Social Security Reforms in Egypt 2008-2015: Seeking for better coverage, financial sustainability, and ‘developmental’ social policy

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Introduction

Along with increasing concerns about inequality and poverty reduction at both global and national levels, reforming social policy and social security mechanisms has been one of the urgent agendas for many countries. It is also relevant to Egypt that experienced the January 25th Revolution in 2011, where people aspired for ‘social justice’ together with ‘freedom’ and ‘dignity’. This article intends to elaborate changes in social policy reforms in Egypt, focusing on 2008-2015, when the country faced a series of critical moments.

Social policy has been defined and implemented differently at each national level, depending on their social challenges and historical contexts. Social and economic structure, development conditions, cultures and values were also among vital factors forming needed mechanisms. The understanding of social policy has also changed over time, from narrow ones to wider ones. For example, ESCWA (2009:8) defines that “starting from its very core objectives of protecting people against such life contingencies as illness, old age, injury and unemployment, social policy has moved to far into other sectors of public policy, including health, education and employment; and has extended to encompass such issues as access to water, environment and good governance.” This broader definition of social policy is based on the concept of ‘development as freedom’ proposed by Amartya Sen (1999), emphasizing the capability of a person to live more freely. Not only protecting people, but also investing in people through relevant policy measures are envisaged, according to this definition.

Rather than aiming at such a ‘developmental’ social policy, an initial design of social policy in Egypt was obviously a top-down style with an extensive redistribution system, which was once called a populist state with ‘social non-democracy’ (Bayat 2006), as apparently in common with other neighboring countries. Karshenas et al. (2013) precisely described these states as ‘authoritarian corporatist social welfare regimes’ which were formed during the 1950s and 1960s in the region, in contrast to different types of welfare regimes of post-industrialization which were theorized by Esping-Andersen in three categories: (i) ‘liberal’ welfare state with limited state’s interventions in social development; (ii) ‘corporatist’ welfare state; and (iii) ‘social democratic’ state with an emphasis on an equality as a highest value in social reform (Esping-Andersen 1990)[1].

Having applied this theory to the Egyptian case, Mohamed, A. (2014) concluded that it was not categorized in any of the aforementioned classifications, but that it fell in a category of ‘conservative/informal’ welfare state that the former Latin American model as well as the Turkish model were categorized into[2]. These understandings of welfare model in Egypt seem to be reminiscent of an argument of 30 years ago regarding ‘allocation state’ vis-à-vis ‘production state’ (Beblawi & Luciani 1987). Social policy, under the old ‘social contract’, was not intended to invest in people for sustainable development, but for preserving or consolidating their legitimacy. The aforementioned study by Karshenas et al. (2013) further indicates that “rather than being considered as an important part of the new strategy of development, social policy was treated as a residual and increasingly as a safety net for those faced poverty in the aftermath of the reforms”, taking Social Fund for Development in Egypt as an example of a failure in this kind.

While these intellectual attempts to contextualize social policy have been deepened within broader development perspectives in response to changes at global and national political economy environments, reforming social policy and social security mechanisms has continued to center in the public discussions before and after the January 25th Revolution and its following political dynamisms in Egypt. This article deals with social insurance and pension as well as social assistance programs, as core measures in social policy in Egypt, together with other policy measures in health and education. The main issues there have been equality in coverage and financial sustainability. How have social

[1] On the basis of ‘social citizenship’ to be core idea for welfare states as proposed by Marshall (1950), and utilizing key concepts of social stratification and de-commodification, Esping-Andersen suggested the mentioned three categories. He assumed the first category of ‘liberal’ welfare state in Anglo-Saxon countries, including USA, Canada and Australia; the second category of ‘corporatist’ state in Austria, Germany, France, and Italy; the third category of ‘social democratic’ in Nordic countries including his own country, Denmark.

[2] Mohamed, A. (2014) examined social policies in Egypt, including food & fuel subsidies, social security pension, health care, education, targeted programs, public employment, and as a non-state intervention, informal welfare networks. He concluded that employment in the public sector and informal social networks had important roles as safety nets, together with provided benefits. His study focuses on 1995-2005, which does not cover the period since 2004 when the recruitment of graduates in public sector was abolished under Nazif Cabinet.

policy measures in Egypt been discussed and reformed especially during the recent critical period of 2008-2015? How have the governments before and after the January 25th Revolution dealt with their structural challenges, limited coverage and financial sustainability? Have they been oriented to 'developmental' social policy, or rather confined to focus on only social protection?

