

The Portability and Access of Social Security Benefits for Mine Workers in Southern Africa



Regional Dialogue Report

26th - 27th March 2015 - Johannesburg, South Africa



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Acronyms and Abbreviations

| | |
|-----------|---|
| ACSM | Advocacy, Communication and Social Mobilisation |
| AMIMO | Association of Mozambique Ex-Miners |
| CCOD | Compensation Commissioner for Occupational Diseases |
| DFID | Department for International Development |
| FMT | Finmark Trust |
| FSB | Financial Services Board |
| FSD | Financial Sector Deepening |
| MBOD | Medical Bureau of Occupational Diseases |
| MPF | Mineworkers Workers Provident Fund |
| MS | Member States |
| IOM | International Organisation on Migration |
| RMA | Rand Mutual Assurance Fund |
| RISDP | Regional Indicative Strategic Development Plan |
| SADC | Southern African Development Community |
| SADC CNGO | SADC Council of Non Governmental Organisations |
| SAMA | Southern Africa Miners Association |
| TB | Tuberculosis |
| TEBA | TEBA Limited |
| UIF | Unemployment Insurance Fund |

1. Executive Summary

The Southern Africa Trust (The Trust) in collaboration with the Southern Africa Miners Association (SAMA) with support from the Ford Foundation and Department for International Development (DFID) convened a regional dialogue, which was a follow up to the workshop that was convened in 2014 in Pretoria, South Africa.

The aim of the 2014 Regional Dialogue were as follows:

- i. To discuss the findings of the regional study on challenges experienced by former mine workers, their dependents and organizations in selected southern African countries and the portability of social security benefits.
- ii. To review the status and implementation of the SADC Charter of Fundamental Social Rights and the SADC Code of Social Security in relation to the portability of social security benefits.
- iii. To discuss mechanisms/institutions that exist that support former mine workers to access social security benefits and compensation.
- iv. To explore the possibility of collaboration among stakeholders for joint action to support former mine workers and disbursement of benefits.

Several recommendations were agreed upon by the various stakeholders who attended the dialogue.

The current dialogue sought to assess the progress that had been made on the recommendations that were agreed upon in Pretoria 2014. Several stakeholders from both the public and private sector presented papers that gave an overview of the various initiatives that are aimed at improving the livelihoods of ex-miners and their dependants. In the same breadth participants all agreed that the ex-miners had contributed immensely to the economic development of South Africa and as such needed to have their efforts acknowledged and urgently redressed. The Executive Director of Southern African Trust pointed out that they needed to “correct the future for miners in relation to accessing their benefits by addressing the problems of the past.”

Ex-miners still face a lot of challenges when trying to access their benefits. A large number of these problems are brought about by failure to have adequate documentation and lack of knowledge on how to access those benefits. Logistical issues, such as getting transport to acquire the required documentation were also seen as a hindrance to accessing benefits. As a last resort ex-miners turn to tracing agencies who take large amounts of their benefits as commission.

The various presentations gave a positive outlook of the current initiatives that are being undertaken for the benefit of ex-miners in the region. It is encouraging to note that different governments have actively taken up the challenge to ensure that ex-miners get their benefits. To date, through various efforts and initiatives a sizable number of ex-miners in Lesotho, Mozambique, South Africa and Swaziland have accessed their benefits. The Southern African Miners Association through its affiliates in the various countries has managed to conduct tracing exercises which have successfully identified ex-miners in the different countries. However, the number that has been assisted is small when compared with the large number of ex-miners with unclaimed benefits that still need to be processed. It also emerged that there is need to put in place measures to ensure that ex-miners from Malawi access their benefits. The use of various communication strategies was thus seen as crucial to reach a wider range of ex-miners especially in Mozambique where the communities are spread over wide areas. Cell phone technology was seen as a way of reaching some of these communities.

Countries such as Mozambique and South Africa should be commended for being proactive in centralizing services for the miners. The One Stop Model in South Africa is being decentralized to other provinces and possibly being considered to be replicated in other countries in the region. In Mozambique the government conducted a road-show which saw all service providers such as government departments, Benefit Funds and banks assisting ex-miners to have their benefits processed within one area and in a timely manner. Some funds such as the Mineworkers Provident Fund and The Employment Bureau of Africa (TEBA) have also managed to reach a considerable number of ex-miners and in the same breadth formed mutual and lasting relationships with relevant government departments.

FinMark Trust (FMT)'s presentation on cross border remittances in the region exposed the participants to some of the safer channels that are now available for miners from Lesotho to send money to their families. To this end, participants were urged to conscientise the ex-miners about this development. International Cooperating Partners (ICPs) such as the World Bank are supporting initiatives to alleviate Tuberculosis (TB) in the region. The International Organisation on Migration (IOM) is actively involved in ensuring that miners are exposed to social services and have engaged various local authorities in some provinces in South Africa to improve housing and social amenities for miners.

At a regional level, issues dealing with ex-miners are anchored in the Southern African Development Community

(SADC) Regional Indicative Strategic Plan (RISDP) and the various protocols associated with migration and prevention of diseases. However, it emerged that there is a need to ensure that the various participants attending the dialogue actively engage with their various Member States (MS) so as to ensure that the various protocols were implemented. Key action points that came through the discussion include the following:

- Consider having a consolidated database that is managed by the South African government that would be available to all key stakeholders in the region. In the same breadth there is a need to ensure that the various Benefit Funds have their databases consolidated;
- Information dissemination should be up-scaled through the use of mobile telephony to boost the current methods that are currently being used.
- Efforts should be up-scaled to reach out to miners in the Platinum belt as they have not been included in the current programmes;
- Project is strongly biased towards regionalism so there is a need to coordinate efforts at that level;
- There is a need to strengthen regulations that govern tracing agencies to avoid abuse of ex-miners;
- All stakeholders should aim at establishing a cohesive approach for service provision;
- Design a service delivery model that can be adopted in all the countries; and
- Involve partners such as the Departments of Home Affairs and Mineral Resources as they are key stakeholders in ensuring the mobility of miners.

The group work exercise was a major component of the dialogue. Group work activities were meant to chart the way forward in these four areas:

- i. Information:** It was agreed that all stakeholders should coordinate and facilitate the creation of a central database. Furthermore, it was pointed out that there was a need to explore the usage of mobile telephone technologies to disseminate information and trace ex-miners. The development of a booklet on rights of mineworkers was also seen as an important step in conscientising the miners in being aware of their benefits.
- ii. Effective Collaboration:** The organisations which participated in the dialogue were encouraged to conduct research studies with a view to exploring models on effective service delivery. In addition, it was pointed out that stakeholders who were directly involved in offering various services for mineworkers should explore ways of decentralizing various activities to areas where ex-miners and widows were concentrated, as a way of reducing costs for beneficiaries. Lastly, there should be concerted efforts to draw up regulations that govern the functionalities of independent tracing agents.
- iii.** In-order to enhance efficiency in disbursing ex-miners benefits, it was recommended that stakeholders should ensure that there was cohesion between social security and compensation institutions. There was also a need to enhance coordination and collaboration with different partners such as the Ministries of Home Affairs and in particular the Department of Home Affairs in South Africa as they were directly involved in issuing work permits to migrant workers. In addition, the media was also seen as an important stakeholder in ensuring that the "voices of the ex-miners" were heard across the region.
- iv. Capacity Building:** Capacity building was seen as an important activity in enhancing the ability of ex-miners associations to support members to access their benefits. It was suggested that the different stakeholders who were present should aim at assisting ex-miners associations with technical support that will enhance effective service delivery to their members. Ex-miners associations also needed technical support in areas such as: fundraising, tracing capabilities and financial management.
- v. Regional Coordination:** It was noted that the current initiatives to ensure that ex-miners received their benefits involved a number of countries in the SADC region. As such it was important to establish a regional mechanism at the SADC level for cross border remittances of benefits for migrant workers. Furthermore, stakeholders were encouraged to explore areas of synergy on other regional processes and initiatives such as the SADC TB programme in Mining.

2. Introduction

The Regional Dialogue entitled "Portability of Social Security Benefits for Mineworkers" held at the Park Inn Hotel on 26-27 March 2015, is a follow up to the workshop that was held in Pretoria, South Africa on the 27th and 28th of February 2014. Both dialogues were hosted by The Southern Africa Trust (The Trust) in collaboration with the Southern Africa Miners Association (SAMA).

