

The SADC Guidelines on the Portability of Social Security Benefits

The SADC Ministers of Employment and Labour and Social Partners adopted in March 2020 the **SADC Guidelines on the Portability of Social Security Benefits**. The SADC Guidelines aim to support the creation of a favourable system across the SADC region that enables workers to accumulate and access social security benefits, regardless of which country they are in. Institutions responsible for social security across the SADC region have the primary responsibility for implementing the Guidelines through appropriate policy measures.

The guidelines are based on the principle of non-discrimination and equal treatment of nationals and non-nationals. Thus, Member States guarantee migrant workers and their survivors the same social security rights and benefits as those accorded to citizens. The Guidelines are further inspired by ILO Conventions, in particular: Social Security (minimum standards) Convention, 1952 (n° 102); Equality of Treatment (social security) Convention, 1962 (n° 118); and Maintenance of Social Security Rights Convention, 1982 (n° 157). The Guidelines cover all workers, who are nationals of a SADC Member State, as well as members of their family and their survivors. They are applicable to migrants in an irregular status as well as workers in informal employment. The Guidelines apply to the 9 key branches of social security:

1. Retirement benefits
2. Unemployment benefits
3. Survivors benefits
4. Occupational injury and disease benefits
5. Health insurance
6. Maternity benefits
7. Invalidity
8. Sickness benefits
9. Family benefits

The Guidelines only affect benefits that Member States assure under their laws. For the guidelines to become effective countries have to sign bilateral/multilateral agreements.

To enhance social security for migrant workers and their families in the SADC region, the SADC Secretariat and its 16 Member States are working with partners, notably the ILO, to increase awareness and knowledge of the Guidelines

and support their implementation. Five SADC countries (Eswatini, Lesotho, Malawi, South Africa and Zimbabwe) decided to pilot the SADC Guidelines on the portability of social security benefits in March 2020. Additional SADC Member States have recently showed interest in joining this effort: Botswana, Comoros, DRC, Mauritius, Madagascar and Seychelles.

