



REPORT ON THE WORKSHOP ON PORTABILITY OF SOCIAL SECURITY BENEFITS IN THE SADC REGION

17-18 MAY 2018, WINDHOEK, NAMIBIA

1. Background

- 1.1 The SADC Secretariat convened a two-day workshop on the project on “strengthening capacity and policy instruments on portability of social security benefits in the SADC region” from 17 to 18 May 2018 in Windhoek, Namibia.
- 1.2 Social security experts from the following Member States attended the workshop: Botswana, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Seychelles, Zambia and Zimbabwe. The SADC Private Sector Forum (SPSF) and Southern Africa Trade Union Coordinating Council (SATUCC) represented the Social Partners. The SADC Banking Association also participated at the workshop. The International Labour Office and International Organisation for Migration technically backstopped the workshop.
- 1.3 The workshop gave effect to the Ministers of Employment and Labour and Social Partners’ decisions of 2 March 2018 (decision points 2 and 8), which called for the convening of a meeting of experts in social security to facilitate implementation and sustainability of the SADC social security frameworks. These frameworks include the SADC Cross Border Portability of Accrued Social Security Benefits Framework of 2016 and the SADC Code on Social Security of 2007. The two-day workshop also responded to the RISDP Employment and Labour Sector (ELS) targeted output on the development and operationalisation of cross border portability of social protection instruments by 2018.

2. Objectives of the workshop

The main objective of the workshop was to provide a platform for experts to deliberate on key issues on portability in the region by undertaking the following tasks:

- a) Reviewing the draft inception reports for two ongoing assessment studies on the state of social protection access and potential for portability of benefits for migrant workers in the agricultural and mining sectors in SADC*
- b) Identifying key intervention areas and enablers, including mechanisms for design and implementation of a model framework for portability of social security benefits in the SADC region to be elaborated through a study on the financial services sector
- c) Establishing an ELS Troika governance mechanism for the project on strengthening capacity and policy instruments on portability of social security benefits in the SADC region

3. Deliberations on the inception reports for the agricultural and mining sectors

- 3.1 Participants received the inception reports, which examined the state of social security systems and the potential for portability arrangements in the SADC region as presented by the consultants.
- 3.2 The participants appreciated that there is great scope for SADC to establish portability mechanisms for social security, mainly arising from the enabling SADC Treaty provisions on regional integration, SADC policy frameworks on migration and social security as wide ratification of ILO conventions, including the ILO Convention no. 118 on Equality of Treatment (Social Security).
- 3.3 However, participants also acknowledged that significant challenges needed to be addressed to move the portability agenda forward. The identified challenges for the two (2) sectors are presented below:

* As approved by the ELS Ministers and Social Partners in March 2018, the assessment in the agricultural sector includes the following pilot countries: Eswatini, Lesotho, South Africa, Malawi, Mozambique and Zimbabwe. The assessment in the mining sector includes the following pilot countries: Botswana, Eswatini, Lesotho, Mozambique, South Africa, Zambia and Zimbabwe.

Main discussions points under agricultural sector inception report	Main discussion points under mining sector inception report
a) Legislation in some countries outrightly excludes migrant agricultural workers from participation in social security schemes.	a) Fragmented social security schemes that are limited in coverage
b) Social security schemes in some countries require continuous contributions, while agricultural work is seasonal and casual in nature resulting in truncated contribution periods	b) Lack of uniform legal provisions and financing methods for social security and social protection across countries
c) Some migrant workers do not maintain single identity throughout their working life and across all countries hence documentation challenges	c) Different levels of economic development (eg variable financial services architecture), including risks in currency fluctuations
d) Absence of regional labour (registration) bureau for agricultural workers resulting in challenges in tracking/tracing of beneficiaries	d) inadequate data/statistics on migration to show the actual extent of problem and intervention gap
e) Limited access to official documents eg passports	e) Lack of proper/accessible administrative structures for portability

3.4 Participants noted the above issues, among others, which posed significant complexities for portability and thus underscored the need for the finalisation of the studies should endeavour to lead the region to a viable solution.

3.5 The participants also welcomed the planned third study on financial services/systems, having noted that regulatory frameworks and payment systems in SADC were not fully harmonised, as articulated by the SADC Banking Association representative.

3.6 In particular, the participants emphasised that the full implementation of the three (3) studies should address the following issues:

- a) Assessment of national social security systems' capacities and extent of policy harmonisation in SADC, including the inclusion of migrant workers

- b) Analysis of governance issues with reference to cross-sector collaboration by Ministries and agencies responsible for social security and migrant rights, including players such as recruitment agencies
- c) Assessment of capacities/options for multilateral and bilateral cooperation on portability of social security benefits
- d) The extent of alignment of financial systems in the region
- e) The adequacy of national registration (IDs) and documentation (passports, data management etc.) services/facilities in Member States
- f) Assessment of education and awareness needs among beneficiaries/migrant workers to improve accessibility of support services
- g) Feasibility of prioritising certain benefits for regional portability schemes
- h) Assessment of complex scenarios linked to seasonal and temporary cross-border employment such as in the case of Agriculture
- i) Consideration of possibility of extending portability schemes in other sectors beyond agriculture and mining

4. Establishment of Ad Hoc Troika of Social Security Experts

4.1 The participants approved the establishment of an Ad Hoc Troika of Social Security Experts to give technical guidance and oversight to the project management team on studies/activities leading to the development of the portability framework under the project.

4.2 The Ad Hoc Troika shall comprise experts (one each) from the following Member States/Social Partners/organisations:

- a) South Africa
- b) Namibia
- c) Kingdom of Eswatini
- d) SADC Private Sector Forum (SPSF)
- e) Southern Africa Trade Union Coordinating Council (SATUCC)
- f) The ILO and IOM shall also be members of the Ad Hoc Troika.

5. Way forward – Work plan

The participants adopted a work plan for follow-up activities summarised as follows:

Activity	Sub-Activities	Time frame
a) Studies on social security in the mining	Detailed research work by Consultants	June-July 2018

and agricultural sectors	Consideration of first draft by Project Management Team	10 July 2018
	Submission of final study report to ELS Troika	24 September 2018
b) Study on financial services (payment and administrative systems in SADC)	Inception report produced	25 June 2018
	Consideration of first draft by Project Management Team	10 July 2018
c) Validation of the three (3) studies by Ad Hoc troika	Finalisation of studies	25 August 2018
d) ELS Troika and Joint Tripartite Technical Sub-Committee meeting	Validation of the studies by Member States and Social Partners	24-28 September 2018
e) Modelling of portability arrangements in the SADC region	Modelling of portability arrangements in the SADC region	October 2018 - February 2019

6. Conclusion

- 6.1 The participants duly adopted the roadmap as indicated above. The SADC Secretariat and ILO Project Management Team, guided by the Ad Hoc Troika of Social Security Experts have the responsibility to facilitate conclusion of the studies by 25 August 2018.
- 6.2 The meetings of the ELS Troika and Joint Tripartite Technical Sub-Committees from 24 to 28 September 2018 will give further direction leading to the drafting/formulation of portability mechanisms for consideration by the Ministers and Social Partners in April 2019.

SADC Secretariat
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