The dialogue sought to build on the successes that were realized in the previous workshop. Annex 1 is the Agenda for the workshop whose objectives were as follows:

- i. Create an opportunity for stakeholders to review the progress made towards addressing some of the challenges experienced by mineworkers to access the unclaimed social security benefits;
- ii. Discussions on the progress of SADC regional initiatives to adopt a cross border portability mechanism for transferring benefits;
- iii. Provide an update on the harmonised regional response to TB in the Mining Sector;
- iv. To identify new opportunities for addressing challenges of miners and ex-miners workers;
- v. Explore more areas for coordination/collaboration among stakeholders to addressing the challenges of mineworkers.

A total of 66 participants (See Annex 2 for list of participants) attended the dialogue and were drawn from ex-miners associations, Social Security Fund Managers, government departments, International Cooperating partners and regional organisations.

2.1 Welcoming Remarks: Southern Africa Trust

In her welcoming remarks, Mrs Angeline Chitate thanked the delegates and representatives of the various organisations for attending the workshop. She thanked the Ford Foundation and the DFID for funding the workshop. She also expressed the hope that the proceedings will assist in ensuring that ex-miners have access to their benefits. Mrs Chitate concluded her welcoming remarks by emphasising the fact that the Trust was committed to partnering with various stakeholders in ensuring that enough is done to enable ex-miners to access their benefits.

The Executive Director of the Trust, Dr Moyo also welcomed the participants from the different organisations. He extended a special welcome to representatives of the ex-miners associations and the ex-miners and widows who were participating in the workshop. Dr Moyo went further and mentioned that the challenges that are being experienced by the ex-miners needed a multi-stakeholder approach which was geared towards bringing economic and social justice to the miners. In conclusion, Dr Moyo expressed hope that the challenges will be quickly resolved so as to ensure that miners' livelihoods were improved.

Ms Christabel Phiri gave a brief overview of the various milestones that have been reached since the Maputo meeting in 2014. She reminded the participants of the challenges that ex-miners were still facing to access their benefits. These challenges included; lack of information, unscrupulous tracing agencies, and illiteracy by ex-miners which results in failure to complete forms. She pointed that in order to solve the various issues, the participants had agreed on three key priority areas which are information dissemination, collaboration, and regional interventions.

Key milestones that have been achieved include; improvement on information dissemination. This has been achieved through the publication of an information brochure which gives the miners guidelines on how to claim their benefits. Outreach activities were also conducted in Muamba District in Maputo District of Mozambique where widows had the opportunity to engage and share information with the relevant social security institutions. Increased collaboration among the various stakeholders both from the public and private sector have also accelerated the rate at which ex-miners accessed their benefits. For example, the Trust has been engaging with the Financial Services Board. One key area that has been under discussion is how to ensure that unclaimed benefits are channelled into developmental efforts in the ex-miners home countries.

At a regional level, Ms Phiri noted that, the Regional Indicative Strategic Development Plan (2015-2020) recognised ex-miners challenges and as a result it was hoped that the SADC Cross Border Portability Instrument for Social Protection will be implemented by 2018. To this end, the Trust has commissioned research that will inform the various mechanisms on the portability of the social protection benefits. In conclusion, Ms Phiri reiterated the Trust's commitment to ensuring that ex-miners acquire their benefits and hoped that the current deliberations would map a way forward that will urgently redress the current backlog.

2.2 Opening Remarks, Southern African Miners Association - Rantso Mantsi

Mr Rantso Mantsi thanked all the delegates who participated in the dialogue and whose collective aim was to better the livelihoods of ex-miners. He pointed out that it was unfortunate that, some miners had died in poverty without accessing their benefits. This had resulted in increased vulnerabilities of children and widows who are left behind. As such, he implored all the stakeholders who were gathered for the workshop to ensure that they came up with concrete solutions to ensure that ex-miners had increased access to their social benefits. In his concluding remarks, Mr Mantsi acknowledged the partnerships between SAMA and the Trust and lauded the latter for elevating the plight of ex-miners at a regional and Member State level. He expressed his wish to see more organisations getting involved in this work.

3. Summaries of Conference Proceedings

3.1 Government Initiatives including coordinated efforts with other stakeholders to facilitate tracing and disbursements of unclaimed benefits

The presentations from government representatives from Lesotho, Mozambique and South Africa highlighted the efforts that have been undertaken to redress the issue of ex-miners and the different challenges that are still being faced and more importantly the successes that have been achieved. The various presentations highlighted several common problems that government departments are facing in accessing ex-miners benefits. Some of these problems include: Inadequate documentation by ex-miners: long and laborious processes to access services, and no clear knowledge on which Fund manager to approach when claiming their benefits.

Mrs Agatha Ramonate: Government of Lesotho-Ministry of Labour and Employment

Mrs Ramonate's presentation gave an overview of the progress that the country has made in assisting migrant workers to claim their benefits. She mentioned that her desk within the Ministry of Labour and Employment is mandated to ensure that Basotho migrant workers welfare are safeguarded and to further assist current and former mineworkers and their dependants to access social security benefits. She added that she works with both Fund Managers and other private companies. The presentation also highlighted the various communication methods that have been employed to trace the various miners. Through a combination of using electronic media, community systems and road shows, the department has managed to reach some ex-miners. In particular, the road show resulted in 129 ex-miners being assisted to access their claims in 2014. A further 65 ex-miners have been assisted in having their claims fully paid.

However, it was noted that the process for claiming benefits was still very slow and in some instances ex-miners died before claiming the benefits because of cumbersome procedures. In particular it was pointed out that, the poor management of the Compensation Commissioner for Occupational Diseases (CCOD) database led to a lot of delays in processing files. In the same breadth it took a long time to get a medical certificate from the South African Medical Bureau for Occupational Diseases (MBOD). The R80 that was needed to access this certificate was regarded as a challenge to some widows who had no resources. Another challenge that was noted was the failure by some ex-miners to identify which companies they were supposed to approach to obtain their benefits. As a result, out of desperation, miners resort to using tracing agencies who ask for sizable amounts of commission as payment for their services

In the ensuing discussion it was noted that South African regulatory statutes with regards to foreign remittances hindered safe transfer of money by Basotho miners to their families. In addition benefits could not be paid into dormant accounts. It was suggested that the necessary stakeholders should take up this issue to lobby the South African government so that miners can safely use formal channels to send money to their families. It was noted that claimants took a long time to access their benefits as the processes were not very clear. Miners who were infected with TB were seen as the hardest hit in failing to access their benefits. (See Box 1)

The journey of the TB Ex –Miners to claim benefits in Lesotho

Claiming for TB miners is very slow and painful. We have a backlog of about 1000 miners who have not been paid since 2009. TB ex-miners are especially hard hit, they are frail, no longer at work and do not eat properly. As a result they will not be able to travel to claim their benefits and end up dying without accessing their compensation. After they die we restart the process with their widows. We tried to negotiate with Compensation Commissioner for Occupational Diseases (CCOD) and they refused to conduct the interviews with the widows in our offices. They wanted to see the widows in their black mourning cloth. Mind you culturally the widow is not allowed to travel at night and in some instances has never been in Johannesburg as well. In Johannesburg they say they have to check for finger prints, we don't even know what this process entails. After she has been to Johannesburg and done all the processes it takes another 5 years and if she dies we have to start dealing with the children and go through the same process once more. It takes another 2 years, to get this process through. Once the money is available we then find that the account is dormant. So it is difficult to really know how long it takes.

