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Social Security of Migrant Workers from Ukraine in EU Member States

Seguridad Social de los Trabajadores Migrantes de Ucrania en los Estados Miembros de la UE

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Abstract

Labor migration is becoming a growing trend in the modern labor market. The development of transport infrastructure, growth of non-standard forms of employment, globalization and uneven development of different territories lead to an increase in the mobility of the working population. Labor migration has its positive aspects, such as the redistribution of labor and the increase in the efficiency of human capital. However, along with other aspects of a flexible labor market, labor migration can also pose a threat to the social protection of workers. The study of social security issues helps to assess the extent to which these workers have access to the necessary social services and benefits, which contributes to their well-being and encourages further contribution to the economy. The purpose of the article is to analyze the social security provided for by the EU and Member States' legislation on migrant workers in the context of workers from Ukraine. This allows us to identify the basic rights, obligations and principles governing the social protection of this category of workers. The analysis of social security helps to determine how effective and comprehensive its application is for migrant workers. In addition, the purpose of the article is to assess the level of social protection provided to migrant workers under the laws of the EU and its Member States. The main method of research is the method of system analysis, which allows to consider social security as a complex system that includes various components, interrelations and influences. Within this method, the authors analyzed the legislative framework, decisions, institutional structure and processes, financial aspects, access to services and other factors that affect the social protection of migrant workers.

Resumen

La migración laboral se está convirtiendo en una tendencia creciente en el mercado laboral moderno. El desarrollo de la infraestructura de transporte, el crecimiento de formas no estándar de empleo, la globalización y el desarrollo desigual de diferentes territorios conducen a un aumento en la movilidad de la población trabajadora. La migración laboral tiene aspectos positivos, como la redistribución del trabajo y el aumento de la eficiencia del capital humano. Sin embargo, junto con otros aspectos de un mercado laboral flexible, la migración laboral también puede representar una amenaza para la protección social de los trabajadores. El estudio de los problemas de seguridad social ayuda a evaluar el acceso de estos trabajadores a los servicios sociales y prestaciones necesarios, lo que contribuye a su bienestar y fomenta una mayor contribución a la economía. El propósito del artículo es analizar la seguridad social proporcionada por la legislación de la UE y de los Estados Miembros a los trabajadores migrantes en el contexto de los trabajadores provenientes de Ucrania. Esto nos permite identificar los derechos básicos, obligaciones y principios que rigen la protección social de esta categoría de trabajadores. El análisis de la seguridad social ayuda a determinar qué tan efectiva y completa es su aplicación para los trabajadores migrantes. Además, el propósito del artículo es evaluar el nivel de protección social proporcionado a los trabajadores migrantes según las leyes de la UE y sus Estados Miembros. El principal método de investigación es el método de análisis de sistema, que permite considerar la seguridad social como un sistema complejo que incluye varios componentes, interrelaciones e influencias. Dentro de este método, los autores analizaron el marco legislativo, decisiones, estructura institucional y procesos, aspectos financieros, acceso a servicios y otros factores que afectan la protección social de los trabajadores migrantes.

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1. INTRODUCTION

Social security is an important aspect of society, as it provides support and protection to individuals who are vulnerable or in need of assistance. Social security provides people with financial support and protection in the event of unforeseen circumstances, such as illness, disability, unemployment, or the loss of a family breadwinner. It helps to meet basic needs and prevent crises. In addition, social security is an important tool in the fight against poverty and social inequalities. It provides access to the basic needs necessary for a decent life and facilitates the distribution of resources in society.

Social security in international law plays an important role in protecting human rights and improving living conditions. It is recognized as a principle and a human right and has its basis in international legal instruments. The International Covenant on Economic, Social and Cultural Rights (UN General Assembly, 1966) is a significant international legal instrument governing social security. It establishes that every individual is entitled to an acceptable standard of living, which encompasses sufficient food, clothing, housing, healthcare, education, and social security benefits. Some international organizations, such as the International Labor Organization (ILO) and the World Health Organization (WHO), also address social security issues and make recommendations for the establishment of national social security programs.

International law recognizes the principle of universality of social security, which means that all people, regardless of their status, should have access to social protection. Member states have an obligation to establish national social security systems that meet international standards and protect the rights of workers, migrants, persons with disabilities and other vulnerable groups. However, it is worth noting that the specific requirements and level of social security may vary between countries depending on its legislation, socio-economic development and resources. The level of social security may include various types of benefits, such as pensions, health insurance, unemployment benefits, childcare supplements and other social services.

Social security is also important for migrant workers, as it provides them with protection and guarantees some social rights and benefits. Many countries that receive migrants have social security systems that provide support to these workers. One important aspect of social security is health insurance. Migrants can be covered by health insurance, which allows them to receive medical care and treatment in case of illness or injury. This provides them with access to necessary medical services and preserves their physical health. Legislation can also provide migrants with protection from discrimination in the workplace, including equal pay, employment and career development opportunities. This guarantees migrants equal opportunities and protects them from any form of unfair treatment.

Financial support for migrants can also be provided in the form of assistance in obtaining acceptable housing. This helps migrants to ensure sustainable and comfortable living conditions for themselves and their families. In many countries, there are programs and initiatives that provide financial assistance to migrants in the area of housing. These programs may include the following types of assistance: rental financing; subsidies for the purchase of housing; compensation for utility costs; support in finding housing, etc. In addition, social welfare can include various support programs that facilitate the integration of migrants in a new environment. This may include language and cultural adaptation courses that help migrants learn the basics of the language and familiarize themselves with local customs and values. These programs help improve communication and understanding of the new environment, which facilitates their integration and successful employment.

After Ukraine gained its independence, due to the introduction of freedom of movement and under the influence of economic problems of the transition period, migration of the Ukrainian population has significantly intensified, its geography has expanded, and its scale has increased. Labor migration abroad has become the most numerous and socially significant migration flow (Malynovska, 2012). Modern forms of migration give rise to new problems related to inadequate working conditions, limited legal rights, discrimination, social exclusion, lack of social protection, etc. Due to the territorial nature of social protection and limited rights to social benefits, labor migrants face difficulties in obtaining social security. It should be emphasized that migrants play an important role in the process of strengthening economic integration, and at the same time, most of them risk losing their rights to social protection.

Therefore, increasing the level of coordination of social protection between countries on the basis of bilateral and multilateral agreements and ratification of relevant international conventions should be a priority area of social policy for the welfare of numerous groups of labor migrants and their families. Furthermore, the mobility of social protection not only emphasizes this importance for migrants and their families, but undoubtedly facilitates the portability of labor migrants, and is an indispensable condition for the proper functioning of integrated labor markets (Mulska, 2015). It is also extremely important to strengthen the motivation of the population to participate in the social insurance system, overcome dependency attitudes on the part of citizens and paternalism on the part of the state (Tkachenko, 2009).

