



**Interamerican Conference  
on Social Security**

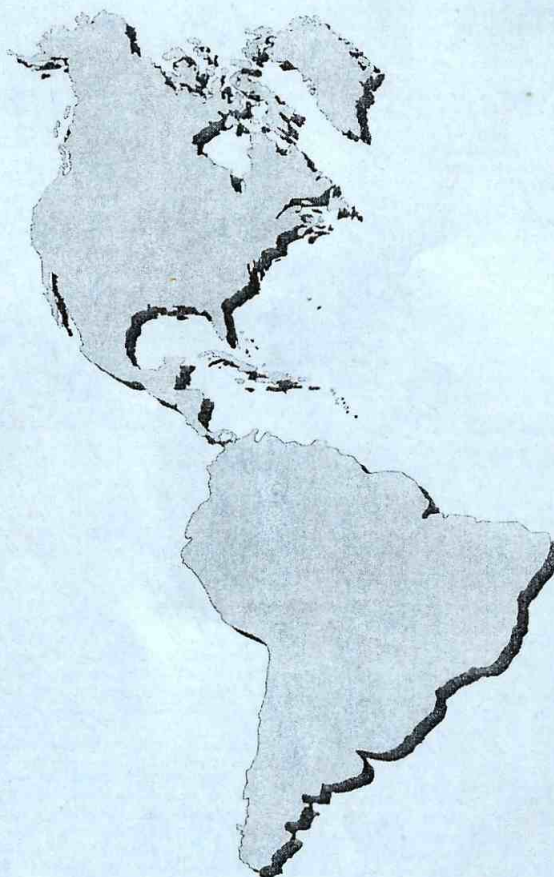


**Instituto Dominicano  
de Seguros Sociales**

## **XL Meeting of the CPISS**

**XL/CPISS/XX/CAJS/RD.96/3**

### **"Social Security Reforms and Economic and Social Policies"**



**Report of Activities 1996 and Work Program 1997  
American Social Juridical Commission**

**Fernando Gutiérrez Domínguez**

**Santo Domingo, Dominican Republic, 25 - 29 November, 1996**

## **Conferencia Interamericana de Seguridad Social**



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# **AMERICAN SOCIO - JURIDICAL COMMISSION**

## **1996 YEARLY ACTIVITIES REPORT**

**(for presentation to the CPISS)**

Distinguished Mr. President of the Inter - American Conference on Social Security,  
Mr. Genaro Borrego Estrada;

Dear Secretary General of the Conference, Mrs. María Contreras Saucedo;

Distinguished Hosts;

Distinguished Sub - Regional Coordinators of the Conference;

Distinguished fellow Presidents of the American Commissions on Social Security;

Distinguished Audience;

In fulfillment of the functions assigned to the American Social Welfare Commissions (CASS) in Article 28 paragraphs *h*) and *i*) and Article 29, paragraph *d*) of the Conference Statutes, as well as in Article 7, paragraph *e*) of the Guidelines of the commissions themselves, once sanctioned by the general assembly of the American Socio - Juridical Commission (CAJS) during its Regular Meeting held last Tuesday, I submit to you the Activities Report corresponding to the year of 1996.

It is worth mentioning that during our ordinary meeting held on September 7 of 1995, wherein the general assembly of the American Socio - Juridical Commission (CAJS) had the honor of distinguishing the State Worker's Welfare and Social Services Institute (ISSSTE) for occupying for one more term the presidency of the Commission's Board of Directors, and we committed our efforts for executing a three year program of activities that included the needs and proposals expressed in different meetings that are duly celebrated, in accordance with the changing reality of the social welfare regimes and, of course, with the goals of the Inter - American Conference on Social Welfare.

It is worth noting that this effort has been shared by the majority of the Vice Presidents and the Technical Secretary of the Commission, by the distinguished persons of Dr. Adolfo Aguirre Baylet from Uruguay, Dr. Orlando Peñate Rivero, from Cuba, Dr. Nancy Tufiño Rivera, from Bolivia, Mr. Humberto Gomez Alfaro, from Costa Rica, and Dr. Mauricio Varela Ramos, from Honduras, respectively. They all warrant a distinguished recognition for their collaboration, without which it would be difficult for us to attain the established goals.