In order to answer these questions, with special references to Law No. 135 in 2010 and Karama wa Takaful, that were important benchmarks in attempts of institutional reform of welfare system in Egypt, this article deal with the following sections dealing with concrete examples of policy measures comprising of core social policies in Egypt: social insurance and pension, and social assistance programs as indicative cases for directions that the country seems to head. First section reviews basic historical developments of social insurance and pension systems in Egypt and confirms that the proposed Law No. 35 in 2010 could be a step forward to integrate the formerly segmented social insurance and pension systems. Second Section examines two types of social assistance programs in the country: cash transfer programs before January 25th Revolution, and Karama wa Takaful after the revolution. This study is based on a mixture of literature surveys as well as the information obtained from the author's field work.

1. Social Insurance and Pension systems

1.1. Fragmented Laws since 1975 and their challenges

Social insurance and pension systems in Egypt have been under several laws (Table 1), covering around 25 million people, administered by National Social Insurance Organization (NSIO). The main laws cover most of the risks: aging, disability, death, work injury, and maternity, include (Helmy 2008, Yamada 2011, Sieverding & Selwaness 2012);

(i) Law 79 in 1975, which has been the most comprehensive law for government employees as well as public and private sector workers,
(ii) Law 108 in 1976 for private sector employers and self-employed,
(iii) Law 112 in 1980 for casual workers or those who were not covered by the former two laws, which was called Sadat Pension (and later Mubarak Pension, and then integrated into Social Solidarity Pension), and,
(iv) Law 50 in 1978 for Egyptian people who work abroad.

Table 1: Social Insurance Laws in Egypt

Law (degree of mandatory)	Scope of Coverage / Contents	Covered Risks
79/1975 (Mandatory)	Government employees and public and private business sector workers	Old age, disability, death, work injury, and maternity
108/1976 (Mandatory)	Private sector employers and the self-employed	Old age, disability, and death
112/1980 (Mandator)	Casual workers*	Old age, disability, and death
50/1978 (Optional)	Egyptian working abroad	Old age, disability, and death
135/2010 (Passed and supposedly went into effect on January 1, 2012)	Drastic reform of the former laws: - All person aged 65 years old and over (15% of the national average wage) - Gradually Raise the retirement age from 60 to 65 years old; - Establishment of minimum pension (treasury's contribution) -Transfer from defined-benefits PAYG system to a defined-contribution notion accounts system	Old age, disability, death, work injury, and maternity
79/2013	- Cancelled No. 135/2010; - Promulgated No.79/1975, 108/1975, 112/1980, and 50/978; - An addition of a new Article 165 regarding increases in the pensions in accordance with these laws	In accordance with the former 4 laws
120/2014	-Amendment to Law 79/1975 and Law 108/1976, regarding contribution wage (basic wage and variable wage) in accordance with the minimum and maximum limits of wages, as determined on January 7th, 2014	In accordance with the former 4 laws

Source: Author's compilation from Helmy (2008), Yamada (2011), Sieverding & Selwaness (2012), the Law No. 79/2013, and the Law No. 35/2014

This package of the social insurance laws, which passed under the Sadat Regime, however, had many shortcomings, despite their attempts to broaden the scope of coverage. These laws inherited the old target of universal coverage and protection of all people from the former Nasserite era, but they were fragmented laws targeting different parts of the total population. This has resulted in low coverage, social evasion, and budgetary burden. Negative incentives given by these laws have driven employees and employers to deviate from participating in the social insurance system (Pradel and Youssef 2015). The government's inability in collecting contributions from both employees and employers led to budgetary deficits, as Helmy (2008) indicated, increasing from 2.8 billion L.E. in 2000/2001 to 6.6 billion L.E.

In addition to these financial sustainability issues, Helmy (ibid, pp. 204-207) articulates the structural issues such as economic efficiency and equity in income distribution. She raised four main factors in the package of social insurance laws under Sadat: (i) high dependency ratios, (ii) applied rules, (iii) method of funding pension benefits, and (iv) the means of managing pension funds. As for high dependency ratios, main reasons behind include improved life expectancy at the time of retirement, decline in the birthrates, increase especially in youth unemployment (15-40), and the uncovered workers in the informal sector who account for around 40% of the total workforce in Egypt.