For Ukrainian migrant workers, learning about social security is important for several reasons. First, it allows them to be aware of their rights and opportunities to receive social protection in the countries where they work or live. They can know about available social programs, procedures for obtaining benefits, and requirements for doing so. Second, learning about social security helps Ukrainian migrant workers plan their financial future and secure social protection for themselves and their families. They can understand what types of social protection are available to them, how they can use these services, and what their rights and obligations are. In addition, knowledge about social security can help Ukrainian migrant workers to secure their rights and protect themselves from possible abuse or discrimination in the field of labor and social security.

2. MATERIALS AND METHODS

The main method used for the study is the method of systematic analysis. This method is used to analyze various aspects of the problems faced by migrant workers in the context of social security. This includes the lack of coordination between social security systems, unclear rights and procedures, and abuses and unfair practices. Furthermore, using this method, the author highlights how these problems are interconnected and influence each other. Lack of coordination can lead to unclear rights and procedures, which in turn can facilitate abuse and unfair practices. In addition, this method is used to formulate the conclusions to the article, namely, to put forward proposals for solving problems based on a systemic approach and to point out the need to develop bilateral cooperation and conclude bilateral agreements between countries that will help ensure the protection of labor migrants.

The systemic method applied in the article considers social security as a system that includes various components, such as legislation, procedures, monitoring and protection of rights. It examines the interaction of these elements and their impact on labor migrants. The authors also applied a synthesis method to combine information and develop a conceptual framework. The article synthesizes information from various sources on the problems of social security for labor migrants. Using this method, the author analyzes the existence of bilateral cooperation and the conclusion of bilateral agreements as potential solutions to ensure the protection of migrant workers. These concepts are formed by synthesizing information and identifying key issues. In other words, the synthesis method is used in the article to combine information, formulate concepts and summarize the results, which

helps to get a comprehensive picture of the problems of social security for labor migrants and ways to solve them.

The authors also applied the formal legal method. This was used to analyze legal developments in particular, examining the various legal norms, legislation and treaties governing social security for migrant workers. It analyzes these norms, their content and legal implications related to the protection of migrants' rights and social security. The method is also used to interpret legal concepts used in social security legislation. It analyzes the meaning of terms and their application in the context of labor migrants, helping to understand the legal rights and obligations of migrants. In addition, the article identifies legal challenges faced by migrant workers in relation to social security. It uses a formal legal approach to analyze and evaluate contradictions in legislation, inconsistencies between rules and their practical application, and to identify flaws and shortcomings in the social security system. Finally, the formal legal method is applied in the context of proposing legislative changes. The authors propose solutions to the identified legal problems. Recommendations are made for amending legislation, clarifying legal norms or creating new legislative mechanisms to ensure effective protection of the rights of migrant workers.

This article also uses a comparative method by comparing social security systems in different countries. The author analyzes the legislation, rules and procedures of social security for migrant workers in different EU member states. He compares their approaches, norms and standards related to the protection and rights of migrant workers. Based on this comparison, the author provides an analysis of the different approaches and identifies the advantages and disadvantages of the different social security systems. This comparison helps readers to better understand the differences in the legal regulation and practice of social security for migrant workers in different countries.

3. RESULTS

3.1. General overview of EU legislation on social security and employment of foreigners

The effective implementation of social policy is a prerequisite for the functioning of developed societies, as it contributes to the normal development of all its members. In addition, social policy plays an important role in protecting human rights and providing opportunities for a decent standard of living for everyone. Global experience shows that the development of social policy is a factor in stabilizing relations, which emphasizes the importance of effective social policy of the state in the field of social relations.

The European Union's legal system is an important tool for regulating relations within the EU, between member states and third parties. Union law consists of an integral system of sources that express and consolidate legal norms and are binding. Generally, sources of law are classified into primary and secondary law. Primary law includes the founding treaties of the EU (the EU Treaty, the Treaty on the Functioning of the EU, the Charter of Fundamental Rights of the EU), which are in force as amended by the Lisbon Treaty. Secondary law includes EU regulations. In addition, general principles of law, the case law of the Court of Justice of the European Union and international treaties are also sources of Union law. Thus, the system of sources of EU law consists of two categories of acts - primary law and secondary law. The primary sources of EU law define the basis for regulating EU social policy, emphasizing its importance and setting the limits of authority for each member state in the relevant issues. These sources reflect the evolution of legal regulation of EU social policy at different stages of EU development.

Social policy issues are also reflected in EU secondary legislation. The system of regulations adopted by the EU institutions establishes a common framework and guidelines for all member states in the development of social law, and is aimed at gradual convergence and harmonization of national social protection systems of the EU member states. It should be noted that a significant contribution

to social policy issues was made by the following documents: "European social policy: Options for the Union. A Green Paper" (Commission of the European Communities, 1993); "European Social Policy – A Way Forward for the Union. A White Paper" (Commission of the European Communities, 1994). These books have played a huge role in shaping European social policy and formalizing its concept. They are considered to be fundamental normative documents that laid the foundations for the Union's social policy and influenced the fact that social policy is now one of the most important priorities of the EU.

In addition, the relevant issue is regulated by a number of Directives. First of all, we would like to draw attention to Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation. Its provisions are aimed at establishing a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation in employment, with a view to implementing the principle of equality in employment in the Member States. The Directive defines the characteristics of direct and indirect discrimination. It is noted that direct discrimination occurs when one person is granted a less favorable status compared to another person if they are in similar circumstances. Indirect discrimination occurs when an apparently neutral provision, criterion or practice leads to a disadvantage for persons of a particular religion or belief, a particular identity, a particular age or a particular sexual orientation compared to other persons (Council of the European Union, 2000b).

In relation to non-discrimination, Directive 2004/113/EC (Council of the European Union, 2004) plays a significant role in EU secondary legislation. This directive, adopted in 2004, focuses on implementing the principles of equal opportunities and equal treatment between men and women in accessing and providing goods and services. Its objective is to create a framework that addresses and combats gender-based discrimination, aiming to achieve gender equality in all Member States. According to this Directive, the principle of equal treatment of men and women means that discrimination on the basis of sex, including negative attitudes towards women on the grounds of pregnancy and maternity, is prohibited. In addition, any indirect discrimination on the basis of sex is also prohibited. It is important to note that the Directive may not create less favorable conditions relating to the protection of women in connection with pregnancy and maternity. Harassment and sexual harassment are considered forms of sex discrimination and are also prohibited under this Directive (Council of the European Union, 2004).

