

2018
**Social
Protection
Conference**
KENYA



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Creating an enabling environment in Social Protection

Subject: AU SP Protocol and SP Legislation in Africa: Situation and challenges with Zambia as case study

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AU SP Protocol



- Objectives:
 - Consolidate the human right to social security and other related social protection rights and specify States' obligations for their realization
 - Provide a general legal framework on SP and guide the development of SP policies and legal frameworks in all countries
- Content:
 - To reflect the diversity of circumstances and approaches - flexibility to leave room to adaptation to local contexts and specificity
 - To focus on providing the normative content of the right to SP and SS and on defining the core obligations of States towards their citizens
- Process:
 - Drafting stage, further consultations with representatives and experts of all regions to finalize the draft



Case study: Zambia



Why developing a new legislative framework?

- On-going reforms on C-SP (Pensions, EI, Health etc.)
- Absence of legislative framework for NC-SP
- Fragmented laws and gaps in the legislative and regulatory framework

Why developing a singular legislative framework?

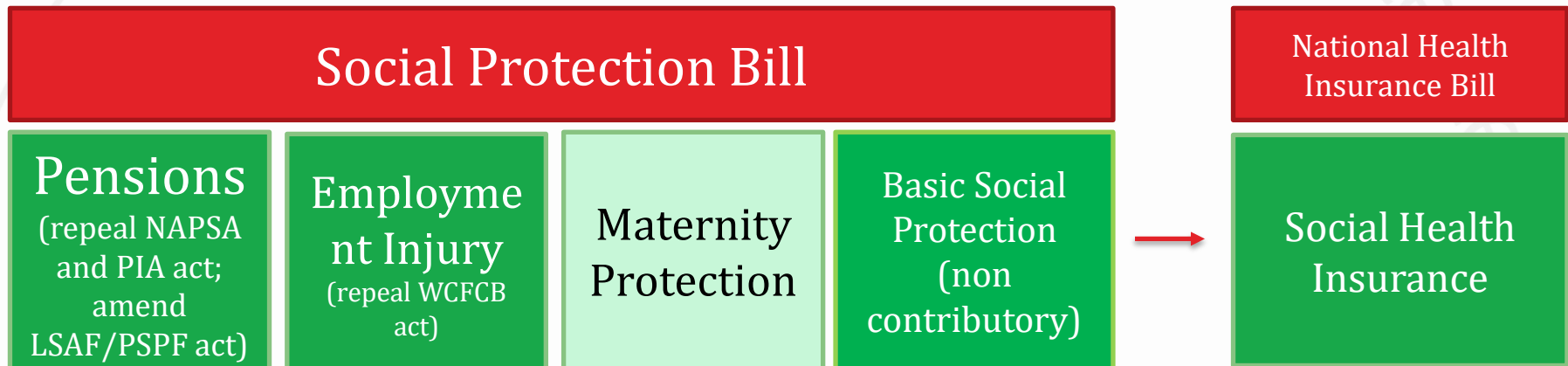
- Enhanced coherence in policy and financing
- Strengthened coordination across schemes (critical for extension of coverage)
- Reduced administrative costs
- Reduced transaction costs for both workers and employers

Overall objective => creating enabling environment for effective delivery of social protection