1.2. Reform proposal Law 135 in 2010 and its cancellation

The new law, Law 135 in 2010 passed as of June 22nd in 2010, was welcomed as a first step for solving all those problems in the social insurance and pension system. This law passed in 2010 and was supposedly implemented by January 2012. Due to apparent discontinuity in governments after the January 25th Revolution in 2011, however, this was not implemented, instead was annulled by the Presidential Decree No. 79 in 2013. According to an article written by the researchers in the Ministry of Finance (Sabreen & Maait 2011), this new law raised as a main aim to bring workers from the informal sector into the social security system. The Ministry of Finance was assigned to be responsible for this reform in 2005, together with its implementation organization, National Organization for Social Insurance (NOSI), in collaboration with international organizations, including International Labor Organization, the World Bank and the International Monetary Fund. The new law showed some drastic changes such as follows:

(1) Transfer from the defined-benefits PAYG system to a defined-contribution notional account system;
(2) Establishment of basic (minimum) pension for all person aged 65 years old and over (15% of the national average wage), regardless of whether or not they had participated in the pension scheme;
(3) Gradual raising of the retirement age from 60 years old to 65 years old (Helmy 2008, Yamada 2011, Sieverding & Selwaness 2012).

Especially, the basic pension system was designed to be inclusive aiming at real universal coverage, while making a space for private funds to participate in the new system (Table 2). To decrease financial burden for employees, the new law had proposed changes in contribution rates as well (Table 3). This was expected to achieve more equal income distribution through decreasing the employees’ contribution rates from 14% to 11% (increase from 16% to 19.5% for employers’ contribution).

Table 2: Comparison of the new system

<table>
<tr><td rowspan="3">Method Used:</td><td rowspan="3">Current System (Law 79/1975, and other 3 laws)</td><td colspan="4">Proposed System (Law 135/2010)</td></tr>
<tr><td>Non-Participants</td><td colspan="3">Participants</td></tr>
<tr><td>‘Basic’ Pensions</td><td>‘Notional’ Account</td><td>‘Funded’ Account</td><td>‘Supplementary’ Pensions</td></tr>
<tr><td>Calculating individual pensions</td><td>Defined benefits</td><td>15% of economy-wide average wage</td><td colspan="3">Defined contributions</td></tr>
<tr><td>Funding pensions</td><td>Partially funded</td><td>Public revenues</td><td>Pay-as-you-go</td><td colspan="2">Fully funded</td></tr>
<tr><td>Managing pension funds</td><td>Government</td><td>Government</td><td>Government</td><td>Private</td><td>Private</td></tr>
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Source: Helmy (2008), p. 213

Table 3: Contribution rates

	Current System* (Law 79/1975, and other 3 laws)	Proposed System ** (Law 135/2010)
Employee	14	11
Employer	16	19.5
Government	1	Subsidies***
Total	41	30.5

Source: ISSA (2011)

Note:

* Maximum monthly earnings for contribution purposes are 1,750 L.E.

** No maximum earnings for contribution purposes in the new law.

*** The cost of basic pension and increasing low pension payment.

A question regarding why this new law, Law 135 in 2010, was cancelled, despite all these reform proposals, is not obviously easy to answer at the time of writing and requires further investigation. What the provisional government in the post-2011 Revolution decided was to cancel the Law 135 in 2010, and instead, to add a new article in the Presidential Decree 79 in 2013 to increase pensions according to then existing laws since Sadat era. This was an indication for the government to refrain from launching structural reforms in the social insurance and pension system.

2. Social Assistance Programs

Rather than implementing drastic structural reforms, as seen in a case of the Law 135 in 2010, social protection schemes such as social assistance programs or cash transfer programs seem to be more settled in the society. It is probably because of continued existence of poor and vulnerable people who are really in need of support, and because of less resistance than to the structural reforms for the social insurance and pension system.