In addition, a number of other documents can be distinguished, namely: Directive 92/85/EEC (Commission of the European Communities, 1992); Directive 98/59/EC (Council of the European Union, 1998); Directive 2000/43/EC (Council of the European Union, 2000a); Directive 2001/23/EC (Council of the European Union, 2001a); Directive 2010/18/EC (Council of the European Union, 2010); Directive 2011/98/EU (European Parliament & Council of the European Union, 2011). This list is not exhaustive but demonstrates only a part of the large number of legal acts adopted at the Union level in the field of social policy. After analyzing the EU secondary legislation on social policy, we can identify several aspects that they cover. These acts regulate the following aspects of EU social policy: freedom of movement of persons within the EU, definition of the concept of "employee", labor migration, wage equality between men and women, occupational safety and health, employment, social security, and the establishment of social partnership and dialogue. EU social policy directives define the main directions of development and implementation of social policy. Secondary EU legislation is mainly aimed at harmonizing the legislation of the member states, including in the social sphere, and establishing minimum requirements to be met by the states.

It is also important in the context of the research topic to review the legislation on labor migrants from third countries. Third-country nationals do not enjoy the same freedoms as EU citizens. In general, the current directives regulate the status of long-term resident, the right to family reunification, and the right to study (Council of the European Union, 2003). However, most issues,

including entry, residence permits and employment of third-country migrant workers, legal regulation of fixed-term employment contracts and self-employed workers, are determined at the discretion of each member state (Darmoris, 2010).

The legal act on labor migration from third countries is the Decision setting up a prior communication and consultation procedure on migration policies in relation to non-member countries (Commission of the European Communities, 1985). According to this Decision, Member States shall regularly provide the Commission and other Member States with preliminary information on the following matters: plans of measures they intend to adopt with regard to workers from third countries and their family members relating to entry, residence and employment, including irregular entry and employment, and equality; draft agreements related to these matters; and draft agreements on cooperation with third countries; draft agreements relating to the conditions of residence and employment of its nationals working in third countries and members of their families (Commission of the European Communities, 1985). The Decision is an important legal instrument for harmonizing Member States' policies on the employment of third-country nationals in the EU.

The next important document is the Resolution on limitation on admission of third-country nationals to the territory of the Member States for employment (Council of the European Union, 1994). The resolution states that the Council recognizes the contribution of migrant workers to the economic development of the respective host countries, but as of 1994, no member state had an active immigration policy. On the contrary, all states have reduced the possibility of permanent legal immigration for economic, social and political reasons, in particular as a result of rising unemployment in the EU. The document also states that member states will consider requests for entry into their territory for employment purposes only if vacancies in their country cannot be filled by the domestic workforce or by citizens of other EU member states. However, where necessary, third-country nationals may be temporarily admitted to the territory of a Member State for the purpose of employment for a limited period if the offer relates to a specific employee or service provider and is of a special nature related to the qualification requirements (professional qualifications, experience, etc.) of that specialist (Council of the European Union, 1994).

Given the recent events in Ukraine, it is worth noting Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (Council of the European Union, 2001b). This document regulates the procedure for the implementation of temporary protection of persons from third countries arriving in the EU. According to the Directive, persons who can apply for temporary protection include third-country nationals or stateless persons who have been forced to leave their country and are unable to return due to dangerous conditions, such as armed conflict or epidemic violence, or due to serious risk or systematic violations of their human rights. The main purpose of the Directive is to reduce the burden on national systems for receiving and providing for displaced persons in the territory of EU Member States by harmonizing their rights, such as the right to residence, health care, education, access to the labor market and housing, and others. It is important to note that granting temporary protection to a person does not grant him/her refugee status, but does not deprive him/her of the right to apply for refugee status in accordance with the laws of the country where he/she is staying (Council of the European Union, 2001b).

Despite the fact that the Directive was adopted in 2001, it was first applied in practice only after Russia's full-scale invasion of Ukraine after February 24, 2022. It was decided to apply it to ensure that migration was controlled and that state authorities could cope with the number of migrants. The unprecedented nature of such measures has shown the advantages and disadvantages of temporary protection and the level of readiness of member states to the flow of migrants. It should be emphasized that Ukrainian labor migrants currently working in the EU can be divided into two

categories. The first category includes labor migrants who worked in the EU before February 24, 2022, or are employed on the basis of separate permits from member states (visa, residence permit, etc.). The second category of citizens is persons who are subject to the Temporary Protection Directive and have received the relevant document. Such citizens have the right to be employed in the EU on an equal footing with its citizens. However, it is not correct to call them labor migrants, as they are persons who have temporary protection (or refugee status) in the EU. Therefore, in this article, we will study the specifics of social protection of migrant workers from Ukraine.

Thus, the European Union has a broad legal framework relating to the social security and employment of migrants. This framework includes directives, regulations and decisions that govern various aspects of migration policy and social protection of migrants. In particular, these legal acts establish procedures for obtaining work permits for migrants, rules on social security and insurance, pay equality, labor rights protection, and much more. This broad legal framework aims to ensure fair and equal treatment of migrants in the field of labor and social security within the European Union.

3.2. Overview of migration trends of workers from Ukraine to the EU and their role in the economies of the Member States

Over the past decades, there has been a significant increase in the number of workers migrating from Ukraine to EU countries. Economic opportunities, increased free movement and better working conditions are the main factors contributing to this growth. Following Russia's full-scale invasion of Ukraine on February 24, 2022, the EU has seen an overall increase in the number of refugees forced to flee Ukraine. Consequently, many of them have also taken up employment in member states. Many migrant workers from Ukraine are trying to improve their economic conditions and secure a better future for their families. The EU offers more employment opportunities, as well as higher wages and social security compared to Ukraine.

There are the following reasons for labor migration: political (political events, discrimination on various grounds, etc.); military (evacuation, military events); social (marriage, health, etc.); environmental (man-made and natural disasters); economic (employment, search for higher income, etc.); other (ethical, religious, etc.) (Bortnyk et al., 2017). Economic factors are one of the main reasons for labor migration from Ukraine to the EU. Ukraine has been facing economic challenges such as low wages, high unemployment, and limited employment opportunities. In such circumstances, workers look for opportunities to earn money abroad, where they hope to find better working conditions and higher wages. Social and political factors also influence the migration of workers from Ukraine to the EU. For example, political instability, conflicts, and wars in certain regions of Ukraine may affect people's decisions to move abroad. The overall stability, higher level of security and social protection in the EU countries are becoming attractive factors for Ukrainian workers.

The Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part (European Union and Ukraine, 2014) establishes the right to employment and social security for Ukrainian citizens, ensuring non-discrimination but only for those who are employed legally. This agreement recognizes the validity of existing interstate agreements concerning employment and social security and encourages the signing of new agreements based on mutual benefit and national interests. The agreement emphasizes that social rights, including the right to social security, are fundamental human rights that should be protected and supported by both EU member states and Ukraine. With the deepening cooperation between Ukraine and the EU and Ukraine's economic progress, including foreign investments and job opportunities, there is a potential for Ukrainian migrants to have better employment prospects and access to social security within their home country (Yatskevych, 2018).

