

Meeting report**EU-CHINA SPRP Component 3****Panel Discussion 1****Topic: Legal Framework of Social Assistance****MoCA****10:00-13:00, June 29th, 2015**Participants: *See appendix***Part 1 Ministers' welcome remarks**

Moderator Director General Mr WANG Zhikun
Opening remarks by Deputy Minister GONG Puguang
Introduction of CN participants by Mr Wang Zhikun
Opening remarks by Deputy Minister Radosław Mleczko

Part 2 Panel Discussion

Moderator: Deputy Director General Mr LIU Xitang
SPRP and Component 3 background introduction by RE Marzena Breza
Main contents of the topics researched on legal framework of SA:

- Background on SA in China
- Problems and results to be achieved within EU-CHINA SPRP
- 2015 work plan
- EU-China exchange of experience and views
- Preliminary findings

Presentations by each STE**1. Prof. CAO Feng (Frank)**

- The report covers employment, education, legal, housing, medical disaster and temporary assistance on the policy development and implementation, as well as with case studies
- Employment - Not only by providing employment information but also focusing on capacity building
- Education – government subsidies weight more on tertiary education
- Housing – vulnerable and marginal groups; expenditures on housing assistance
- Medical – very critical issue for families in China related to provincial expenditure of medical assistance
- Disaster – immediate response is challenging and national expenditure of living assistance depends on the disasters varies every year
- Temporary – part of social support chain and calls for social care and concerns

Reflections on the research

- Regional disparities depending on local status quo of capacity, financial situation, etc.
- Governmental capacity
 - Human resources capacity
 - Financial capacity
 - Technological capacity
 - Collaborative capacity
- What is a good government - A government which can provide social assistance and social concerns to the society

2. Prof. GUO Yu (Grace)**Urban and rural Dibao**

- National poverty line 2013 2300/year/per person
- Number of recipients for urban and rural Dibao is very high
- Beijing Urban Dibao is minimum of 580/month

- Challenges:

- How to make means-tests more effective
- How to define Dibao line
- SA bears too many other social assistance/welfare schemes and performs a larger role than it is supposed to be
- Intra governmental relations (multi-sector cooperation)
- Ambivalence between low level of benefit and welfare dependency

Introduced the Five guarantee and the Interim Measures

3. Prof. KONG Fanhua (Alena)

- Legal framework development in medical, education, housing, employment, temporary and legal aid
- Achievements - established basic SA laws; Dibao covers both urban and rural areas; Five Guarantees supported by the government

- Main problems – no intact SA legal system; functions of special SA is not clearly defined; execution of SA is not strong at local level; information transparency and availability

Comments from EU expert of Poland Ms Zofia Czepulis-Rutkowska via Skype Video

- Self-Introduction – employed in the Institute of Labor and Social Studies in Warsaw, with expertise in social security
- Main task presently is fighting poverty, i.e. Europe 2020 – the Strategy for Smart, Sustainable and Inclusive Growth, where inclusiveness is also referred by ILO recommendation No 201
- Social security systems are not sufficient to prevent poverty therefore other benefit systems like social assistance as a supplement takes substantive role
- Overall impression of the report - Professional on SA from STE with challenges and situation analysis; good starting point and set a crucial assistance
- In particular,

Frank – technology can help collect necessary data to prepare a fair and efficient social protection system

Grace – the effectiveness of means-test should be carefully designed so the majority in need would get help and those who do not have the need stay out of it

Alena – shows the government has put efforts to introduce the integrated social protection system however communication issues and information release from governments should be strengthened

Overall,

- Helpful to understand the issues and challenges of SA in China
- EU experiences can be helpful to SA studies in China, some issues on legal framework are also challenging some EU countries
- Migration process from rural to urban areas is huge
- poverty reduction remains the most import is on the EU member states level
- Poland has experienced in post transition stage from rural to urban in Poland and some elements present in other countries are still being discussed in other countries
- Experience on the changes for SOEs in Poland might be useful for the project
- Hopefully, the EU expert's experiences in EU, Poland and ILO can contribute to China's SA legal framework

External experts' comments

1. Prof. HAN Keqing

- Poverty alleviation would focus on rural area development
- Dedicate Dibao to low-income families and focus on developing rural community for poverty reduction
- Cao Feng's presentation is very explicit - Responsibilities of temporary assistance should be shared not only by MoCA but also other sectors.
- Reflection part is important
- Agree on Guo Yu's opinions of analysis that Dibao currently performs more roles than it is supposed to
- Kong Fanhua - the need to clarify some definition in SA framework, i.e. the differences between employment assistance and employment aid.
- Dibao employment should be given to undergraduate students who have difficulties of employment and should be dedicated to low-income groups
- Other comments

