

**Questionnaire for the meeting of the IVth. Study Commission of the IAJ  
(Madrid, 23-27 September 2001)**

**Migrant Workers (in compliance or not) and their social status.**

Preliminary general comments :

1. It is necessary to limit the scope of the subject to social law, without reference to the civil, administrative or criminal law.
2. We are not covering migrant workers who are members of the EU and, as such, are considered as nationals.

1. Does your social legislation create distinctions between migrant workers that are :
  - in compliance ;
  - non-complying ;
  - clandestine.

Indicate your understanding of each category.

2. How is your social legislation dealing with the problems arising from each category. Please explain briefly the applicable rules (e.g ; : in matters of health, incapacity insurance, pension benefits).
3. Are complying migrant workers directly eligible, after a period of time, to the same rights as nationals ?
4. Can non-complying or clandestine migrant workers legalize their status ? How ?
5. Do the family, the children, benefit from a special status ? Describe.