For the recipient countries, recruitment of migrant labor from Ukraine can become an important source of labor in certain sectors where there is a shortage of local workers. Ukrainian

workers migrating to the EU countries represent different professional fields and skill levels. Ukrainian migrants include both low-skilled workers and highly skilled professionals. Low-skilled workers are usually engaged in physically demanding jobs such as construction, agriculture, restaurant business, cleaning, etc. They find jobs in recipient countries where the demand for such labor is high. However, Ukrainian workers are also known for their high qualifications and specialization in various fields. They often have higher education and professional experience in such fields as information technology, engineering, medicine, finance, research, and others. Highly skilled workers from Ukraine seek opportunities for career development and higher earnings abroad, where they are offered greater opportunities and benefits.

Some EU countries actively attract highly skilled labor from Ukraine by offering special programs and visa conditions to attract such specialists. In order to facilitate access to labor markets for migrant workers who fall into the category of *highly skilled workers*, the EU has developed a system of Blue Card permits. The Blue Card system has become one of the EU's most important tools for attracting highly skilled workers from third countries to its territory. Regulation of this system began in 2009 with the adoption of Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. According to this Directive, the Blue Card gives the holder the right to reside and work in the territory of a Member State in accordance with the conditions set out in the Directive (Council of the European Union, 2009).

Labor migration of highly skilled workers can have significant economic benefits for recipient countries. Attracting highly skilled workers from other countries helps to increase human capital, boost productivity, and promote innovation. Highly skilled workers can bring new knowledge, skills, and experience to the recipient country's economic activities. They can be engaged in the development of new technologies, scientific research, high-tech projects, and other innovative fields. This contributes to the country's competitiveness, industry development, and stimulates economic growth. In addition, highly skilled workers often attract investment from foreign companies, as their presence helps to create a favorable environment for business development and entrepreneurship. They are able to create new jobs, raise professional standards and improve the quality of products and services (Yatskevych, 2018). Thus, labor migration of highly skilled workers can bring significant economic benefits to recipient countries, contributing to their innovative development, productivity growth, and attracting foreign investment.

However, it is important to note that labor migration can also present certain challenges and problems, such as illegal labor, insufficient social protection, and exploitation. Therefore, it is important that both Ukraine and the countries receiving workers facilitate regular and legal migration, ensure the protection of workers' rights, and guarantee them adequate working conditions and social protection. Ukrainian labor migrants also have an impact on the Ukrainian economy. For example, in 2020-2021, migrant workers transferred $1 billion to Ukraine every month. Surprisingly, the war in Ukraine had almost no impact on these transfers. On the one hand, labor migrants who had been working in the EU before the war began to send less money to Ukraine due to the cooling of European economies and the departure of some Ukrainians who had been recipients of these transfers. On the other hand, a significant number of Ukrainians who left after the outbreak of the war found jobs and maintained a high level of remittances (Vinokurov, 2023). Thus, it can be stated that Ukrainian labor migrants with strong ties to Ukraine also have a significant economic impact on Ukraine through remittances that are spent in Ukraine. This provokes economic growth of businesses in the country, which in turn pays taxes. Thus, Ukrainian labor migrants have an impact not only on the economies of European countries, but also on Ukrainian ones.

3.3. Differences in social security systems in relation to labor migrants: Poland and Ukraine

As already mentioned, the European Union sets the general framework and minimum standards for social security, but each member state independently regulates and details the relevant provisions in its national legislation. This means that social security may differ across EU member states depending on their socio-economic conditions, traditions and political priorities. EU member states have their own national social security systems, which include aspects such as pensions, health insurance, unemployment benefits, family benefits and other types of social privileges. Each country determines the rules, criteria and conditions for receiving these benefits, as well as the amount and duration of their provision.

The diversity of social security systems in the EU is reflected in the fact that the level and types of social benefits can vary considerably from country to country. For example, some countries may have a wider range of benefits and higher benefit levels, while others may have a more limited range and lower benefit levels. This approach allows Member States to take into account their domestic socio-economic needs and capacities, and provides them with the flexibility to set their own social security policies. Therefore, for a more detailed understanding, let's look at the relevant norms in the legislation and practice of individual Member States. According to the United Nations High Commissioner for Refugees (UNHCR), as of July 6, 2023, about 5.9 million Ukrainian refugees were granted temporary protection status in Europe (Operational Data Portal, 2023). This is about 1% of the population of the EU countries. Poland, Germany, and the Czech Republic received the largest number of Ukrainians. Therefore, the authors chose these three countries for analysis. It is worth noting that even before the invasion, these countries were the most popular among Ukrainian workers.

Let's look at Poland first. The migration of Ukrainians to Poland plays a significant role in the relationship between the two societies, demanding mutual attention and a bilateral response. It is in the best interest of both countries to facilitate well-managed and secure migration, ensuring the protection of migrants' rights and providing social security measures (Malynovska, 2021). Both now and before the full-scale invasion, there were many Ukrainians working in Poland. As of 2021, about 1.5 million Ukrainians lived and worked in Poland. At the same time, about 600,000 Ukrainians officially pay taxes to the Polish social security fund (Omelianiuk, 2021). Poland has been experiencing rapid economic growth in recent years, which has resulted in a growing demand for labor on the labor market, both in low-skilled jobs and in industries requiring highly skilled professionals, such as science, IT, construction, etc. As a result, Poland is attractive for third-country nationals, including Ukrainians, seeking employment opportunities. There are several visible reasons that explain this attractiveness. First, Poland has a close geographical proximity to Ukraine. Secondly, the similarity of the language helps labor migrants to find employment in Poland without significant language barriers that may arise when seeking employment in many other EU member states.

Poland's social security system encompasses a range of benefits, including unemployment support, health insurance, pensions, family benefits, and social assistance. The organizational framework of the Polish social security system comprises multiple institutions operating at both the central and regional government levels. The effective and dependable functioning of this system relies on the interaction and collaboration among these institutions to ensure its efficiency (Malynovska, 2014). Act on the Government Departments (Ustawa o działach administracji rządowej) outlines the scope of social security in Poland, encompassing areas such as social insurance, old-age pension funds, social assistance, state social assistance programs, social benefits, employment, social and vocational rehabilitation for individuals with disabilities, support for combatants and persecuted persons, as well as the coordination of social security systems and activities in the realm of public welfare (Sejm Rzeczypospolitej Polskiej, 1997).