Having said all this and if you will allow me, I would like to proceed to report the following, which is a complementary part of the progress presented in the month of July during the VII Meeting of American Social Welfare Commissions and Coordinators of the Sub - Regions of the Conference alternately held in Mexico City and in the State of Zacatecas:

In the first place and in accordance with the mechanics we have become accustomed to for these purposes, I shall refer to the:

### ***Meetings held by the Commission***

Generally, the American Socio - Juridical Commission (CAJS) has held, every year, two technical meetings, one administrative meeting and another ordinary one, making them all coincide with the coordination reunions called by the Presidency and the General Secretariat of the CISS, as well as with the Permanent Inter - American Committee on Social Welfare (CPISS), in order to take advantage of the foreign delegates' stay and to have a broader audience.

Thus, the first meeting, called the "Board of Directors Work Meeting" took place in the office of the president of the CAJS in Mexico City on March 7, with its four Vice Presidents, in order to discuss the order of the day that fundamentally dealt with matters pertaining to the technical meeting scheduled for the month of July and with the preliminary preparations of the III Inter - American Juridical Congress on Social Security. On this occasion, the representatives of the National Health Bureau of Bolivia and the Pensions and Retirement Council of the National Magistracy of Costa Rica, were all welcomed as new members of the Board of Directors. The corresponding certificate can be consulted in attachment number 1.

Subsequently, on July 5, another meeting was held, this time with the attendance of the President and three Vice - Presidents, where the subject of the Congress, the thematic content and the project for the program were practically defined and said information was later provided to the General Secretariat of the Conference, as well as to its members, all with a tentative nature.

Separately, on the same day (in Mexico) we met with the representatives of the Dominican Institute of Social Securities (IDSS) and later with the V Sub - Region, in order to establish the tasks and responsibilities that each of the institutions must undertake in view of the fact that we were dealing with an event the organization of which had been agreed upon as a joint matter.

Dealing with the same subject, as the date of the Congress drew near, the Presidency of the CAJS visited the Dominican Republic on the 19 and 20 of September with the purpose of holding a Preparatory Meeting with the officials of the Host institution, in order to agree upon financial matters, visit the facilities where

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the event would be held, contact the companies providing all the services, et cetera. The report on said visit is included as attachment number 2.

Regarding the technical meetings, the one that was originally scheduled for July, the purpose of which was to continue with the conclusions on the subject dealt with in the previous meeting held November of 1995, dealing with "*The Challenges of Social Security in the face of Regional Integration Processes*," had to be postponed and therefor, the President of the CAJS suggested that the members of its Board omit the meeting because of the attention required for the preparation of the "*III Inter - American Juridical Congress on Social Security*," with the proposal being accepted.

Now, you are all aware that last Monday, here in Santo Domingo, during the celebration of its Technical Reunion, the Commission decided to expound on and open to debate the primary conclusions of said event, in order for the assistants to comment and contribute to said conclusions, and thus inform all those assisting to the meeting about said matters, subject to the execution of the publication of all the essays.

At this time I would like to make a side note in order to ask the general assembly leave to separately expound on, at the end of this report, the conclusions of both the Technical Meeting and the Congress (attachment number 4), due to the fact that in view of its importance, we wish to submit them to the Committee's consideration as a contribution of the CAJS on the subjects studied.

I shall continue. During this Meeting we had the opportunity to listen to the report presented by Dr. Adolfo Aguirre Bayley, the Coordinator of the Group of Experts on Regional Integration (attachment number 5), that was created in the American Socio - Juridical Commission on October 25 of 1994, based on a proposal that the Executive Coordinator of Sub - Region III - South Cone submitted to the General Secretary of the Conference.

Regarding the ordinary meeting, the President of the Commission submitted for the consideration of its members, the yearly activities report, which was approved and which I am currently presenting, as well as the program for 1997.

### ***III Inter - American Juridical Congress on Social Security***

As many of you already know, because you attended, before the meetings of the Permanent Inter - American Committee on Social Security (CPISS) and the organizations of the Conference, on the 22 and 23, the American Socio - Juridical Commission and the V Sub - Region - Mexico and Latin Caribbean, with the cooperation of the Dominican Institute of Social Securities (IDSS), organized the III Inter - American Juridical Congress on Social Welfare dealing with the subject of

***"Juridical - Financial Matters of Social Security before the New Millennium. Challenges and Outlook."***

Regarding this, I can say that, subject to what I shall report in detail later on, thanks to the joint efforts of the Dominican Institute of Social Securities and the Mexican State Workers Welfare and Social Services Institute (ISSSTE), as well as to the response of renown speakers that honored us with their unconditional participation, to the support of the General Secretariat and its team of contributors, and to the response to the call by all of the members of the Conference, the accounts that we submit today are agreeably favorable.