- The framework of SPRP: How to address socio-economic challenges while achieving national development goals; need EU experience on social administration and collaboration among government authorities
- Given the different institution base and level of economic development between China and EU countries, how to integrate EU best practice into China's context
- High public debt
 - Decrease coverage to reduce debt -Dibao beneficiaries of rural area should be clearly defined
 - Integrate Dibao with other welfare policies
 - Be innovative when making institution reform

2. Prof. YANG Sibin

- Has a clear picture of current and future legislation on SA after hearing the presentations from all STEs
- Some terms need to be defined explicitly. i.e. Who are employment assistance target groups? Shall legal assistance be included in SA system?
- Legal assistance, legal aid, and legal service does not merely mean to target on poor people but to improve fairness of legislation and justice
- SA comes across social welfare, social service, social insurance, assistance from civil society and possibly ties to the elderlies of five-guarantees
- Legislation should focus more on the feasibility to make practical recommendations
- Challenges at grass root level - lack of capacities, overburden workload
- No much concern given to homeless people
- MoCA cannot solve problems by themselves and need joint-efforts from multiple sectors to share the responsibilities
- When providing disaster assistance, take into account the needs of local victims
- It takes a long way for the Interim measures to be legislated, which requires more practical research and scientific evidence

Comments by Comp1 RE Jean-Victor

- Representative office of ILO in China, a gate open for mutual collaboration in China
- Recommendation is mentioned in ILO 2012 document, the SA cannot only coming out of from MoCA, which indeed requires collaboration to be developed across different sectors i.e. Is the employment law more effective to have an impact on the number of SA covered?
- Already many achievements to be based on, qualification process - reviewing the existing measures /instrument and identify the ones need to be improved
- Define the covered group
- 1. Evaluation review
- 2. Peer review
- 3. Law should be equal to everyone but not in favor to specific groups ie. Law employment injury insurance
- Anticipate a long time for the law to come into place

Comments by EU Delegation Ms YI Xiaoling

- SPRP project is based on the discussion and negotiation with MoCA in the past years; It is in conjunction with the previous project on Social insurance which has successful results.
- How to make the cooperation more effective, introduce EU experience on this cooperative platform and have real breakthrough in the project
- How relevant are the EU experiences for China to learn, to adopt and to have effect on SA?
- The core value of the project is to feed the EU case into China's practice

Comp3 RE Marzena Breza final comments

- Thanks for the comments for all of our experts within the project
- Receive the background information not only on the legal framework but also the future cooperation
- Social assistance and social security is much well connected (linkage between Comp1 and Comp3)
- Take socio-economic aspects into consideration for sustainable SA to transfer to the new era of market economy in China

Follow up

- First final report on SA legal framework by July 31, 2015
- Second wave research on situational analysis till Nov 2015
- HLE- Roundtable Discussion on SA
- Local study visit to Poland and Czech Republic
- Panel Discussion 2 in November 2015
- Workshop on all three topics of 2015 in Dec 2015

Conclusion by Deputy Director General LIU Xitang

- SPRP is an extension of previous EU project on social insurance, which has the focus on,
 1. Analysis in the formation of SA law
 2. Learn from EU experience
 3. Conduct pilot studies
- With the support of EU Delegation and SPRP, it is meaningful to review SA legal framework as well as STEs conduct local study visit in China
- Agree with RE's follow up schedule
- Other comments
 - SA legal framework research is relatively general and should be more focused, which cannot be divorced from reality
 - Welcome Prof ZUO Ting joining the group and hope the second wave of studies can start ASAP
 - When preparing for country report before 2nd panel discussion, try to be China specific which would possibly fit into China's context
 - Country report should not be limited to the 7 member countries in the consortium and can include representative EU countries like Germany and Nordic Europe
 - Hope to hear from more external experts' advice
 - Invite EUD, RE and STEs to the workshop hosted by Zhongshan University in Guangzhou on August 23 and propose STEs to present on the relevant panel discussion

Drafted on July 1st, 2015.