The Act of 12 December 2013 on foreigners (Polish Parliament, 2013) establishes the general provisions regarding the entry, relocation, stay, and departure of foreigners in Poland. This Act also

addresses the entitlement to social benefits and sets conditions for work permits based on the coverage of specific social security programs. According to Article 114, a foreigner can obtain a temporary residence and work permit under certain conditions. These conditions include having health insurance within the national healthcare system or private health insurance that covers the cost of treatment in Poland. Additionally, the migrant must have sufficient income to support themselves and their family while in Poland, which means having a monthly income that exceeds the income threshold for receiving social assistance for both the migrant and their dependent family members. Article 139a states that this condition also applies to temporary residence permits for delegated workers. Similar conditions apply to temporary residence permits for long-term mobility (Articles 139o and 139s), as well as for studying at higher education institutions or conducting research. In the case of temporary residence for the purpose of family reunification, the condition related to access to health insurance is also applicable (Polish Parliament, 2013).

Access to social protection for immigrants in Poland is further specified in legal acts that define the conditions of access to social benefits. As for benefits related to the payment of contributions, the main criterion is regular payment of contributions. Therefore, foreigners working in Poland are covered by these types of social security programs. As for benefits that depend on income or marital status, eligibility depends on the immigrant's legal status and his/her stay in Poland. In accordance with the Treaty on European Union, Polish law also recognizes the rights of EU citizens in the same way as the rights of Polish citizens. This results in certain differences between the rights of immigrants and Polish citizens. This affects access to social benefits between EU and non-EU migrants (Chłoń-Domińczak, 2020).

Access to social security for foreigners is determined by the regulations of social security coordination that apply to EU member states and EFTA countries. Additionally, access to social security may be governed by bilateral agreements on social security between Poland and non-EU countries. These agreements establish the rights and obligations regarding social security benefits for foreign nationals, ensuring that they are treated fairly and have access to necessary social protections (Chłoń-Domińczak, 2020). In particular, this list includes Ukraine.

Therefore, the delivery of social security services in Poland operates under two main financing models: insurance-based and tax-based. For foreigners, their access to benefits aligns with that of Polish citizens when it comes to insurance-based benefits, as it is contingent upon the payment of applicable social security or health insurance contributions. However, certain categories of foreigners, constituting a narrower group, may face limitations in accessing tax-financed benefits such as family benefits, social assistance, tax-financed healthcare benefits, and unemployment benefits.

It is worth noting that Poland and Ukraine have signed the Agreement on Social Security. Among the main provisions of the Agreement, Article 7 provides that if a person employed by an employer registered in the territory of one Contracting Party is sent to the territory of the other Contracting Party to perform work for that employer, the legislation of the first Contracting Party shall apply to him/her, provided that the period of work does not exceed 24 months. If the period of work performance exceeds 24 months, the legislation of the first Contracting Party shall continue to apply for the next period not exceeding 36 months, provided that the competent authority of the other Contracting Party, or a competent institution authorized by that authority, agrees to this. The agreement provides for the following types of benefits: unemployment benefits; sickness and maternity benefits; pensions; industrial accidents and occupational diseases; and burial benefits. This agreement establishes rules and procedures that allow citizens of both countries to enjoy social benefits and receive social insurance in cases where they have a connection to both countries. This agreement contributes to improving the living and working conditions of citizens of both countries by providing them with social protection in accordance with the legislation of each state (Verkhovna Rada of Ukraine, 2012).

Taking into account Polish legislation and the Agreement between Ukraine and the Republic of Poland on Social Security (Verkhovna Rada of Ukraine, 2012), it can be argued that Ukrainian workers are entitled to social protection in Poland. This agreement gives them the opportunity to benefit from various forms of social support, such as pensions, health insurance and unemployment benefits. This protection of social rights of Ukrainian workers in Poland is a result of the long-term history of migration between the two countries, as well as the common desire of the parties to promote the protection of the rights and social welfare of workers. This has a positive impact on the working and living conditions of Ukrainian workers, providing them with the necessary social stability and protection. It is important to note that the use of these social benefits and rights is subject to compliance with the requirements and procedures established by law and the agreement between the countries. Therefore, Ukrainian employees should be familiar with the rules and procedures for obtaining social security in Poland, as well as fulfill the requirements for making insurance contributions and other obligations to receive social benefits.

3.4. Differences in social security systems in relation to labor migrants: Germany and Ukraine

Due to a significant shortage of skilled workers in Germany, it was decided that a new Immigration Act should be introduced. These innovations came into force on March 1, 2020. This law is considered to be a fundamental change in the procedure of employment of highly qualified persons. First of all, it should be noted that the law defines skilled workers as persons with higher education or professional qualifications obtained after studying for at least two years (Bundesregierung, 2020). The German social security system can be characterized as a two-pillar system. The first pillar consists of a social insurance system financed by contributions, while the second pillar includes various social welfare programs financed by taxes. Contributions and benefits from social insurance institutions constitute a significant part of the financing of the social security system (Bonfert et al., 2022).

Social insurance in Germany is linked to labor market status and occupation. It is mandatory for most of the German labor force, namely for dependents, with the exception of civil servants. Self-employed persons can opt for social health insurance (restrictions apply to reduce the risk of opting out) and state pensions (except for disability benefits). Social security contributions on earnings above 850 euros are officially split between employer and employee. Receiving unemployment benefits or pensions requires a certain waiting period. Citizenship per se does not play a role, but - in the case of non-EU citizens - it can be important for obtaining a work permit and thus employment in the formal sector (Schnabel, 2020).

For non-German residents, there may be restrictions on receiving tax-financed benefits. EU citizens and non-EU citizens must meet certain minimum employment requirements in order to receive the full minimum income benefit. Residency in Germany plays an important role in accessing tax-funded benefits. Once you become a permanent resident abroad, tax-funded benefits may be canceled. However, there may be some exceptions, for example, for dependent children attending educational institutions abroad (Bundestag, 1997).

It is worth noting that Ukraine and Germany have also concluded an Agreement on Social Security. However, it has not yet been ratified by the Ukrainian side, and therefore has not entered into force. The website of the German Pension Fund published information for refugees in Ukrainian in March 2022 with two main points. The first one concerns employed persons: people who have moved to Germany from Ukraine and found a job here also have to pay compulsory pension insurance contributions. The second point relates directly to pension recipients. Here, Ukrainians are in for some disappointing news: *The agreement on social security concluded between Ukraine and Germany has not yet been ratified by the Ukrainian side. Since there is currently no valid German-Ukrainian agreement on social security, Ukraine has the status of a "foreign state without an agreement" in the*

context of German pension insurance. Thus, for persons who are currently paying mandatory social security contributions and are employed in Germany (Deutsche Rentenversicherung, 2022).

