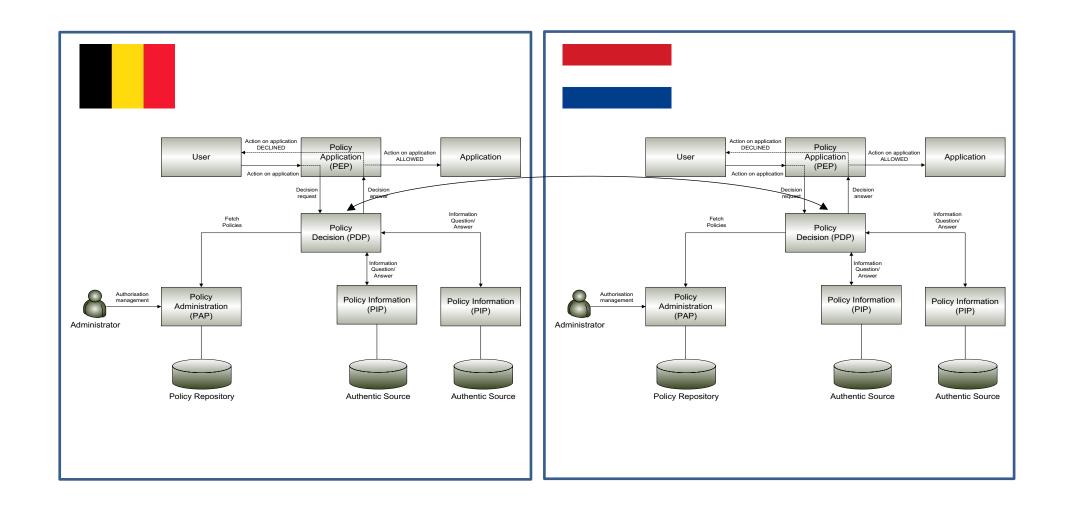
Example: identity, user & access management (IUAM)

- objectives to be reached: to be able to (digitally)
 - identify all relevant entities (physical persons, companies, applications, machines, ...)
 - authenticate the identity of all entities
 - know the relevant characteristics of the entities
 - know the relevant relationships between entities
 - know that an entity has been mandated by another entity to perform a legal action
 - know the authorizations of the entities
- in a sufficiently certain and secure way
- in as much relations as possible (C2C, C2B, C2G, B2B, B2G, ...)
- multichannel (web application, mobile application, ...)
- using open interoperability standards

Policy Enforcement Model (XACML)



User and access management



Future-proof social security from an international perspective

Angela Liebregts

Coordinating Strategic Management Adviser at the Sociale Verzekeringsbank

Eva van Ooij

PhD, Legal Policy Adviser at the Sociale Verzekeringsbank.



Living and Working Tomorrow (2035) ADAPTING SOCIA THE CHANGING IN

11 Challenges for Social Security (Administrations)

ADAPTING SOCIAL SECURITY FINANCING FOR THE CHANGING INCOME LANDSCAPE

- Diversification of income sources and complex wage structures
- Complexities in income determination, social contributions and benefit calculations

This requires:

- Greater cooperation between tax and social security authorities
- Clarification of income concept

INCREASING FLEXIBILITY IN WORK ARRANGEMENTS

New forms of (temporary) work

This requires:

- Clear definitions of work activities
- Clear policy on use of minimum thresholds for access to social security
- Clarification of key factors such as employers, working hours and workplaces

INCREASING MOBILITY AND CHANGING WORK PATTERNS

- Mobility in the workplace
- A mobile workforce

This requires:

 New procedures for the application of social security coordination rules

FUNDAMENTAL PROTECTION AGAINST CHANGES IN SOCIAL SECURITY

Respect for legal principles and ensuring fairness in transitions

This requires

- Careful implementation respecting fairness between generations
- Balanced approach in applying transition periods in relation to social goals
- Effective communication to manage change

A STRUCTURED MIGRATION POLICY FOR THIRD COUNTRIES

- Preventing precarious situations
- Calls for improved social protection and efficient management of administrative procedures

This requires:

- Clear definitions of migration policies and types of immigration
- Adequate accommodation of immigrants
- Coordination with third country systems

CHANGING SOCIAL RISKS: NAVIGATING EVOLVING NEEDS

- Changing social concepts of family
- Evolving social risks

This requires:

Renewal of the content of existing social security systems and the incorporation of greater family diversity into system structures

HARMONISED CONCEPTS FOR ENHANCED CROSS-BORDER COORDINATION

 Hampered cross-border information exchange due to diverging social security concepts

This requires:

 Harmonised concepts for EU coordination through an interface for international exchange

NEW COMMUNICATION STRATEGIES

Mass digital communication challenges trust and credibility

This requires:

 Authorities to actively balance digital communication with traditional human contact

MORE TRANSPARENCY IN ADMINISTRATIVE PROCESSES

 Decision-making processes that are understandable and easy to explain to both citizens and administrators

This requires:

- Justified and comprehensible data sharing
- Robust data protection policies
- Workable privacy protection regulations

NEW HR STRATEGIES TO EMBRACE THE DIGITAL TRANSFORMATION

Digital transformation and Al automation

This requires:

- Forward-looking workforce planning
- Focus on upskilling

A STRONGER SOCIAL EUROPE

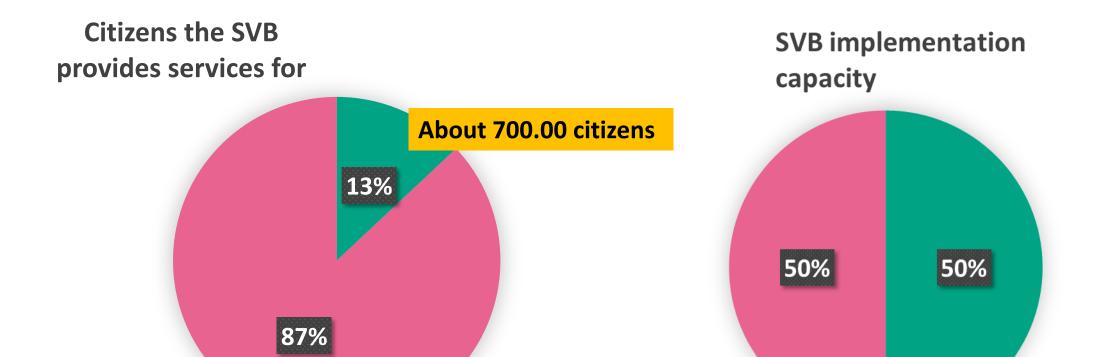
Increasing mobility and stronger global players

This requires:

 Social security administrations to play an active role in shaping and enforcing European rules



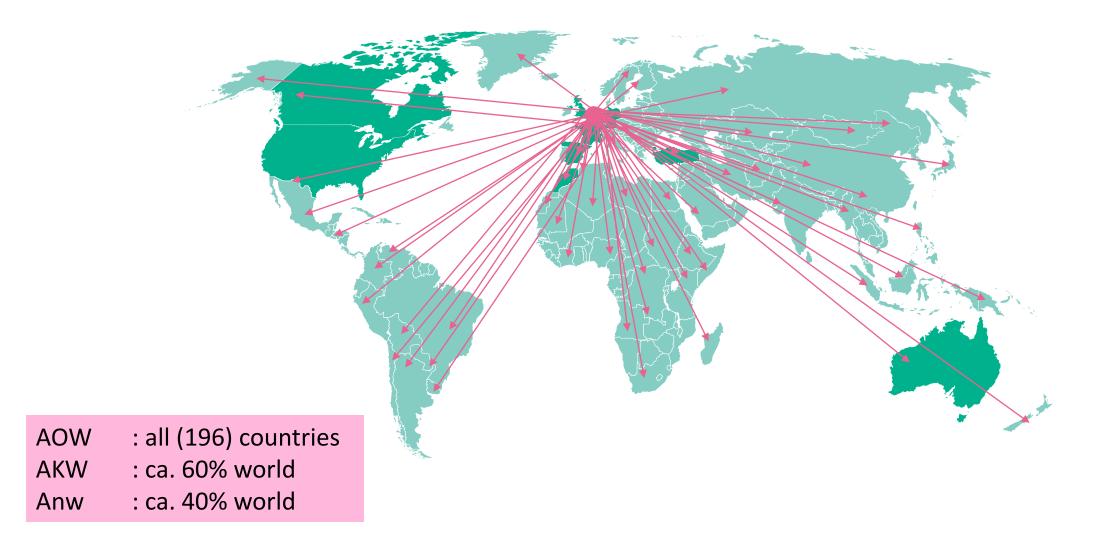
International public services are labour intensive



- International
- National



SVB: public service around the world





Increasing complexity..



For administrations

- Much and specialised capacity needed
- More complex assessment due to changed context
- Feasibility

For citizens

- Multiple (inter)national rules
- Impact is not predictable
- ➤ No one-stop-shop



Complexity unravelled: complex / complicating

1
Relating
multiple
legal
frameworks

2
Legal
frameworks
vs. divers
social reality

3
Availability
and
exchange of
data

4
Fragmented provision of information

National social security as starting point

6
Focus on
correctness
and risk
averse

(Political)
dependence
on foreign
partners









Keep it simple

Simple for whom?

Simple from which perspective?

MACRO (legislator)

Explicable

MESO (implementation)

Doable

MICRO (citizens)

Understandable

- Fair
- Transparent
- Concise & uniform
- Securing people's subsistence
- Securing participation in the labour market
- Clear, concise & uniform guidelines
- Legitimate & clear legal basis
- As few actions as possible
- Connection to existing infrastructure & systems
- Systems that facilitate required assessments & data

- Fair
- Predictable (transparency in rights & duties
- Accessible (information)
- Doable
- Clear (legal certainty)





Future-proof social security from an international perspective

Panel discussion

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