Scope: A singular legislative framework



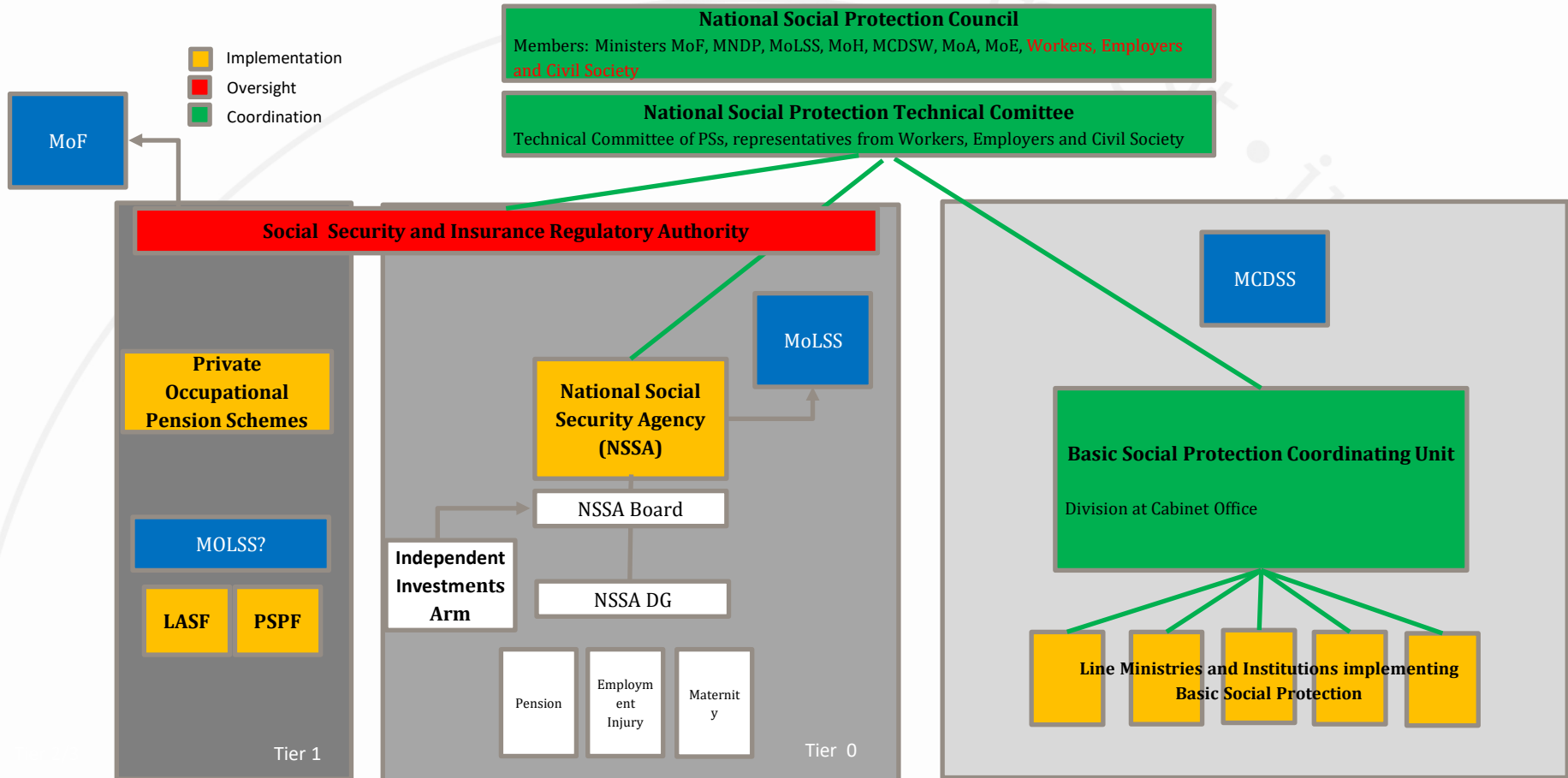
- Common provisions: registration, contributions, management of the Agency, portability of benefits etc.
- Specific sections on each scheme, complementary social protection, basic social protection:



- Extension of coverage to informal economy
- Transitional arrangements
- Coordination mechanisms