In general, the provisions of the Agreement contain regulations to avoid double insurance in both countries. The subject matter of the Agreement for Germany is accident insurance for the payment of pensions and other financial assistance; pension insurance; additional insurance for employees of mining and metallurgical enterprises; and old-age insurance for farmers. Thus, employees and their employers are primarily subject to the laws of the country in which they actually perform their work. For workers temporarily employed in another country, it is ensured that they can remain integrated into the social insurance system of the country where they worked before. In addition, the agreement provides for the unrestricted transfer of pensions to the other Contracting State (the principle of export of benefits). The prerequisites for pension eligibility can be met through the joint summation of the insurance record acquired in both states (accumulation of minimum pensionable service). In the field of accident insurance, the Agreement is also the basis for the fact that payments can be made in an unlimited amount to the other contracting state (Cabinet of Ministers of Ukraine, 2019).

In our opinion, the lack of ratification of the Agreement on Social Security between Ukraine and Germany by the Verkhovna Rada of Ukraine is a major gap, especially in the context of the fact that the agreement has already been drafted and adopted, and given that Germany is currently the second largest destination for Ukrainian migrants. This situation is of particular importance, as Ukrainian migrants in Germany need adequate social protection and legal support, which can be provided by ratification of the agreement. The absence of ratification of the agreement means that Ukrainian migrants do not have full access to the social protection that the German social security system should provide them. This can lead to insecurity of Ukrainian workers in case of job loss, temporary disability or other negative life circumstances. Moreover, the ratification of the agreement helps to strengthen cooperation between Ukraine and Germany in the field of social protection. This creates a foundation for the further development of joint projects and initiatives aimed at improving the living and working conditions of Ukrainian migrants.

3.5. Differences in social security systems in relation to labor migrants: Czech Republic and Ukraine

Finally, let's move on to Czech legislation. The earnings-related benefits within the employment policy system are still primarily non-contributory, although there is a small portion of social insurance contributions allocated to state employment policy. However, eligibility for unemployment benefits is not dependent on the amount of these contributions.

The non-contributory state social support system is sustained by the state budget and managed by designated state entities. Its main objective is to provide assistance to families with dependent children who are unable to support themselves. Within this system, tax-funded social assistance benefits are available to individuals with disabilities and those experiencing material need. The latter aims to fulfill the basic living and housing needs of individuals with insufficient income. In contrast, the social insurance system operates based on contributions from both employees and employers. This system ensures that individuals are covered for various contingencies, such as healthcare, through a combination of contributions and taxation. Family benefits and social assistance, however, are directly funded by the state budget through general taxation (Koldinská & Lang, 2017).

In the Czech Republic, social protection is quite open to people in situations of interethnic mobility, including mobile EU citizens. However, the situation is slightly different for third-country nationals. The Czech social security system is open to foreigners from non-EU countries if they are permanently residing in the Czech Republic or working for an employer located in the country. Third-country nationals who do not have permanent or long-term resident status are usually not covered by the social security system (Ministry of Labour and Social Affairs of the Czech Republic, 2004).

Participation in social insurance systems, including disability insurance and pension insurance, requires gainful activity. For health insurance, permanent residence or gainful activity is required. Participation in funded systems usually requires permanent residence. The possibility of exporting benefits abroad or calculating the total insurance period in the Czech Republic depends on bilateral social security agreements concluded with third countries (Koldinská, 2020). With this in mind, let's review the relations between Ukraine and the Czech Republic in the context of the existence of social security agreements. It is worth noting that the two countries signed the relevant Treaty, which entered into force in 2003. This Treaty regulates the following types of social security: temporary disability benefits; maternity, childbirth and childcare benefits; assistance to families with children; benefits in case of industrial accidents and occupational diseases; unemployment benefits; old age pensions; disability pensions; survivors' pensions; and burial benefits (Verkhovna Rada of Ukraine, 2002).

Due to the existence of Treaty between Ukraine and the Czech Republic on Social Security (Verkhovna Rada of Ukraine, 2002), it can be concluded that Ukrainian labor migrants have a certain level of social security protection. This agreement provides individuals in international labor mobility between the two countries with the possibility to receive certain social benefits and payments depending on the rules established by the agreement. Such an agreement makes Ukrainian labor migrants more protected from risks and unforeseen situations by providing them with access to social security, such as medical care, pension payments, and other benefits. This is an important step in ensuring the social protection and welfare of Ukrainian workers working in the Czech Republic and indicates the growing attention to the needs of labor migration and international cooperation in the field of social protection.

Bilateral agreements between countries are the best way to ensure the protection of citizens in the context of social security. These treaties allow establishing clear rules and conditions for social protection of labor migrants. Since social security is regulated differently in different EU states, bilateral agreements create mechanisms for coordinating and ensuring social rights and benefits for migrants. These agreements are an important tool that ensures equal social protection conditions for citizens in the countries where they work or temporarily reside. They allow migrants to receive certain benefits and payments that meet the standards and requirements of the country of employment.

Such agreements are a manifestation of international cooperation and mutual understanding aimed at protecting the rights and well-being of labor migrants. They contribute to the creation of a stable and equal working environment that takes into account the needs and rights of migrants, providing them with decent living and working conditions. Governments should continue to actively conclude bilateral social security agreements to ensure maximum protection for their citizens in labor migration situations. This will help to strengthen social justice, promote economic development and strengthen international cooperation.

4. DISCUSSION

The general issues of legal regulation of social security of Ukrainian labor migrants abroad were considered in the work of Ukrainian researcher O. Mulska. In her work, the researcher emphasizes that social security plays an extremely important role in protecting the human rights of foreign workers. Despite the economic benefits of labor migration, it causes serious problems, one of the most acute of which is the lack of proper social protection for labor migrants. In addition, O. Mulska notes that in the scientific discourse it is often believed that the terms *social protection* and *social security* are interchangeable. However, the author notes that social protection includes additional measures to support migrant workers through social networks. Most countries in the world provide a basic level of social protection. However, in many countries, the limitations of this protection are manifested in the lack of access to many social protection programs and schemes for the majority of the population (Mulska, 2015).

The authors also used the scientific work of Ukrainian researcher O. Malynovska. The researcher emphasizes the high attractiveness of Poland for Ukrainian labor migrants. This is due to the fact that Poland is facing a labor shortage against the backdrop of successful economic development and low unemployment. The massive outflow of Poles to other EU countries, where wages are higher than in Poland, also increases the demand for additional labor. Poland has created ample opportunities for legal temporary employment of foreigners. The migration of Ukrainians to Poland is an important aspect of interaction between the two societies, and therefore requires mutual attention and appropriate response (Malynovska, 2021).