2.1. 'Solidarity Pension'

'Solidarity Pension (*ma'ash al daman*)', which was formed as a non-contributory pension under the Law 112 in 1980 aiming at casual workers or those who were not covered by the former two laws, Law 79 in 1975 and Law 108 in1976. As mentioned earlier, it was named as Sadat Pension first and later Mubarak Pension, which was then integrated into the 'Solidarity Pension'. This is called 'pension' but has been administered by the Ministry of Social Affairs as it is considered one of the core social safety nets, together with the food subsidy (administered by the Ministry of Supply and Internal Trade) and the Social Fund for Development. It was intended to be inclusive to cover those who were excluded by the former laws, but after all, this non-contributory pension has ended to receive many criticisms as well for several flaws, such as limited coverage, low pension benefits, and bias in administration (Sieverding & Selwaness 2012).

The pension benefits, determined on the basis of household's size and composition, had been as quite low as 50 L.E. per month for an elderly person to 70 L.E. per month for a disable person in early 2000s (Sieverding & Selwaness 2012). Before and after the January 25th Revolution, this non-contributory pension benefits were raised several times by each provisional government, from 124 L.E. via 200 L.E. to 300 L.E. in 2012 under Muhammad Mursi. This tendency to increase pension benefits continued during Beblawi Cabinet that announced the increase in solidarity pensions by 50% to 450 L.E (Daily News Egypt 2014/01/18). Under the current Sisi Regime, however, the Minister of Social Solidarity Ghada Wali reportedly commented that the government could no longer afford the size of pensions and insurance: the funds reached 110 billion L.E. in 2015, compared to 43 billion L.E. in 2010 (Al-Masry Al-Yaum 2015/10/16). While hesitating to implement a structural reform as proposed by Law 135 in 2010, the governments before and after 2011 Revolution have continued to deal with social pressures by increasing the solidarity pension benefits in rather ad-hoc manners, which is again criticized for its financial sustainability.

2.2. Cash Transfer Programs

2.2.1. Before the January 25th Revolution: trials in Cairo and Upper Egypt

Meanwhile, attempts in introducing conditional cash transfer (CCT) with more targeting approaches started before the January 25th Revolution. Learning from experiences from cases in Mexico, Brazil and Chile since early 1990s, then the Ministry of Social Solidarity launched a geographical targeting program to ‘reach the poorest residents of the poorest 1000 villages’, and started a cash transfer program, in collaboration with Social Research Center (SRC) inside the American University in Cairo, in a small slum inside Cairo for three years and then extended to two governorates covering 65 villages in Sohag and Assiut in Upper Egypt[3]. The program promised a monthly sum of 244 L.E per family. Eligibility criteria were set simply. They could apply as long as they considered themselves to be poor, with one or more children under 18 years old (Egypt Independent 2010/05/18).

According to a short report by a research program inside Institute of Development Studies, which was funded by DFID, this conditional cash transfer program in Egypt was held in Ain el-Sira in Old Cairo district, working with low-income families, especially mothers and female heads of households. The families received monetary transfers from the government on some conditions, including minimum school attendance, regular visits to health clinics and nutritious consideration. This ‘feminist design’ was introduced, taking into account gender criticisms of other cases[4].

2.2.2. Karama wa Takaful

New attempts of similar programs, called ‘Karama wa Takaful (dignity and solidarity)’ have been launched by the Ministry of Social Solidarity under current regime. Takaful is a family income support policy, with eligibility criteria including households living in poverty with one up to three children aged from 0 to 18 years old. For Karama, which is more intended as a social inclusion policy, with eligibility criteria including individuals living in poverty up to three members in the family that are 65 years or older, or those

[3] AUC’s website: http://schools.aucegypt.edu/research/src/CCT/Pages/default.aspx (Accessed 12 December 2016)

[4] http://www.pathwaysofempowerment.org/research_projects/conditional-cash-transfers-ain-es-sira (Accessed 15 February 2017)

who have permanent total disability (Table 4). Compared to Karama for social protection, Takaful is regarded as a more 'developmental' social policy, aiming at human development outcomes, such as nutrition, maternal and child health, and school attendance and advancement at least completion of secondary education, according to the website of the program's implementing company[5]. In both cases Karama and Takaful, households with anyone among the household members receiving a social pension from the Ministry of Social Solidarity cannot be eligible.