The event had the purpose of, and provided us with the opportunity to, carry out an interesting intellectual exercise on the incidence of two matters that we believe are a fundamental part of all reform and / or modernization attempts of social security systems, as is the case with juridical and the financial system, which are closely linked. I repeat that at the end of this report, I shall make a more detailed mention of the Congress.

***Other meetings where the Commission was represented***

The CAJS had to opportunity to participate in the following meetings:

1. *Seminar on International Regulations in Social Security*, organized by the General Secretariat of the Inter - American Commission on Social Welfare (CISS), the International Work Organization (OIT), the Iberoamerican Organization of Social Welfare (OISS) and the Mexican Work and Social Provision Ministry, held from the 4 to the 8 of March.
2. The CAJS was represented in the seminar on "*Modern Pension Systems. Efficiency of Social Security Systems, Social Security Savings and Economic Development*," organized by the III Sub - Region - South Cone and the Andes Pension Fund, held on April 25 and 26, in Santiago de Chile.
3. The CAJS also attended the "Conference for Anti - Narcotics Strategy in the USA: A guide for Journalists," on May 27, invited by the American Embassy in Mexico.
4. The commission also participated in the *Work Meetings and VIII Meeting of the American Social Security Commissions and Coordinators of the Sub - Regions of the Conference*, held in an alternate manner in Mexico City and in the state of Zacatecas from the 1 to the 4 of July.
5. The commission attended the *II Cycle of High Level Conferences. Social Security in America at the Close of the XX Century. "Reforms of Social Security*

*and Economic and Social Policies,"* held from September 2 until the 4 in CISS headquarters.

**Activities coordinated with other organizations of the CISS**

This field covered precisely the organization of the III Inter - American Juridical Congress on Social Welfare, in which the V Sub - Region in Mexico and the Latin Caribbean and the host, the Dominican Institute of Social Securities both participated.

Regarding the Inter - American Center for Social Security Studies (CIESS), a proposal on *"Highly Specialized Course or Post Graduate Studies on Latin American Social Security Law"* was submitted and adopted during the Commission's ordinary meeting held in November of 1995, and which further suggests the participation of the Law Faculty of the National Autonomous University of Mexico (attachment number 6). I shall use this occasion for reconfirming this proposal, which can be considered in the CIESS academic program for 1997.

Upon request of the Conference's General Secretariat, the visit of two students from the National Center of Superior Studies on Social Security, headquartered in France, to different Mexican social welfare institutions was fulfilled, with us being responsible for the visit to the ISSSTE, which took place from May 22 to the 24.

The presidency of the American Actuary and Financing Commission (CAAF) received the proposal for the joint execution of a technical meeting in order to continue with the study and analysis of the *"Challenges to social security in the face of the regional integration processes"*, due to the time in effect of said subject and to the points of coincidence regarding the work programs of both commissions. Unfortunately, the above never materialized, first because the CAJS, as we already mentioned, passed over its July meeting, and second due to the fact that the CAAF decided to embark on a different subject during its technical meeting held during that same week.

Regarding this, we would like to state that the CAJS believes that a joining of efforts is extremely valuable regarding the analysis of a subject that is unsettling for the countries in the region, because this type of action regarding joint efforts will allow us to reach conclusions of a multiple discipline nature which at the same time will reinforce the measures to be undertaken by our social welfare systems.

On the other hand, the facsimile of the State Worker's Welfare and Social Services Institute (ISSSTE) was sent in for its incorporation into the V Sub - Region's bulletin.

A contribution for the Social - Medical American Commission's (CAMS) bulletin was similarly sent in.

There was a participation with the American Commission on Organization and Administrative Systems (CAOSA) through the response to the questionnaire on experience in heading customer satisfaction surveys.

In coordination with the General Secretariat of the Conference, all member institutions were invited to propose candidates for including them into the Directory of Experts in matters of Social Welfare. The responses obtained to date have been from:

- The Andes Pension Fund of the Republic of Chile;
- The Social Provision Institute of Paraguay;
- The Social Security Institute of the State of Tabasco;
- Social Provision and Aid, of Brazil;
- The Social Security Administration of the United States of America;
- The National Health Bureau of Bolivia.