The scientific work of another Ukrainian researcher, I. Yatskevych. His work focuses on the social protection of labor migrants under EU law. The researcher emphasizes that while migrants who have been legally employed have guaranteed rights to equal working conditions and social security similar to those of citizens of an EU member state, illegal workers find themselves in a much more difficult situation. Each EU member state monitors compliance with the rules on employment and social security for migrants, but the measures taken in case of violations are mainly aimed at employers, not at the victimized worker. This means that irregular workers who have been employed without complying with the requirements and rules face the risk of losing their jobs and the income they need to provide for their families (Yatskevych, 2018).

In this article, the author also identified important aspects of the scientific work of the Polish researcher A. Chłoń-Domińczak. Her work concerns the study of certain features of Polish legislation on social protection of labor migrants from third countries. The main purpose of the article is to discuss the Polish social security system with a special emphasis on the access of citizens residing in the country, nonresidents and foreigners to its various components in the light of key migration changes (Chłoń-Domińczak, 2020).

Despite the fact that the issue of social security is important and necessary in the context of protecting human rights and freedoms, Ukrainian workers abroad may still face certain challenges in this area. These challenges include: lack of coordination between social security systems; unclear rights and procedures for migrant workers; and abuses and unfair practices in relation to social security. The lack of coordination between social security systems is one of the main problems faced by migrant workers. Since each country has its own social security system with its own rules, procedures and criteria, it creates difficulties for migrants moving between countries. Insufficient coordination between social security systems can lead to double taxation or exclusion from benefits and payments. For example, a migrant may be obliged to pay social security contributions in the country of work and in the country of origin, which creates unnecessary financial costs and complicates the process of obtaining social benefits.

In addition, the lack of coordination can lead to violations of migrants' rights and disruptions in access to social security. For example, a migrant may be excluded from receiving certain benefits or restricted in access to healthcare services due to complicated procedures or requirements for residence status. To address this problem, improved coordination between countries and the development of international agreements and standards are needed to help ensure equal social protection for migrant workers. Such agreements should include the definition of rules for the payment of contributions, transfer of benefits, recognition of work experience and access to social services for migrants.

The availability of information resources and counseling services for labor migrants is also an important step to address the lack of coordination. Migrants should have access to clear information about their rights and procedures related to social services in the countries where they work or live. This will help them to realize their rights and know what benefits they are entitled to, as well as how they can use these benefits. In addition, international organizations dealing with migration issues can facilitate cooperation between countries and help address the lack of coordination. These organizations can mediate negotiations and facilitate bilateral or multilateral social security agreements aimed at

facilitating access to social services for migrants. Given the large number of labor migrants in many countries, it is important to address the lack of coordination between social security systems. This requires joint efforts and cooperation between countries and international organizations, in particular to establish clear rules and procedures, simplify administrative processes and ensure access to social protection for all migrant workers.

Another problem is the lack of clarity of rights and procedures for migrant workers. This problem arises due to different social protection systems in place in different countries, as well as the complexity of legal regulation and migrants' lack of awareness of their rights. One solution to this problem is to improve information access for migrant workers. It is necessary to ensure that they have access to clear, accessible and linguistically understandable information on social security rights and procedures. This can be done through the establishment of special information centers, counseling services or web portals that provide comprehensive information on social rights and procedures in different countries.

In addition, simplification of procedures and standardization of legal norms can help to reduce the lack of clarity of rights for migrant workers. The development of a unified legal framework or the creation of international standards in the area of social security can help to create clearer and more transparent rules for all migrant workers. Finally, abusive and unfair practices in relation to social security are a serious problem faced not only by migrant workers, but also by social security systems in general. These practices can lead to illegal receipt of social benefits or attempts to cheat the system for personal gain.

One of the most common types of abuse is the unlawful receipt of social benefits by submitting false information or concealing certain facts. This can include submitting false documents, providing false information about income or marital status, and abusing the resettlement or temporary residence system. Additionally, there may be cases of forgery of documents or unfair use of the social protection system through the use of multiple or fictitious identities. To combat these problems, it is important to strengthen the control and monitoring of social protection systems, develop stricter verification procedures and establish appropriate sanctions for abuse. It is also necessary to improve information exchange between different state authorities responsible for social security to detect and prevent unfair practices.

5. CONCLUSION

EU legal acts are equality-oriented and give EU member states the opportunity to set their own rules for migrants coming from third countries. As the economic and social situation in different EU countries differs, member states are trying to preserve the common values and principles of the Union, while protecting their markets from additional social obligations related to the employment of third-country nationals.

The priorities of Ukraine's migration policy are to protect the rights and interests of citizens abroad, as well as to coordinate social security systems with recipient countries of Ukrainian labor migrants. Both Ukraine and the EU member states have an interest in organized and safe migration, so joint control and cooperation in the field of employment of Ukrainian workers in the EU can lead to positive results. It is important to coordinate informing migrants about the need to participate in the social insurance system and to intensify the implementation of intergovernmental agreements. Cooperation should also take into account the educational and cultural needs of Ukrainians in the host country. Conducting bilateral research in the field of migration will contribute to effective management decisions.

However, a prerequisite for a successful solution to these issues is to increase the attention of the Ukrainian authorities and the public to migration issues. Currently, these issues are almost a

necessity in the political discourse, as they are considered less important compared to other problems, such as war, economic problems, corruption, etc. However, from a strategic point of view, given the negative demographic situation, rapidly aging population and future labor shortages, it is important not to neglect these issues.

The legal regulation of social security differs from one EU member state to another, which creates problems for Ukrainian labor migrants. In order to ensure their protection and social security, it is necessary to actively develop bilateral cooperation and conclude relevant bilateral agreements between Ukraine and EU member states. This will help to create a unified system of protection of rights and provide migrants with access to social benefits and support, reducing uncertainty and unclear legal norms and procedures. Such agreements will help to ensure fair and effective social protection for Ukrainian labor migrants, contributing to their integration and stability in the country of employment.

To solve the problems faced by labor migrants related to social security, the following measures should be taken:

1) improve coordination between social security systems of different countries through cooperation and bilateral agreements between countries;

2) ensuring clarity and accessibility of rights and procedures for migrant workers through information support, consultations and provision of proper translations of documents;

3) combating abuses and unfair practices in social security by strengthening control, establishing strict sanctions for violators and creating complaint mechanisms;

4) continuous monitoring and updating of social security legislation and policies to take into account the needs of migrant workers and ensure their rights;

5) ensuring an effective mechanism for addressing complaints and conflicts arising in the area of social security of migrant workers.

These steps will contribute to improving social security conditions for labor migrants, protecting their rights and ensuring fair and equal labor and social security conditions.