Agatha Ramonate-Ministry of Labour Lesotho

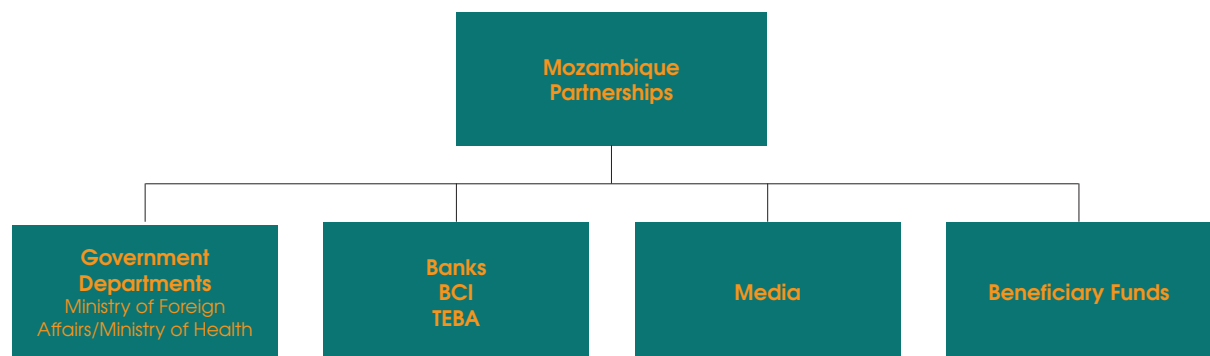
It was acknowledged that the above narrative was a true account of what was taking place with regards to the various challenges faced by ex-miners when claiming their benefits. A participant from the Medical Bureau of

Occupational Diseases (MBOD) noted that claimants are hampered by the lack of documentation which includes, labour history and a clinical examination. The clinical examination was particularly problematic as diseases took a long time to manifest. However, the participants were informed that as of April 2015 the MBOD and CCOD were committed to paying claimants within three months of applicants submitting their claims. The issue on dormant banking accounts however will have to be handled at a higher bilateral level as there were many government stakeholders involved. It was also noted that the MBOD will also be decentralising efforts to Lesotho so as to ensure that ex-miners did not waste money on logistical issues such as transport and accommodation.

Mr Adelanto Espanha Muchenga- Government of Mozambique-Ministry of Labour

This presentation brought to the fore the different achievements that can be derived when governments successfully partner with the private sector to improve the livelihoods of its people. The speaker pointed out that the Mozambique government partnered with various stakeholders in-order to ensure that the ex-miners got their benefits. The result of these efforts led to 1326 out of 5000 miners receiving their benefits. This exercise was conducted in Gaza (Xai Xai) Inhambane and Maputo: Figure 1 shows the various partnerships that were forged.

Figure 1: Partnerships Mozambique



Because of this coordinated effort the timeframes to process claims took an average of 3-7 days. However, ex-miners whose benefits are with funds such as Impala Fund still need to wait as no headway has been made with regards to ex-miners accessing their benefits from this fund. It also emerged that in future coordination efforts need to be strengthened between ex-miners associations such as the Association of Mozambique Ex-Miners (AMIMO) the government and other beneficiary funds as they also have extensive databases of ex-miners and have penetration in local communities.

In the ensuing discussion it was noted that the Mozambique did not have too many problems with tracing agencies when compared to South Africa. It was pointed out that the government was prepared to take the necessary measures to deal with these agencies. AMIMO was encouraged to engage more actively with the Ministry of Labour. On how long it takes claimants to receive their benefits, it was noted that where documents were available claimants received their money within 3-7 days though in some cases the process took longer.

As a way forward the following broader suggestions were made:

- i. To be more proactive to ensure that measures are put into place so that current miners do not experience the problems that are being faced by former mineworkers;
- ii. There is a need to go through the CCOD and MBOD database and categorise the files by countries, then establish the gaps that are existent in-order to come up with a profile of various interventions that are specific to the different countries;
- iii. Involve organisations such as the South Africa Older People Forum who work with elderly people at grassroots level; and
- iv. Consider using mobile telephony to reach ex-miners.

Dr Barry Kistnasamy Republic of South Africa- Department of Health: MBOD/CCOD

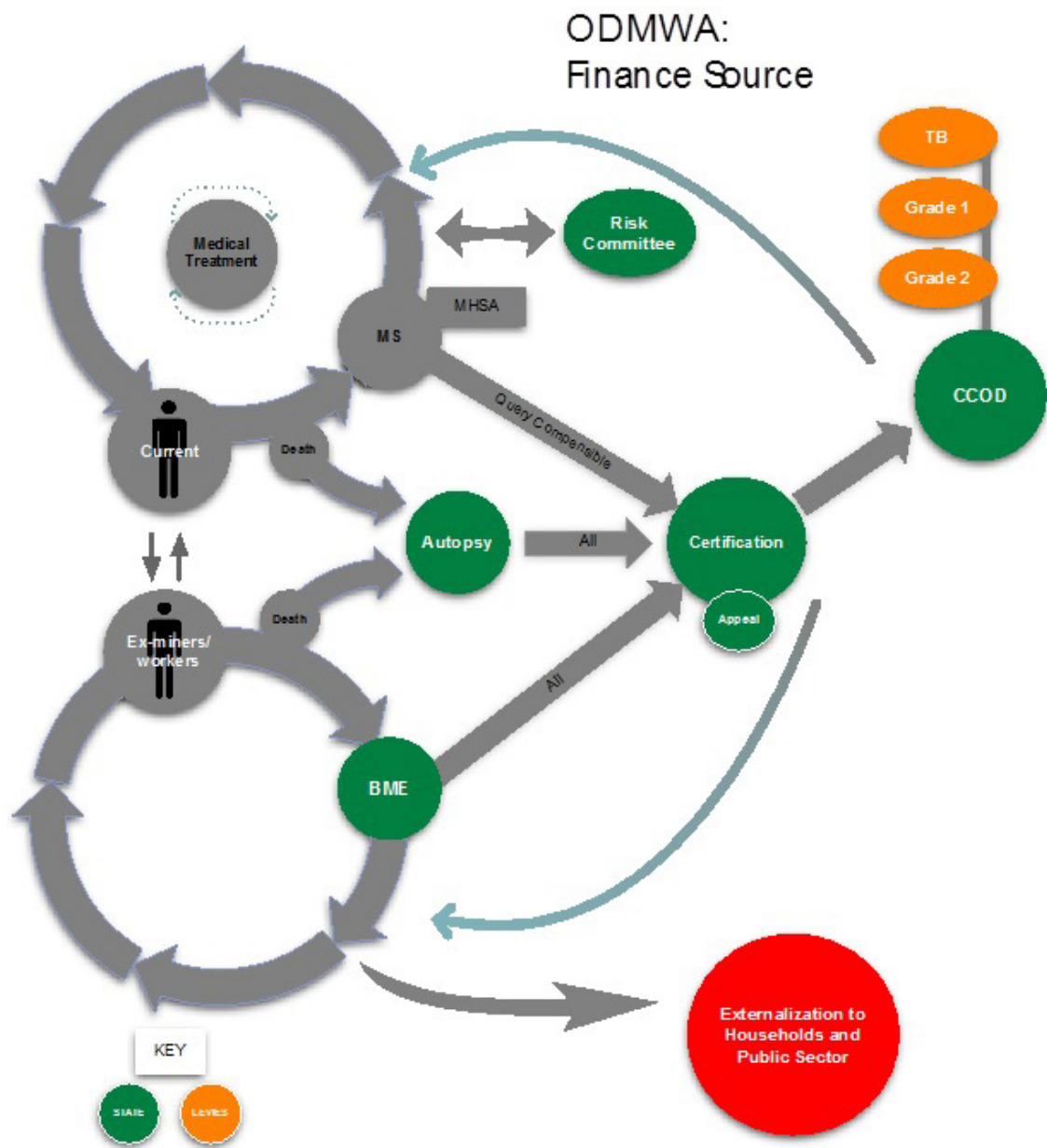
Occupational Health and Workers' Compensation

This presentation gave insightful highlights on the linkages that exist between historical injustices in the mining industry and the current challenges that are being experienced by miners and ex-miners.

The mining industry was presented as a multibillion dollar industry that contributes 7.7% of the annual GDP

with a net worth of 20 trillion Rands. Historically, the industry has largely been supported by migrant labour though current trends point towards a major decline in numbers for foreign miners. It was also pointed out that the Department handles about 2.9 billion dollars for compensation for heart and lung related diseases claims. Procedures for claims were seen as burdensome to the ex-miners as shown in Figure 2 below:

Figure 2: Occupational Diseases in Mines and Works Claimant Journey



South Africa has the largest number of claimants followed by Lesotho and Mozambique respectively. Payment figures for claimants are shown below in Table 1 below:

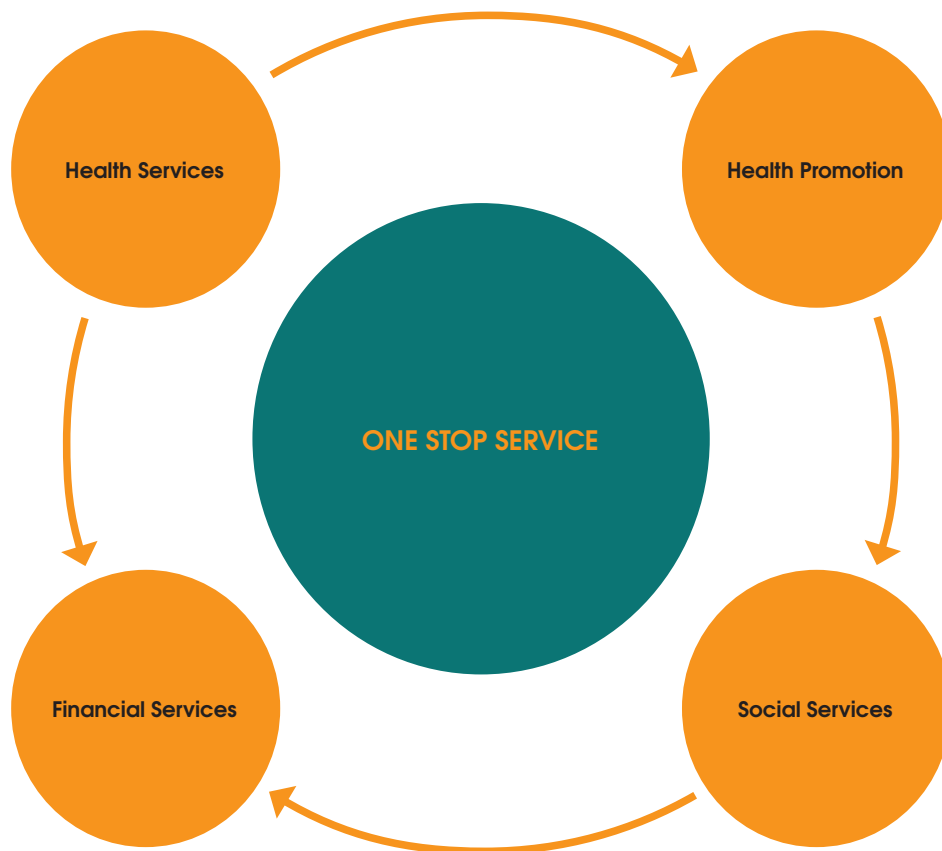
Table 1: Overview of Unpaid and Paid Benefits

| Payment Status | No | % |
|----------------|---------|-----|
| Not paid | 103 465 | 50% |
| Paid | 104 633 | 50% |
| Total | 208 098 | |

The MBOD and CCOD have a combined database of about 900 000 files and a lot of work still need to be done. However, the department is updating the databases and has embarked on a mapping exercise (to extract figures for mineworkers per Health sub –district: South Africa) and surveillance exercise for TB and Silicosis. The One-Stop

Service Framework is also another innovation that has been pioneered by the department. Figure 3 below shows the One Stop Service Framework

Figure 3: One Stop Service Framework



The One Stop Service

Centres have been decentralised to provinces where the miners need help the most. In conclusion, Dr Kistnasamy implored the various stakeholders to work together so that a lasting solution can be found. These include developmental partners, distressed mining communities, business bodies such as Chamber of Mines and worker representative associations.

The discussion brought out a number of key issues. Some participants enquired on what implementation plans were in place to process the large number of files in the MBOD AND CCOD departments. It was mentioned that some development partners such as the Gates Foundation have already come on board to assist in setting up the electronic database. It was pointed out that a Wide Area Network has been proposed. The department was moving away from manual records which were fraught with inefficiencies and were prone to corruption and fraud. Three electronic databases have been proposed and these are:

- i. Master database;
- ii. Electronic health database; and
- iii. Payment database.

A service provider was already scanning the physical records for the database.

The Department of Home Affairs was seen as a key partner in redressing issues concerning migration and should be invited for the next dialogue. Some participants went further and acknowledged the work that is being done by the Department of Mineral Resources in reducing Silicosis. Concerning the need to accelerate the transformation agenda in South Africa it was noted that there are various measures that have been put into place which are being spearheaded from the President's office. With regard to engaging with both private and public stakeholders, it was argued that the process was ongoing but it was felt that, aligning processes within government departments before decentralising to other stakeholders should be the starting point.

Participants also suggested that any changes in the proposed consolidated databases should be communicated to the relevant Member States so that they could keep abreast of what was happening. The notion of replicating the One Stop Service Framework to other countries was also discussed at length and it was agreed that the concept could be used as a basis to design appropriate models in the various Member States. The Trust could facilitate the process so as to carry the agenda forward.

Government Supporting Institution-Financial Services Board (FSB)

Mr Carlos Da Gama-The role of FSB supporting efforts towards the disbursement of benefits for mineworkers

FSB was established by a statute to oversee the South African Non-Banking Financial Services Industry. The FSB's role is only to make enquiries with administrator's funds, and other parties (employers). Mr Da Gama noted that the retirement industry was huge with a total of 168 administrators, 5000 funds and 13, 4 million members; He also mentioned that the industry had total assets which amounted to R1.8 trillion dollars.

Reasons for unclaimed benefits ranged from administrative blunders, documentation related issues to macro issues such as migration. However, administrative issues were seen as the main causes of unclaimed benefits. These include: employers providing inaccurate or incomplete member information, fund administrator capturing errors, information changes after member leaves fund, incomplete or no withdrawal documentation received. The presenter also highlighted several issues that hindered progress in miners accessing their benefits. These are listed below:

- i. No central database for ex-miners and current miners;
- ii. Member education and awareness of benefits is very low;
- iii. There is no information to investigate issues such as name of pension funds, name of employer, proof of membership (benefit statement) and payslip;
- iv. Time lapses – adverse impact on data / record keeping;
- v. Nature of funds might not have required employer names to be provided to FSB office therefore not on record;
- vi. No access and means to complain/enquire with administrator, funds or FSB office;
- vii. Misinformation leading to exploitation - No regulation of tracing agents and/or 3rd parties acting on behalf of members;
- viii. "Red tape" when claiming benefits e.g. stamp by employer or original copies of documents.

In the same breadth, the presenter offered a number of solutions. He noted the urgency of having a consolidated central database among the Funds. In addition, greater co-ordination between FSB, fund administrators and organisations representing members of Miners Organisation was also seen as essential. An unclaimed benefits communication project was seen as crucial to ensure that the relevant information was disseminated to all stakeholders. This could be done through the following channels

- Quality audit on member information and additional prescribed minimum information (such as a cell phone number).
- Preparation of information circular to inform members in major labour sending countries (Lesotho, Swaziland, Mozambique and Botswana) of unclaimed benefits.
- Circular for exemptions of transfers of unclaimed benefits;
- Reporting of tracing and payment efforts by funds;

Emphasis was also placed on the FSB supervision role. It was pointed out that the FSB needs to enhance the supervision of unclaimed benefits within occupational and retail industries. In addition the FSB needed to enhance the supervision of tracing agents. The importance of working with all stakeholders to draft a proposed code for employee benefits industry was also highlighted. The code would allow FSB to collect and subject to appropriate controls, share information on unclaimed benefits. Unclaimed benefits in the mining sector were close to R5.2 billion with approximately 200,000 beneficiaries. Some of the reasons that accounted for unclaimed benefits were: It administrator churn, non-registration for tax by ex-miners and sometimes employers giving inaccurate employee details.

The FSB has put in place communication measures that are aimed at reaching the ex-miners such as the print media and a dedicated email address. There have been more than 120 walk in clients from November 2014 to date meaning that communication efforts are recording successes.

In the ensuing discussion the issue of taxation for migrant miners was discussed at length. It emerged that some ex-miners from Mozambique were being taxed in contravention of the bilateral agreement between South Africa

and Mozambique. Stakeholders who attended the meeting from Mozambique were requested to intervene.

Several challenges with regards to obtaining benefits for ex-miners were also discussed at length. It was emphasised that though FSB had put in place several measures, the organisation lacked adequate administrative capacity to reach out to all Fund managers and obtain databases. It was pointed out that there is no legislation that requires the Fund managers to look for ex-miners to give them their benefits, rather the ex-miners were supposed to be proactive in following up on their benefits. It was however, emphasised that the Fund managers had the prerogative to pay the ex-miners in cases where all required documentation was completed.

On the positive side, some Fund managers were said to be now rebuilding their databases with the view to speeding up payment for ex-miners compensation. In the same breadth, establishment of a consolidated data base from all the Benefit Funds was seen as an urgent undertaking. To this end it is important to come up with a specific service delivery model which will be adapted by all players involved in disbursing benefits for ex-miners. On a positive note it was highlighted that several Benefit Funds were rebuilding their databases. The Mineworkers Unions and Civil Society Organisations were seen as important stakeholders in complementing this exercise through availing the names of mineworkers in their databases.