Table 4: Karama wa Takaful Benefit Scheme

Karama		Takaful	
Household Composition	Monthly Amounts (L.E.)	Household Composition	Monthly Amounts (L.E.)
1 eligible beneficiary	350	Basic benefit for all households	325
2 eligible beneficiaries	700	For each child in primary school grades	60
3 eligible beneficiaries or more	1,050	For each child in preparatory school grades	80
		For each child in secondary school grades	100

Source: Ministry of Social Solidarity (2016)

This program has been financed by the World Bank through its 'Strengthen Social Safety Net Project' from 2015 to 2019 (agreed amounts: US$375 million for conditional and unconditional cash transfers, US$22 million for support SSN targeting and operation, and US$3 million for project management and monitoring and evaluation) (World Bank 2016). According to an unpublished material of the Ministry of Social Solidarity, the program selected 941,000 households (4.31 million persons) out of around 170 million households (acceptance rate: around 55%) and provided cash transfers to 805,000 households while the remaining households were waiting to receive the cash transfers. Under the program, 4,750 social statisticians and researchers were trained to input relevant data. The Ministry of Social Solidarity has signed cooperation protocols with stakeholders, such as the Ministries of Health, Education, Interior Affairs, Planning, Egyptian Post Office, and E-Finance Company. The Ministry of Social Solidarity has established a supervisory mechanism involving civil organizations for ensuring transparency (MOSS 2016).

Both components of the program rely on the use of proxy means testing formula (PMT) to identify poverty without administrative costs on investigating private issues for income and expenditure (Sholkamy 2015). While Karama is intended for more individual entitlement, Takaful has also adopted a 'feminist design' to provide a cash injection (4

5 http://www.efinance.com.eg/en/s/Projects/9/takaful-karama

times a year) to mothers or female heads in the households. Sholkamy, one of the team members of the program suggests as follows: these types of cash benefits only succeed if they are managed in accordance with international standards. They can only become better if their systems, decisions, ethical norms, procedures and practices are shared and debated (*ibid.*).

Conclusion

With regard to comparisons before and after the January 25th Revolution in the field of social policy and social protection, it is difficult to generalize respective policy changes or new programs altogether in a singly direction. There is no available open data clarifying why the post-revolutionary governments cancelled Law No. 135 in 2010 that had been proposed by Nazif Government to integrate the fragmented social insurance and pension systems in Egypt. Apparently, therein lies a discontinuation in the reform process of the social insurance and pension system. Rather than reforming the comprehensive system as a basis for not only the social protection but also for the investment in its population as a whole, it seems that the post-revolutionary governments, including the current Sisi Government, have focused on easier policy instruments to undertake.

Taken into consideration its hitherto achievements and its mechanism design, Karama wa Takaful, targeting poor and vulnerable population in the country, seems at least fitting in a 'developmental' or 'rights-based' social policy perspective in a very narrower scope. Especially, Takaful is a component, on the basis of international experiences and good practices, seeking for human development outcomes as confirmed in the last section of this chapter. Both components of the program utilize external funds by the World Bank. Even if there is a fixed project period, the necessary budget is ensured at least during the period. Though there is no official data available yet, some significant part of those who have suffered from low benefits of the solidarity pension or those who had no pensions might have been saved by this program.

However, when it comes to financial sustainability for a longer term, it is considered that uncompleted reforms in the social insurance and pension system will need to be reattempted sooner or later. Presumably, this will be preferable during the period when the program Karama wa Takaful has been implemented, as those who are really in need would be supported by the program theoretically. As proposed by Law 135 in 2010, incorporating those who work in the informal sector into the formal social security system will be vital, so that not only financial sustainability but also human development can be achieved. It will be a step forward for the country from 'allocation' state to 'production' state.

In this regard, transparency needs to be brought about in the informal sector. It does not mean just a 'discovery' of uncaptured or unregistered national assets hidden as the informal sector, and accordingly increases in national revenues, as suggested by Helnando De Soto in his proposition regarding Egypt early 2000s[6], but also it is relevant for those who are engaged with the informal sector. They are entitled to be protected as well as to pursue their welfare and development. In this regard, an old and new theme, the mutual trust between state and society, remains to be crucial in reforming the social insurance and pension system in Egypt.

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