Social Protection Reform Project
中国-欧盟社会保护改革项目

Appendix

MoCA Participants List

No	Name of the participants	Institution/organization
1.	宫蒲光 Mr Gong Puguang	民政部副部长 Deputy Minister of Civil Affairs, P.R.China
2.	王治坤 Mr Wang Zhikun	民政部社会救助司司长 Director-General of Social Assistance Department, Ministry of Civil Affairs, P.R.China
3.	康 鹏 Mr Kang Peng	民政部国际合作司司长 Director-General of International Cooperation Department, Ministry of Civil Affairs, P.R.China
4.	刘喜堂 Mr Liu Xitang	民政部社会救助司副司长 Deputy Director-General of Social Assistance Department, Ministry of Civil Affairs, P.R.China
5.	柴 梅 Ms Chai Mei	民政部国际合作司副司长 Deputy Director-General of International Cooperation Department, Ministry of Civil Affairs, P.R.China
6.	罗 新 Ms Luo Xin	民政部国际合作司多边处处长 Director of Multilateral Affairs Division of International Cooperation Department, Ministry of Civil Affairs, P.R.China
7.	武增锋 Mr Wu Zengfeng	民政部社会救助司综合处处长 Director of Administration Office of Social Assistance Department, Ministry of Civil Affairs, P.R.China
8.	王 冠 Mr Wang Guan	民政部低收入家庭认定指导中心干部 Officer, Center of Monitoring and Verification for Low Income Families
9.	唐 钧 Mr Tang Jun	中国社会科学院教授 Professor of Chinese Academy of Social Sciences
10.	韩克庆 Mr Han Keqing	中国人民大学劳动人事学院教授 Professor of Renmin University of China
11.	杨思斌 Mr Yang Sibin	中国劳动关系学院教授 Professor of China Institute of Industrial Relations

EU Participants List

No	Name of the participants	Institution/organization
12.	Mr Radosław Mleczko 拉多斯瓦夫·马勒斯科	Deputy Minister of Labour and Social Policy / Poland 波兰劳动和社会政策部副部长
13.	Ms Monika Szostak 莫妮卡·索斯塔克	Director, International Co-operation Department, Ministry of Labour and Social Policy / Poland 波兰劳动和社会政策部国际合作司司长
14.	Ms Małgorzata Sarzalska 麦尔格扎塔·萨扎尔卡	Director, Department of Economic Analyses and Forecasts, Ministry of Labour and Social Policy / Poland 波兰劳动和社会政策部经济分析与预测司司长
15.	Mr Krzysztof Dobrowolski 克什托夫·多布洛沃斯基	Deputy Head of Mission, Embassy of the Republic of Poland 波兰驻华大使馆副馆长
16.	Ms Marzena Breza 马哲娜	EU Resident Expert Comp 3 中欧项目第三部分欧洲长期专家
17.	Mr Jean-Victor Gruat 圭亚	EU Resident Expert Comp 1 中欧项目第一部分欧洲长期专家
18.	Ms Zofia Czepulis-Rutkowska 索非娅·捷普利斯-鲁特科夫斯卡	EU External Expert 欧盟专家
19.	Ms Yi Xiaolin 易小琳	Project Officer, EUD 欧盟驻华代表团项目官员
20.	Ms Eleonora Santoni 埃利诺拉·散托尼	EUD 欧盟驻华代表团
21.	Ms KONG Fanhua (Alena) 孔繁华	SPRP Experts, Professor, Law School of South China Normal University, Guangzhou, China 中欧项目中方专家，华南师范大学法学院教授
22.	Ms GUO Yu (Grace) 郭瑜	SPRP Experts, PhD, Assistant Professor, School of Labour and Human Resources, Renmin University of China, Beijing, China 中欧项目中方专家，中国人民大学劳动人事学院副教授
23.	Mr CAO Feng (Frank) 曹峰	SPRP Experts, PhD, Assistant Professor, School of Public Policy and Management, Tsinghua University, Beijing, China 中欧项目中方专家，清华大学公共管理学院副教授
24.	Mr ZUO Ting 左停	SPRP Experts, Vice Dean, Professor, Development Studies, China Agricultural University 中欧项目中方专家，中国农业大学人文与发展学院副院长
25.	Ms Ma Lan 马岚	Project Assistant 中欧项目助理
26.	Ms Monica Huo 霍磊	Research Assistant 助理研究员
27.	Ms Valentina Pignotti 毕若华	Research Assistant 助理研究员
28.	Mr Mariusz Jezierski	Interpreter

	万 山	翻译
29.	Mr Giovanni Lin 林国旺	Interpreter 翻译



Social Protection Reform Project
中国-欧盟社会保护改革项目