3.2 Benefit Funds

Mineworkers Provident Fund (MPF)

Ms Lihle Khoza: Tracing Beneficiaries and disbursing the unclaimed Benefits-Progress Made So Far

This presentation highlighted the positive relationship between a Benefit Fund and a government department. In an effort to centralise efforts, the MPF signed a Memorandum of Understanding (MOU) with the Department of Labour to use their offices. It was mentioned that in 2014 the Fund was able to reduce unclaimed benefits by 15% though a lot still needs to be done.

The Fund Manager has also successfully used different communication methods to reach miners. The different communication channels are listed below:

- i. Social Media campaign-Facebook;
- ii. Unstructured Supplementary Service Data (USSD)
- iii. Umhlobo Wenene Radio Stations-addresses the communities around the Eastern Cape Area;
- iv. Community Forums and leaders;
- v. Associations; and
- vi. Road shows.

The issue of decentralisation of services also came out strongly in this presentation. For example, the Fund is extending its walk-in-services and is planning to set up offices in Mozambique and Lesotho. Ms Khoza also noted the need to extend the services to include funeral benefits. However, the key challenges that the Fund is facing includes inadequate documentation by claimants. The Fund is urgently activating its database. In conclusion, it was mentioned that there was a need to coalesce systems so that all the funds can set up a master data base that will aid in ensuring that the task of finding miners was easier. MPF has been able to expand its data base for ex-miners through obtaining members lists from the Living Hands Umbrella Trust.

In the ensuing discussion the issue of collaboration with ex-miners associations instead of using tracing agents came out strongly. Ex-miners associations should actively assist in providing information on ex-miners to the Funds. The ex-miners' association ought to formalise their organisations for accountability issues.

The MPF was encouraged to conduct road shows in areas such as Muamba in Mozambique. It was however, noted that conducting road-shows was not very sustainable and as such the MPF was considering cheaper means of communication. The problems around inadequate documentation would be solved through a shared database which is managed by the Department of Health. The Fund has also approached various stakeholders to coordinate their databases. On the issue of the Living Hands Umbrella Trust, it was mentioned that the database is available and plans are underway to ensure that the adjudication processes are made so that the beneficiaries might get their money.

3.3 TEBA

Mr Jose Carim-Tracing Beneficiaries and disbursing the unclaimed benefits-Progress made so far

This presentation highlighted the role that TEBA has played and continues to play in the mining industry. With a workforce of 600 skilled and experienced employees throughout Southern Africa, TEBA is well placed to positively influence initiatives that deal with ex-miners in the region. As highlighted in previous presentations, it was noted that levels of deferred payments were still unacceptably high. For example, deferred payments for Lesotho amount to approximately R 380 000 000 and those for Mozambique are close to R 590 000 000. Table 2 provides statistics of progress made in tracing ex-miners since December 2014.

Table 2: Milestones in Tracing Ex-Miners in South Africa

| Area | Traced |
|--------------|--------|
| Lesotho | 6979 |
| Mozambique | 4603 |
| Swaziland | 1478 |
| Botswana | 551 |
| Malawi | 380 |
| South Africa | 32465 |

TEBA also offers a holistic model in dealing with ex-miners. The institution offers services to a wide range of sectors for miners in Health, (HIV related home based care activities) and social housing.

In the ensuing discussion, the following issues were discussed:

Reduction of Record of Service-TEBA was requested to lobby the necessary organisations to reduce the transaction amount for the Record of Service which is currently R80. It was noted that negotiations are currently underway to reduce the costs and various talks have already taken place between the Department of Health in South Africa and TEBA. It was however pointed out that for current employees the cost is subsidised by the company, however, upon termination of employment the mineworker has to pay the fee themselves. Relevant governments were also encouraged to lobby the necessary institutions to eliminate the cost. Decentralisation of the medical benefit fund to the Ministries of Health in different countries was seen as another option in ensuring that poor ex-miners are spared the logistical costs of travelling to Johannesburg for the medical examination.

Tracing of Malawi ex-Miners- the Malawi Ex-Miners Association has traced about 5000 ex-miners through TEBA and government efforts. However, the organisation was not aware of how to further engage with TEBA so that the ex-miners can access their benefits. In response, the TEBA representative mentioned that there have been various engagements between the Malawi government and the Mines 1970 Preservation Fund and a lot of progress has been made. However, the recent floods in Malawi might have displaced some ex-miners though efforts will be made to try and locate them.

TEBA should review how it deals with ex-miners- TEBA is currently engaging with the National Union of Mineworkers but some issues such as social re-integration of ex-miners fell outside their scope of work. Stakeholders including mining houses and governments should come together to solve the various issues of ex-miners unclaimed benefits.

Social Responsibility Programmes-There was widespread acknowledgment that the social responsibility programmes that TEBA was undertaking were useful. However, there was a need to start discussions on how the investments that were supposedly meant to benefit ex-miners had been used especially by the Mineworkers Unions e.g. the pension funds and the Broad Based Economic Empowerment Shares that the unions invested in.

Long service awards – Most miners are struggling to access the long service awards. The main challenge was that the last employer where the ex-miner is supposed to submit the claim is no longer in existence.

Reason for the reduction of foreign mineworkers – Several reasons were proffered:

- i. South African immigration laws no longer permit unskilled and semi-skilled labour from Botswana, Lesotho, Malawi, Mozambique, and Swaziland etc.
- ii. Mines are getting deeper and in turn raising operation costs. This has the negative effect of employing less people.

Mr Jose Carim concluded his session with a passionate plea to ensure that participants lobbied the South African government to “remember miners” from countries such as Botswana, Lesotho, Malawi, Mozambique, and Swaziland as they had contributed immensely to building the South African nation.

3.4 The Role of Ex-Miners Association

Mr Moises Uamusse - Southern African Miners Association

This presentation highlighted the various initiatives that SAMA has been undertaking since the ground-breaking research by George Mpedi and Mathias Nyenti on portability of miner’s benefits. The presenter reminded the participants on the various challenges that still plague ex-miners. It was pointed out that these challenges are social, economic psychological and physical. For example diseases such as Tuberculosis, HIV&AIDS, Silicosis, Asbestosis, Deafness and Blindness are prevalent among ex-mine workers. High illiteracy levels hinder them to follow through on their benefits as they do not read and write. Furthermore, the lack of capital prevents the miners from starting their own businesses. Psychologically, ex-miners suffer from traumas that are brought about by the inability to look after their families. Box 2 below gives some testimonies from ex-miners

I left for the mines and when I got there they put me on a scale and I weighed enough to be sent to the mine. I was on the mines at the time of Mandela’s arrest and during his release, I was still working. I worked until they sent me home because I was old. They sent older groups home in exchange of strong active people. They sent us home and that was it. They promised us life when we were still working for them but we got death, we got nothing. They lied to us. They know they owe us but how do you go about asking them? All the miners I knew have passed away. (Former Miner (63), started young and worked 33 years, dismissed from employment in 1997)

When my husband passed he was 55 years. We sent his liver to get tested in South Africa. Up to now we never received the results of the tests of that liver (Widow of Ex-Miner Lesotho)

I started working in the mines in 197 in Randfontein and in the process got TB 1992 was diagnosed with. Up to now I am struggling to get medication for the disease (Ex- SOUTH African miner. he has run out money he can’t travel anymore)

All ex-miners know that they have money somewhere but they don’t know where to go (SAMA representative)

I am glad my government found me-(95 year old Ex-miner who had benefits paid out in the Eastern Cape through tracing initiatives from the Department of Health)

The presentation gave an overview of progress made in the different countries in tracing ex-miners and their widows. Overall there has been considerable progress that has been made in tracing ex-miners in the four countries that are discussed below:

Table 3: Tracing by SAMA

| Country | Successes | Data Collection Methodology | Challenges |
|------------|--|---|--|
| Lesotho | Registered 12000 ex-miners and 4000 widows | <ul style="list-style-type: none"> Held meetings to explain the existing funds, relevant institutions and objectives. Mobilised 86 data collectors and 2 data processors. | Winter was not conducive to conduct data collection. |
| Mozambique | Registered 5478 ex-miners and 598 widows | <ul style="list-style-type: none"> Meetings with provincial and district authorities. Held meetings with miners to update them on the current situation with regards to ex-miners benefits. Trained data collectors on what kind of information to gather and why. | Scattered mining communities countrywide fetter the data collection process. |

| | | | |
|--------------|---|--|---|
| Swaziland | <ul style="list-style-type: none"> Registered 1243 ex-miners mapped for social security benefits, TB, Silicosis, Phthisis, occupational injuries and vulnerabilities. 390 miners' data captured and database created and protected. | <ul style="list-style-type: none"> Conducted Advocacy, Communication and Social Mobilisation (ACSM). Political commitment from governments. Media coverage 5 Radio slots campaigning on social security benefits reaching 95% of the population 5 TV breakfast shows sensitise on social security benefits | CCOD takes a long time before disbursing compensation to miners and some end up being deceased without claiming benefits. |
| South Africa | <ul style="list-style-type: none"> 8723 ex-miners of which 2766 were paid by MPF | <ul style="list-style-type: none"> Ex-Miners Union formed a strong leadership team to interact with government departments, Mine Workers Provident Fund and Rand Mutual Assurance (RMA). Inter-governmental and stakeholders relationship coordinated by the Office of the Premier built in Eastern Cape to follow claims the claims of ex-miners including UIF. | |

3.5 Media coverage

5 Radio slots campaigning on social security benefits reaching 95% of the population

5 TV breakfast shows sensitise on social security benefits CCOD takes a long time before disbursing compensation to miners and some end up being deceased without claiming benefits.