6. REFERENCES

Bonfert, L., Günzel, E., & Kellmer, A. (2022). Migrant organizations and social protection in Germany: The functions of MOs for their target groups' social protection practices. *Social Sciences, 11*(12), 1-17. https://doi.org/10.3390/socsci11120576

Bortnyk, N., Yesimov, S., & Moroz, N. (2017). Migration processes: Concept, essence, current state. *Bulletin of Lviv Polytechnic National University, 884,* 64-71.

Bundesregierung. (2020). Fachkräfteeinwanderungsgesetz. Retrieved from https://www.bundesregierung.de/breg-de/aktuelles/fachkraeteeinwanderungsgesetz-1563122

Bundestag. (1997). Asylbewerberleistungsgesetz. Retrieved from https://www.gesetze-im-internet.de/asylblg/BJNR107410993.html

Cabinet of Ministers of Ukraine. (2019). Resolution No. 434 On approval of the Agreement on the Implementation of the Agreement between Ukraine and the Federal Republic of Germany on Social Security. Retrieved from https://zakon.rada.gov.ua/laws/show/434-2019-%D0%BF#Text

Chłoń-Domińczak, A. (2020). Migrants' access to social protection in Poland. In J.M, Lafleur & D, Vintila (Eds.). *Migration and Social Protection in Europe and Beyond* (Vol. 1, pp. 327-344). Cham: Springer.

Commission of the European Communities. (1985). Decision setting up a prior communication and consultation procedure on migration policies in relation to non-member countries. Retrieved from https://eur-lex.europa.eu/eli/dec/1985/381/oj

Commission of the European Communities. (1992). Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31992L0085

Commission of the European Communities. (1993). *Green Paper European social policy: Options for the Union.* Luxembourg: Office for Official Publications of the European Communities.

Commission of the European Communities. (1994). European Social Policy – A Way Forward for the Union. A White Paper. Retrieved from http://aei.pitt.edu/1118/

Council of the European Union. (1994). Resolution on limitation on admission of third-country nationals to the territory of the Member States for employment. Retrieved from https://eur-lex.europa.eu/legal-content/LT/TXT/?uri=CELEX:31996Y0919(02)

Council of the European Union. (1998). Directive 98/59/EC on the approximation of the laws of the Member States relating to collective redundancies. Retrieved from https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A31998L0059

Council of the European Union. (2000a). Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Retrieved from https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32000L0043

Council of the European Union. (2000b). Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation. Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=EN

Council of the European Union. (2001a). Directive 2001/23/EC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses. Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32001L0023

Council of the European Union. (2001b). Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32001L0055&from=LT

Council of the European Union. (2003). Directive 2003/86/EC on the right to family reunification. Retrieved from https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:251:0012:0018:en:PDF

Council of the European Union. (2004). Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services. Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004L0113

Council of the European Union. (2009). Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32009L0050

Council of the European Union. (2010). Directive 2010/18/EC implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC. Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010L0018

Darmoris, O.M. (2010). *Formation and development of the labor law of the European Union*. Odesa: National University "Odessa Law Academy".

Deutsche Rentenversicherung. (2022). Information for persons from Ukraine. Retrieved from https://www.deutsche-rentenversicherung.de/DRV/DE/Home/ukraine.html

European Parliament & Council of the European Union. (2011). Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State. Retrieved from https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:343:0001:0009:EN:PDF

European Union and Ukraine. (2014). Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. Retrieved from https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0529%2801%29

Koldinská, K. (2020). Migrants' access to social protection in the Czech Republic. In J.M, Lafleur & D, Vintila (Eds.). *Migration and Social Protection in Europe and Beyond* (Vol. 1, pp. 109-121). Cham: Springer.

Koldinská, K., & Lang, R. (2017). International encyclopaedia of laws: Social security law. Suppl. 109. Czech Republic. In W., Van Eeckhoutte (Ed.). *International encyclopaedia of laws: Social security law* (pp. 105-124). Alphen aan den Rijn: Kluwer Law International.

Malynovska, O.A. (2012). The problem of social protection of Ukrainian migrant workers. Analytical note. Retrieved from https://niss.gov.ua/doslidzhennya/socialna-politika/problema-socialnogo-zakhistu-ukrainskikh-pracivnikiv-migrantiv

Malynovska, O. (2014). Social security system for Ukrainian labour migrants: Problems and directions of improvement. *Demography and Social Economy, 2*(22), 176-186.

Malynovska, O. (2021). Ukraine-Poland: On the issue of modern migration of Ukrainians to Poland. *Strategic Priorities, 3*(4), 65-72.

Ministry of Labour and Social Affairs of the Czech Republic. (2004). Act No. 435/2004 Coll. on Employment. Retrieved from https://www.globalwps.org/data/CZE/files/Employment%20Act.pdf

Mulska, O.P. (2015). The portability of social protection of labor migrants. *Effective Economy*, *10*, 1-6.

Omelianiuk, M. (2021). Ambassador: About 1.5 million Ukrainians live and work in Poland. Retrieved from https://suspilne.media/148900-u-polsi-zivut-i-pracuut-blizko-15-mln-ukrainciv-posol/

Operational Data Portal. (2023). Ukrainian refugee situation. Retrieved from https://data2.unhcr.org/en/situations/ukraine

Polish Parliament. (2013). Act of 12 December 2013 on foreigners. Retrieved from https://www.asylumlawdatabase.eu/en/content/en-act-12-december-2013-foreigners-poland

Schnabel, R. (2020). Migrants' access to social protection in Germany. (2020). In J.M, Lafleur & D, Vintila (Eds.). *Migration and Social Protection in Europe and Beyond* (Vol. 1, pp. 179-193). Cham: Springer.

Sejm Rzeczypospolitej Polskiej. (1997). Ustawa o działach administracji rządowej. Retrieved from https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu19971410943.

Tkachenko, L. (2009). The problems of the social security of the Ukrainian labour migrants. *Demography and Social Economy, 1*, 71-79.

UN General Assembly. (1996). International Covenant on Economic, Social and Cultural Rights. Retrieved from https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights

Verkhovna Rada of Ukraine. (2002). Treaty between Ukraine and the Czech Republic on Social Security. Document No. 203_019. Retrieved from https://zakon.rada.gov.ua/laws/show/203_019#Text.

Verkhovna Rada of Ukraine. (2012). Agreement between Ukraine and the Republic of Poland on Social Security. Document No. 616_161. Retrieved from https://zakon.rada.gov.ua/laws/show/616_161#Text

Vinokurov, Ya. (2023). Ukrainian migrants are boosting Europe's economy. What will happen to Ukraine without them? Retrieved from https://www.epravda.com.ua/publications/2023/01/10/695807/

Yatskevych, I. (2018). Right to social security of employment migrants in European Union. *NaUKMA Research Papers, 1*, 62-67.