I would like to reiterate that the CAJS's goal is that of focusing its best efforts on each of the activities in order to optimally fulfill its responsibility of participating in joint projects with other organizations in the Conference which shall collaborate in optimizing the resources and avoid duplicity in programs, always seeking those results that circumscribe to the context of the goals sought by the organization.

### **Research work**

Outside the context of the Conference, the CAJS participated with an essay on "Environment, Sustainable Growth and Social Welfare," which was included in the magazine edited by the Law Faculty of the San Nicolás Michoacanan University in Hidalgo.

On the other hand, as we have already informed, the CAJS undertook the task of carrying out the study entitled "*Juridical Structure of Social Security and its Institutions in the Americas*," executing it by Sub - Regions, and to date has published the part corresponding to Sub - Region II - Central America, and Sub - Region V - Mexico and the Latin Caribbean.

Regarding Sub - Region III - South Cone, the material is in the hands of the CISS General Secretariat for its editing and publication, while progress on Sub - Region I - Andes, is of 80%, and that of the Sub - Region IV - North America and the English Speaking - Caribbean, is of 60%. The Commission's goal is to conclude the investigation in the course of this year.

Similarly, on August 21 of this year, the Commission sent a questionnaire on all social security benefits and programs that are the responsibility of social security organizations that are specifically focused on women, either workers or recipients,



to all the institutions that are members of the Conference with the purpose of gathering information for the creation of the document entitled "Women and Social Welfare in America."

The replies that we have received to date are from the following institutions:

- Retirement and Bank Pensions Bureau of Uruguay;
- National Health Bureau of Bolivia;
- Social Security Bureau of Panama;
- National Insurance and Social Security Scheme of Guyana;
- Guatemalan Institute of Social Welfare;
- Belize Social Security Scheme;
- The Social Security Administration of the United States of America;
- National Insurance Office of Barbados;
- Mexican Social Security Institute;
- National Social Welfare Administration of Argentina;
- National Insurance Board of Trinidad and Tobago;
- Costa Rican Social Security Bureau;
- Social Security Institute of the State of Tabasco;
- Social Security Institute of the State of Mexico and Municipalities.

We thank all these institutions for their collaboration and respectfully request that the remaining institutions comply.

### **Publications**

I am pleased to mention that the American Social - Juridical Commission, on March 8 of this year, officially introduced the first issue of its information Bulletin called "*Perfiles*," and sends it to the General Secretariat and to all the institutions that are members of the CISS.

I would like to take this opportunity to invite the attending institutions to contribute to this publication that is of a legal nature, by submitting their legislations and eventual reforms, because only with their contributions will we be able to fulfill the central purpose of our bulletin.

Similarly, the investigation entitled "*A global approach to social security systems in North America*" was concluded and has been distributed to all the members of the Conference.

Regarding the *Compilation of International Juridical Instruments on Social Security*," the Spanish version has been concluded and published, and the only thing pending is the confirmation of the Sub - Region IV - North America and the English-Speaking Caribbean for sponsoring the translation and publication in English.

## Budget

According to the assignment for the July 1995 - June 1996 period, expenses accounted for a balance of US\$9,929.00 itemized as follows:

### 1995 - 1996 BUDGET EARMARKING

ACTIVITY	COST IN US\$ DOLLARS
Publication of 500 copies of "Juridical Structure of Social Security and its Institutions in the Americas" (October 30, 1995)	\$1,460.00
Publication of 300 copies of "Human Rights and Social Security" (October 30, 1995)	\$1,292.00
Printing of 100 copies of the "Social Security Juridical Dictionary" (October 30, 1995)	\$756.00
Publication of 500 copies of CAJS's Bulletin <i>Perfiles</i> (February 29, 1996)	\$516.00
Publication of "A Global Approach to Social Security Systems in North America" (October 1996)	\$1,895.00
Printing of "International Agreements and Standards on Social Security" (October 1996)	\$3,700.00
Subscription to Internet	\$310.00
<b>TOTAL</b>	<b>\$9,929.00</b>

As a summary and to conclude this report, I must add that the Commission has carried out the following during the year:

### SUMMARY

- Two Work Meetings of its Steering Board;
- A Work Meeting with representatives of the Dominican Social Security Institute;
- A Preliminary Meeting of the III Inter American Social Security Juridical Congress;
- A Technical Meeting;
- A Regular Meeting;

- A major event, which was the case of the Congress;
- The Commission was represented in 4 events organized by the CISS or by any of its bodies, and one outside the scope of the CISS;
- The Commission took part in two joint activities with the Conference's General Secretariat, and in one activity with Subregion V;
- Completion of 5 research works; and
- Publication of 3 research works and 2 issues of its bulletin

I would like to make public my acknowledgment of the timely support of Maria Elvira Contreras Saucedo, Secretary General of the Conference, which undoubtedly was a critical factor to meet CAJS's activities schedule that I have the honor to present this day.

Thus, the report of activities; I now proceed to present the conclusions of the Technical Meeting on "Challenges to the Social Security in the face of Regional Integration Processes" and then those of the III Inter-American Juridical Congress on Social Security.

## AMERICAN LEGAL - SOCIAL COMMISSION

### 1997 WORK PROGRAM

The annual programs typically developed by the Legal - Social American Commission are integrated to the opinions and proposals manifested by its members during statutory meetings, including those activities that due to their continuity must be retaken each year.

In this sense, and regardless of the meetings that must be held by statute, according to the considerations of the 1996-1998 program, the issue "*Women and Social Security in the Americas*" is intended to be discussed during technical meetings, as well as a comparative analysis of domestic legislations on "*Women Rights regarding Social Security within an Inter American context*"; if sufficient resources are allocated to these issues, they would be incorporated to the Conference's publishing schedule.

Equally important is the drawing-up of a legal experts directory, using the information received on this matter for the Directory of Experts on Social Security.

The Commission will make its best efforts to draw up the proceedings of the *III Inter American Juridical Congress on Social Security*, requesting to this end the cooperation from the organizing institutions and the CISS itself.

Research on CAJS related issues will also continue, justified by the relevance these may represent for the member institutions of the CISS and their possible contributions to attain the goals pursued by the Conference.

Furthermore, the members themselves of CAJS will take part with their own contributions to scheduling future activities.

**DRAFT FOR 1996-1997 BUDGET EARMARKING**

ACTIVITY	COST IN US\$DOLLARS (APROX.)
III Inter American Juridical Congress on Social Security	\$3,500.00
Publication of Congress proceedings	\$1,500.00
Publication of 500 copies of CAJS's Bulletin No. 2 "Perfiles"	\$516.00
Publication of 500 copies of "Juridical Social Structure and its Institutions in the Americas". Subregion III - South America	\$2,000.00
Publication of 500 copies of "Juridical Social Structure and its Institutions in the Americas". Subregion I - The Andes	
Publication of 500 copies of "Juridical Social Structure and its Institutions in the Americas". Subregion IV - North America and the English-speaking Caribbean	
Publication of 500 copies of the comparative work on "Women Rights regarding Social Security"	\$2,000.00
Publications of technical meetings lectures	
<b>TOTAL</b>	<b>\$9,516.00</b>

**SOCIAL SECURITY INTER-AMERICAN CONFERENCE**  
American Legal - Social Commission

**REGULAR MEETING**

Santo Domingo, Dominican Republic

**PROGRAM**

**Tuesday, November 26**

15:00 - 16:00 hr.

- 1996 Annual Report from the Chairman of the Commission
- Presentation of 1997 Annual Program

**SOCIAL SECURITY INTER-AMERICAN CONFERENCE**  
**American Legal - Social Commission**

**TECHNICAL MEETING**

**Santo Domingo, Dominican Republic**  
**November 25 and 26, 1996**

**PROGRAM**

**Monday, November 25**

15:00 - 18:00 hr.

- **Lecture and comments on conclusions of the III Inter American Juridical Congress on Social Security "Juridical-Financial Issues of Social Security before the New Millennium. Challenges and Outlook"**
- **Report of Dr. Adolfo Aguirre Bayley as Coordinator of the Group of Experts on Regional Integration**

**Tuesday, November 26**

9:30 - 13:00 hr.

- **Approval of the prior Technical Meeting's conclusions, held on November 1995 on the "Challenges of Social Security in the face of Regional Integration Processes" to conclude the discussion of this issue.**