South Africa 8723 ex-miners of which

2766 were paid by MPF Ex-Miners Union formed a strong leadership team to interact with government departments, Mine Workers Provident Fund and Rand Mutual Assurance (RMA).

Inter-governmental and stakeholders relationship coordinated by the Office of the Premier built in Eastern Cape to follow claims the claims of ex-miners including UIF.

Challenges that were common to most miners were also outlined. A lot of the challenges have already been identified by other presenters but there are some that are unique to SAMA that are outlined here.

- i. Delays and double taxation on grant transfer from Lesotho to the national affiliates;
- ii. The grant which was availed for mapping the ex-miners was too small to cover a larger number of mining communities;
- iii. Lack of transport (for data collectors) delayed the data collection process;
- iv. Missing information for ex-miners more specially before the formation of MPF in 1989;
- v. Ex-miners believe they have some unclaimed benefits from MPF or other funds, including the mines;
- vi. Some ex-miners fail to declare their dual citizenship and are recorded as deceased ex-miner in SA while alive in another country; and
- vii. The Platinum Mineworkers Provident Fund should also be invited to take part in the dialogue in future.
- viii. Way forward
- ix. Reconciliation of the information gathered by SAMA with the data that is kept by Funds;
- x. To build a task team comprising of SAMA and the Benefit Funds to monitor the impact of delays in disbursements; and
- xi. To conduct more research on the impact of late disbursements of ex-miners' unclaimed benefits.

In the discussions, emphasis was placed on ensuring that the current problems should be solved timeously so

that they do not affect current miners. To this end, having cross border portability instruments will ease some of the challenges that are being faced. In addition, it was also suggested that Benefit Funds should engage more effectively with the Ex-Miners Association to enhance coordination efforts. Lastly it was pointed out that the Trust should engage with the Benefit Funds in the Platinum region and consider inviting them to the next dialogue forum so as to establish the level of outstanding cases of unpaid ex-miners. These funds are: Mineworkers Provident Fund, Impala Platinum Provident Fund and Anglo Platinum Fund. It was also important for all stakeholders to lobby mining companies to support social development programmes in the local mining communities as required by law.

3.6 Regional Entities: SADC

Mr Arnold Chitambo: Progress on the SADC Initiative for a regional Cross Border portability Arrangement

Mr Chitambo highlighted the role that SADC played in the region. He emphasised the fact that SADC Secretariat as part of the regional body facilitated and monitored programmes and did not implement any programmes. It was noted that the overarching Framework for ensuring that miners received their benefits was anchored in the SADC RISDP 2015-2020 which allows for "Cross Border portability of social protection instruments developed and operationalised by 2018: Activities to start delivering on this targeted output is envisaged to start in 2015. Key protocols that govern are the following:

- i. SADC Charter of Fundamental Social Rights;
- ii. The SADC Code on Social Security (2007);
- iii. Declaration (2012) and Code on TB in the Mining Sector;
- iv. SADC Protocol on Employment and Labour (2014); and
- v. Protocol on Facilitation of Movement of persons (2005)
- vi. As a way forward the following issues were discussed:
- vii. Popularising the policy instruments to foster ownership;
- viii. Sign and ratify to facilitate implementation;
- ix. Implement /domesticate the regional instruments; and
- x. Monitoring and reporting.

The ensuing discussion highlighted the need for all the participants to lobby for implementation on the protocol in their Member States. The Protocol of Free movement of goods was also discussed at length. The Trust was given the responsibility to extract the protocols that were relevant for ex-miners and ensure that the various stakeholders understood them and lobbied for the domestication of the various instruments.

3.7 International and Regional Cooperating Partners

World Bank: Tom Mogeni –Addressing TB in the Mines -A Multi-sector Approach

This presentation gave an overview of the various initiatives that the World Bank was undertaking in the region with regards to TB in the mines. It was noted that TB prevalence rates in Sub-Saharan Africa amount to 350/100000 and Africa was the only region not on track to achieve the Millennium Development Goals (MDG)-related TB targets of reducing mortality by 50%. The incidence rate in Lesotho, Mozambique, South Africa and Swaziland are higher than 2500-3000/per 100 000 with the main drivers being: HIV infection, Silicosis, Poor access to routine health services overcrowded hostels and circular migration.

It was also noted that working with a plethora of stakeholders brought a myriad of challenges. It was noted that solving TB related issues in mines requires cooperation from both the private and public sectors. As a result, the World Bank is busy galvanising political commitment while in the same breadth mobilising multiple stakeholders. Current interventions that are being undertaken by the bank include the following:

- i. Harmonising Protocols that are associated with TB Treatment in the region
- ii. Mapping of areas where mine-workers, ex-mineworkers and their families live -first phase already commissioned;
- iii. Establish tracking and referral system;
- iv. South to South Knowledge exchange systems;
- v. Compensation: One stop service and streamlining policy framework;

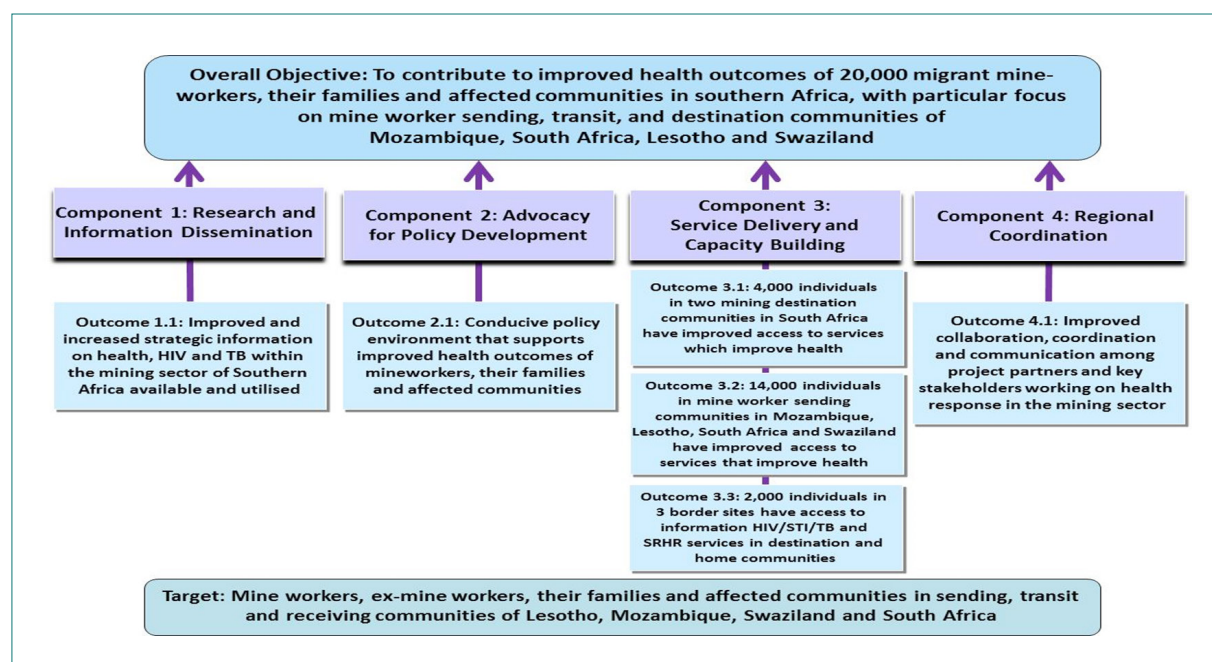
- vi. Innovations to improve TB treatment outcome Results Based Financing (RBF, Health etc.);
- vii. Supporting SADC Declaration of TB in the mining sector goal;
- viii. Collaboration with different stakeholders who include ICPs, governments ,Mining companies and Civil Society Organisations
- ix. Comparative advantage based on sector expertise;
- x. Work towards a shared vision in eliminating TB in the mines; and
- xi. Mobilize resources: government, private sector, Global Fund up to \$60m, World Bank up to \$100m, Dfid \$3.5M