Institutional Coordination and Mandates

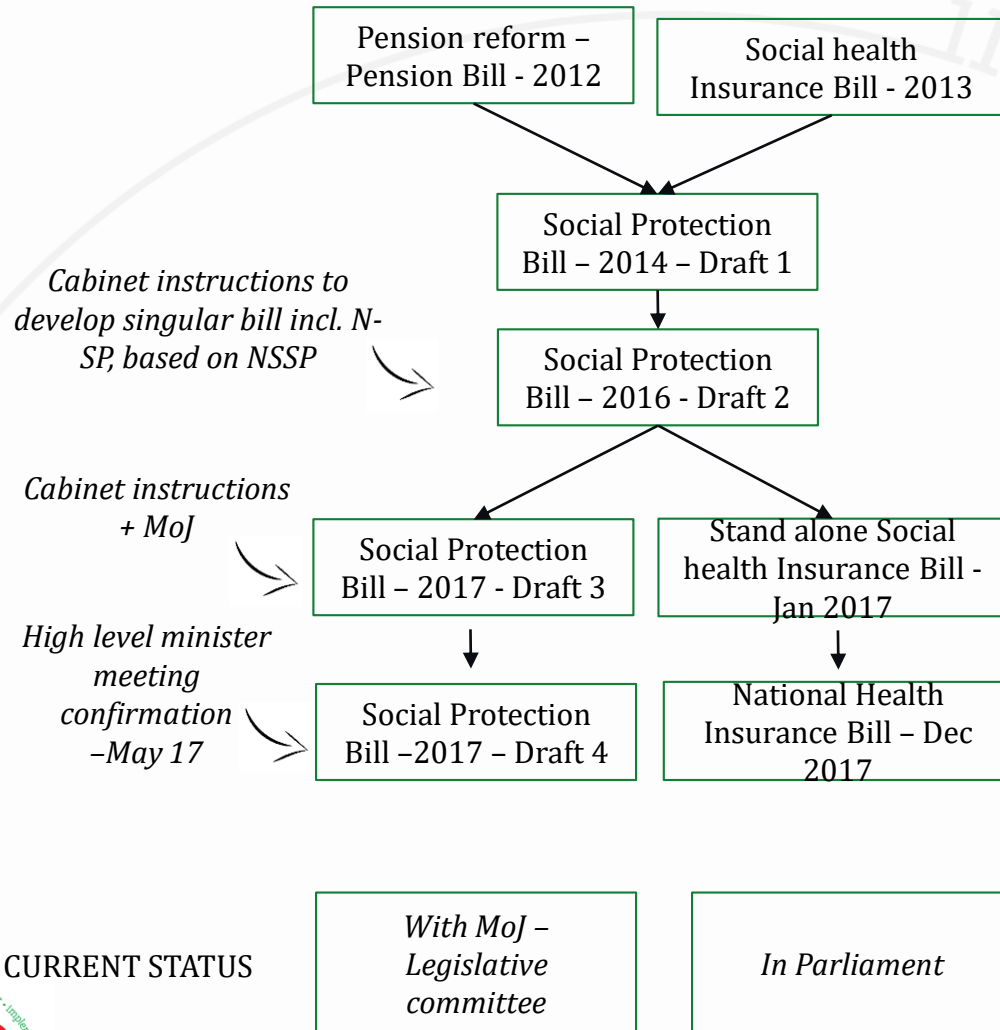


Contributory SP

Non Contributory SP

+ Social protection tribunal

A bumpy journey on the drafting road...



Social Dialogue
-
Issue on Social Dialogue on NHI



Challenges



- Fragmented social protection/security legislation
- Gaps in legislation and/or over-lapping
- Finding the right balance between Laws and Regulations to guarantee rights but leaving flexibility for ease of future adjustments
- Alignment of Government and Social Partners objectives
 - Divergent views within Government, Social Security institutions, social partners
- => Highlight importance of effective social dialogue and evidence to inform reforms



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THANK YOU FOR YOUR TIME

Back up slides



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History of SP bill



- Pension reform process started in 2012, leading to preparation of Pension Reform Bill
- SHI bill developed since June 2013
- First integrated SHI-Pension Reform Bill developed in 2014
- After approval of NSSP, Cabinet instruction to develop singular SP bill, also including social assistance
- Second layman's draft Integrated Bill developed in Kabwe in April 2016
- In March 2017 release of the third draft developed by MoJ
- SHI bill developed as standalone draft
- Technical Committee “rejects” the third draft due to significant departure from approved policy directions
- In May 2017 high level minister meeting confirms intention to proceed with integrated institutional and legal framework for SP
- Fourth draft developed in June/July 2017



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TITLE



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Head

- Body



TITLE



Head

Photos in a circle shape

Subhead

- Bulleted items within section





Head

■ Bullets

Cash transfer schemes can improve care for children

We carried out research on the linkages between care and cash transfers in Rwanda, South Africa and Ghana. We spoke to:



Adults

323



Children

312

Cash can help.

We found that regular transfers can:

- Prevent family separation and increase reintegration of children
- Reduce stress in the household and improve relationships between children and carers
- Enable families to care for children who are not their own
- Improve the material and non-material well-being of children

In order to improve care, cash transfer schemes need to:



Promote meaningful linkages between social and child protection systems, such as strong referral mechanism when vulnerable families are identified by either system



Sensitise communities about the importance of good care



Avoid over-burdening social workers with the excessive administration of grants



Provide child care for public works components so that children are not left home alone or caring for siblings



Provide grants of a meaningful size that are paid on time