International Organisation on Migration (IOM)

Ms Nonkosi Khumalo; IOM's work on TB in the mining sector

This presentation brought to the fore the different health related interventions that the IOM is conducting among miners and ex-miners It was pointed out that the IOM covers a large geographical area and its work focuses on four key components that are shown in Figure 4 below:

Figure 4: IOM Strategic Framework



This presentation commenced by giving a brief overview of migratory patterns at both the global and regional level. It was noted that one of the associated phenomena of an increased internal and international migration are the disparities that exist between migrant workers health environments as compared to resident citizens of countries.

It was pointed out that in the SADC region migrant mineworkers are vulnerable to diseases such as TB and HIV/AIDS and other occupational diseases. The mining sector in Southern Africa has the highest concentration of TB in the world and IOM is involved in several initiatives such as providing mobile clinics to eradicate TB in the mines. The organisation is partnering with universities in conducting research on migration and the impact it has on its citizens and migrants. Capacity building to national and regional health workers and SAMA officials is also a key activity that is being conducted by the organisation. Awareness programmes at community levels are also part of the range of activities that are carried out by the IOM. The IOM also supports Income Generating Activities (IGAs) to widows and ex-miners.

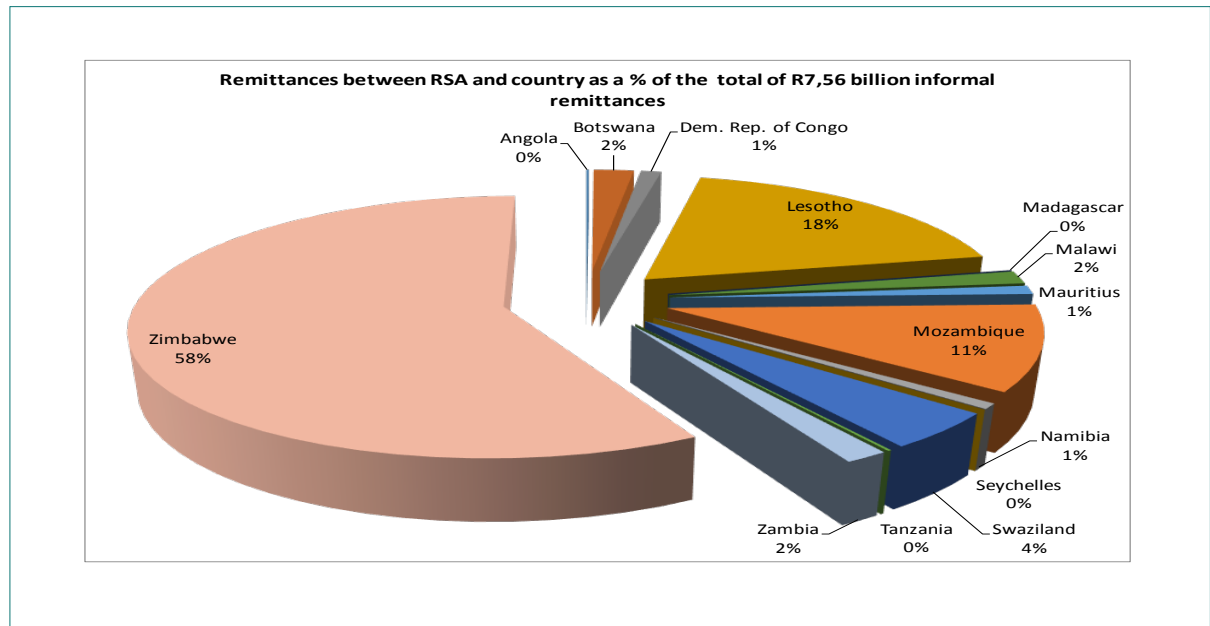
3.8 Role of Regional Financial Institutions: Finmark Trust (FMT)

Mr Geoff Orpen: Cross Border Money Transfer /payment systems

The presentation outlined key areas that are being addressed by the organisation. It was revealed that FMT's main objective is making financial markets work for the poor. The organisation is primarily focused on countries in the southern African region though it has expanded to Asia. It was revealed that 80% of migrants send cash remittances at least once every three months and the average amounts that are sent home by migrants are between R500 and R1000. However, only 2% of remittances are sent through official banking channels and almost 70% are sent via buses or taxi drivers with 20% being sent back with visiting family or friends and about 8% through other

channels. The high charges for remittances were seen as prohibitive for the ex-miners to use formal channels to send money home. Average cost of remittances was highest from South Africa to Malawi. Figure 5 below shows informal remittances between South Africa and other countries in the SADC region.

Figure 5: Remittances between RSA and other Countries:



It was noted that remittances from South Africa to Lesotho have improved through the Shoprite cash transfer model which is much cheaper than any other channels in the region. Furthermore, this innovation has had a positive impact on the remittances landscape. Transactions are only one way at the moment. In future there is a need to motivate for remittances that allow for all countries in the region to use the Shoprite money transfer model.

Several issues were raised by the participants and these are discussed briefly below:

- i. Restrictions on amount of money remitted- Current limit of up to ZAR5000 was low, the MPESA model in Kenya allowed users to send larger sums. The ceiling is imposed by the Reserve bank of South Africa and there was nothing much that could be done to redress the situation.
- ii. Decentralisation of Shoprite Money Transfer Model in the rural areas- FMT is in discussion with PEP stores who have a rural presence and are also found in other countries.
- iii. Forging relationships between Financial Sector Deepening (FSD) and FNB e-Wallet – Finmark Trust is involved in various working groups within FSD sector and is aware of the various initiatives that are taking place in this area.

After the discussion Mr Orpen encouraged all participants to lobby for reduced transaction costs in the region by encouraging MS to uptake the Shoprite cross border remittances model. However, there was still a need to ensure for the removal of Exemption 17 .

4. Group Work

The group work discussions were an important part of the dialogue proceedings and were meant to encourage the participants into generating a broad array of recommendations. The groups were also meant to allow participants with different backgrounds to bring their special knowledge experiences with a view to finding lasting solutions that would increase and accelerate the disbursements of ex-miners benefits. The participants were divided into three groups and were given the topics below for discussions:

- i. Group 1-Information;
- ii. Group 2-Effective Coordination and Collaboration; and
- iii. Group 3-Regional Commitments.

Based on the presentations and subsequent discussions, the groups came up with recommendations on what should be done and also specified timelines for the completion of various initiatives.

4.1 Group One -Information

The group outlined a comprehensive information dissemination structure that would assist in ensuring that all stakeholders were kept abreast of the issues that concerned the welfare of ex-miners. It was noted that the first step in disseminating information was to ensure that members understood the type of benefits that they were applying for e.g. Retirement funds, Compensation, illness and others. Several communication channels were proposed. The group highlighted the need to include mobile telephony since it was seen as an effective alternative to reach ex-miners who otherwise could not be reached through other communication means such as print and radio. It was noted that the Trust and the governments should be the key players in coordinating efforts to disseminate information. However, all stakeholders who are involved in improving livelihoods of ex-miners were given the responsibility to disseminate the necessary information.

Table 4 summarises some of the key issues presented by the group.

Table 4: Group 1 Recommendations-Information

| Issue | Description |
|--------------------------|---|
| Benefit Structure | Public awareness campaigns for miners and beneficiaries on the different funds that are in existence such as Retirement Funds, Compensation (Illnesses) and UIF |
| List of Benefit Funds | This will be disseminated to all stakeholders |
| Sources of Communication | Combination of the different communication channels will be used: <ol style="list-style-type: none"> i. Digital Media/TV/Cell Phones ii. Print (Pamphlets) iii. Radio iv. Public Gatherings |
| Content | The content of the communication mediums will specify the following: <ol style="list-style-type: none"> i. Nature of qualification ii. Requirements (Generic) iii. Timeframe/Turnarounds iv. Service Centres existing |

Comments

It was noted that there is a need to emphasise the need for social media in disseminating information and to this end partner with mobile telephone operators. The issue of standardisation of information was very important. A programme of action that would ensure that all information that was disseminated in the different countries was standardised should be put into place.

4.2 Group 2 - Effective coordination and collaboration

This group discussed the different collaboration and coordination measures that would assist in ensuring that disbursements of ex-miners benefits were accelerated. Some of the collaboration measures included exchange visits. Recommendations are shown in Table 5 below:

Table 5: Group 2 Recommendations-Collaboration and Coordination

| Aspect | Description |
|-----------------------|---|
| Collaboration | <p>Designing of framework guiding all the stakeholders There is a need for the framework to set out the roles and responsibilities the stakeholders e.g. Botswana has no representation in these forums</p> <p>Restructuring of the Task Team- There is need to ensure that the task team members are assigned specific roles.</p> <p>Country visits/Exchange Visits to learn and exchange best practices and lessons learnt on ex-miners initiatives.</p> <p>Enhance capacity building on the following: Labour Rights, Health Issues, social benefits</p> <p>Engage Governments, Ex-Miners Association, Fund managers, Donors and SADC Secretariat.</p> |
| Coordination | <p>Disbursement schedule for ex-miners benefits.</p> <p>Capacity building to capacitate the different associations.</p> |
| Capacity Building | <p>To conduct a needs analysis on the different capacities that are needed by SAMA and its affiliate organisations.</p> <p>Strengthen national associations and consider using them as tracing agents.</p> |
| Database Coordination | <p>Stakeholders to coordinate the establishment of a consolidated database for ex-miners.</p> |

Comments

This discussion centred on the role that SAMA is conducting as a regional entity in disseminating information to its members in the different countries. The brief presentation on the organisational structure of SAMA also brought to the fore the various channels that the organisation employs to inform its members on the developments associated with ex-miners' benefits. SAMA works closely with governments to solve challenges that are being faced by mineworkers. Consideration should be made on how non-SAMA members could also benefit from the various initiatives being undertaken.

4.3 Group 3 –Regional Commitments

Group 3 suggested various initiatives that should be conducted at a regional level. The group unpacked various recommendations that needed to be operationalised. It was noted that there was a need for a harmonisation

framework (See Annex 3). Other recommendations are shown in Table 6 below:

Table 6: Group 3 Recommendations-Regional Commitments

| Item | Description |
|---|--|
| There is a overlapping of programmes and there is need for harmonisation. | Develop a Matrix to track progress on certain protocols and identify barriers to ratification. A team will be set up to ensure that the various activities that are specified in the framework are conducted. |
| Databases | SADC Secretariat is to investigate possibility of consolidating databases. Databases to be inclusive and to include migrant framers. In-country partners to explore possibilities of such databases and then feed into the SADC database. |
| FMT cross border remittances pilot project | Dissemination of information on initiatives undertaken by Finmark Trust. Promote usage of the payment channel. This will be necessary to help in mobilising advocacy efforts to gain support from governments as well. |
| Broaden the Scope of SADC TB Declaration | Explore the possibility of broadening the scope of the SADC TB Declaration so that it captures a range of issues affecting mineworkers. Establish lobbying efforts to ensure that the declaration includes other health issues affecting mineworkers. |

Information on regional protocols should be simple so that it is understood by grassroots populations who were largely illiterate. Efforts to be intensified to lobby the Department of Home Affairs to consider revising the new Immigration Act so as to employ semi skilled workers from neighbouring countries that have contributed immensely to the economic development of South Africa.

5. Concluding Remarks

In his concluding remarks, Dr Moyo thanked the participants for attending the workshop. He acknowledged the various contributions that were made by the various stakeholders and implored the participants to actively and urgently play their part in ensuring that ex-miners accessed their benefits. He went further to say that the current initiatives were meant to solve the "problems of tomorrow by addressing the past." As a way forward, he suggested the following key recommendations:

- i. Enhance capacity building initiatives for Ex-miners Associations- Capacity enhancements for ex-miners should include the ability to conduct tracing, fundraising and managing finances.
- ii. Restructuring Task Team- It was important to specify the roles that the task force would be performing in light of the various recommendations that were suggested in the groups.
- iii. The Trust to enhance media exposure- Organisations were requested to use the Trust's media platforms to elevate the various issues that affected ex-miners.
- iv. Inclusion of government departments- It was noted that invitations for the next dialogue should include other government departments such as Departments of Home Affairs, Trade and Industry. This was meant to ensure that current efforts would be aligned to the various policies that affected ex-miners.

Finally Dr Moyo reiterated the fact that the Trust would continue to support efforts that were aimed at ensuring that ex-miners accessed their benefits.

6. Annexes

6.1 Annex 1-Workshop Agenda

AGENDA REGIONAL DIALOGUE ON THE PORTABILITY OF SOCIAL SECURITY BENEFITS FOR MINeworkERS IN SOUTHERN AFRICA

26th-27th March, 2015.

The thriving South Africa economy has attracted a lot of migrant workers who are continuously, seeking better opportunities to overcome poverty and also to improve their livelihood. Historically, bilateral labour agreements served facilitated migration between South Africa and the neighbouring countries. The majority of the unskilled and semi-skilled migrant labour were employed in the expanding mining industry. The major labour sending countries were Mozambique, Lesotho, Swaziland and Botswana.

It is however unfortunate that for most of these migrant mineworkers after spending years working in the South Africa mining industry; they have experienced a number of challenges to access their retirement insurance and compensation related to occupational disease.

In 2013, the Southern Africa Trust commissioned a study which considered the challenges of former migrant mine workers in relation to accessing their South African social security benefits . The findings of the study included the following among many other issues; insufficient access to information on administrative formalities and procedures to submit a claim. Most of the former mineworkers and dependants of deceased miners are not financially resourced to pursue their benefits. The low literacy level of these former miners and dependants has worked to their disadvantage. In addition, most miners are ignorant of the exact benefits owed to them and on their rights to actually make a claim on a particular benefit.

In February 2014, the Southern Africa Trust and the Southern Africa Miners Association (SAMA) convened a regional dialogue to share the findings of the report and also to engage stakeholders to arrive at solutions to assist miner's access their lapsed benefits. The dialogue also considered regional initiatives that will facilitate a policy framework for a cross border portability arrangement, which would address some of the challenges experienced by the miners to transfer their benefits to their respective countries. The discussions were based on the SADC Charter on the Fundamental of Social Rights and the SADC Code of Social Security in relation to the portability of social security benefits in the region. A task team was established to implement the recommendations arising from the dialogue that will assist miners to access their lapsed benefits.

The SADC Declaration on Tuberculosis (TB) in the Mining Sector was adopted by Heads of State and Government in 2012, also reiterates some of the challenges of migrant mineworkers for example there is inadequate or no mechanism for financial compensation of mineworkers and ex-mineworkers with TB, silicosis and other occupational respiratory diseases. There is a lack of information among mineworkers, ex-mineworkers, employers, trade unions and government about their roles, rights and responsibilities.

The following are some of key recommendation agreed in February to be implemented by stakeholders through the task team:

- On access to information- adopt strategies to disseminate information to reach rural mining communities,
- On effective collaboration, Provident/pension Funds to increase efforts to ensure speedy payments and reduction of outstanding benefits. Funds to explore standardisation of claiming forms. Collaborative roadshows by Funds should be undertaken in future and former-mine workers to leverage on government authorities for assistance. In addition, strengthen livelihood initiatives in the relevant mine sending communities.
- On Capacity building, strengthen SAMA and its affiliate organisational capacity, Empower individuals with knowledge, skills and tools necessary to navigate the benefit claim process.
- On regional commitments, stakeholders to participate in the development and implementation of regional frameworks and build a strong relation with government and civil society in order to advocate common interest.

Objectives of the dialogue

- Create an opportunity for stakeholders to review the progress made since February to address the some of the challenges of mineworkers and disbursement of unclaimed benefit
- Progress of regional initiatives to adopt a cross border portability mechanism for transfer of benefits
- Discuss the progress on regional harmonised approach to TB in the Mining sector
- Identify new opportunities for addressing challenges of miners and ex-mine workers
- Explore more areas for coordination among task team members

It is hoped that there is a renewed commitment among stakeholders to find ways of resolving the problems experienced by former mine workers and the dependants of deceased miners.