MAKING CHILDREN’S RIGHTS A PRIORITY

A Children’s Rights Seminar staged by the National Council of Provinces identified actions to be taken to improve the lives of South Africa’s children, and how Parliament can ensure these ideas are brought to life, says the Council’s Deputy Chairperson.

Hon. Thandi Memela, MP, in Cape Town.
Ms Memela is the Deputy Chairperson of the National Council of Provinces (NCOP), a post she has held since 2009 when she became an African National Congress (ANC) representative from KwaZulu-Natal. A nurse and community activist, she has held a number of positions with the ANC and was a former Mkhonto weSizwe member. She is also the Provincial Chairperson of Military Veterans of KwaZulu-Natal.

Hopes and dreams
Before the Children’s Rights Seminar, I interacted directly with children through various workshops held in collaboration with the provincial Legislatures. These workshops allowed children to give messages to the MPs on issues affecting them. This was done through writing, drawings, messages and voice recordings of children who related stories of hardship growing up in poor homes.

Some of the children spoke about their dreams and aspirations and how Parliament could give effect to those hopes. In drafting our agenda for the seminar, we did not invent issues affecting children. We were able to bring to the fore relevant issues that had been highlighted in the workshops.

In partnership with UNICEF in the country, under the leadership of Ms Aida Girma who played a critical role at assisting institutions such as Parliament with resources and the necessary expertise to carry out our collaborative work, we placed matters relating to the rights of children high on the agenda. I am also grateful to the provincial Legislatures who heeded our call and never for a moment hesitated in facilitating these workshops. They helped realize the
NCOP as a platform for bringing to the fore issues affecting the provinces.

Any country that does not invest in its children will fail to contribute to its future wellbeing, development and welfare. No self-respecting nation will ignore a call to invest in its children. It is important, therefore, that issues affecting children and their rights should be openly debated with the intention of rethinking strategies currently employed in addressing them.

**Debating policies for vulnerable groups**

At the beginning of the Fourth Parliament in 2009, the NCOP positioned itself as a caring institution by identifying four key strategic areas to initiate and implement programmes aimed at assisting vulnerable groups in society.

In response to this, we have continued with our commitment to afford the people who fall in this category (children, youth, women and people with disabilities) an opportunity to interact with their public representatives, to raise pertinent issues and to advise where necessary, so as to ensure that they benefit from the delivery of services.

Our programme "Taking Parliament to the People" has been one of the...
platforms we used to promote such engagement through specialized meetings during our visits in provinces.

Our Select Committee for Women, Children and People with Disabilities has engaged in a number of collaborative projects with counterparts in the National Assembly, and with UNICEF, to try to place matters relating to vulnerable groups high on the agenda.

As part of our set of activities to mark the 15th anniversary of the NCOP, the Children’s Rights Seminar was hosted to promote and protect the rights of children and stimulate debate on children’s issues.

We provided an opportunity for key stakeholders in Parliament, cabinet, provincial Legislatures, local government and civil society to deliberate on what is required for a better future for South Africa’s children. The overall thrust was to encourage and promote a holistic approach to legislation on diverse issues affecting children.

Identifying priorities for the care of children

To do this we needed to identify the key obstacles and challenges to children’s rights. We succeeded in identifying some priorities, thereby contributing towards the “creation of a legacy” for the fourth Parliament and produced a publication entitled Investing in Children: Some Critical Debates in South Africa.

During that seminar, we highlighted the fact that children are the most vulnerable in our society. This is despite the fact that our constitution guarantees them the right to family or parental care, or to appropriate alternative care when removed from the family environment.

We stressed that it was our responsibility as parents, especially those of us who were also public representatives, to ensure that our children enjoy their rights under our democracy. Doing so is an important intervention for a better future for our country.

Parents or legal guardians of a child, assisted by the state, have the responsibility to look after the welfare of the child. In spite of our best intentions, we still find children facing enormous challenges. These include poverty, abuse and violence, and a lack of access to early childhood development, especially for rural children.

Furthermore, lack of proper recreational facilities forces children into experimenting with life-threatening substances such as drugs. Raising children requires good parenting skills which are often lacking among parents. We also examined the influence of the changing environment and technology.

A plan of action

The following recommendations were proposed on how the NCOP could stand up for and protect children and other vulnerable groups:

- The country must collect data based on specific indicators that will show the progress that has been made on the laws developed by Parliament.
- Attention must be given to
ensure obligatory provision of education programmes to children in conflict with the law, with special attention to children awaiting trial, unsentenced children and sentenced children.

- Parliament must review the provisions of section 8 of the Child Justice Act for an amendment in the age of criminal capacity to ensure that South Africa complies with substantive provisions in relation to its international obligations and standards.
  - Parliament should play a pivotal role in the oversight of the implementation of the Child Justice Act, Children’s Act and other related laws that it has passed to ensure the survival, protection, development and participation of children.
  - Parliament should ensure that the country reports in time and accurately on the implementation of the United Nations Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child and other international treaties that South Africa has ratified.
  - The country should prioritize the strengthening of the primary health care system as the national health response, particularly expanding the number and scope of work of community health workers to include high-impact but low-cost child health and nutrition interventions.
- The NCOP, in collaboration with the National Assembly and the provincial Legislatures, must develop a rigorous oversight programme from a multisectoral perspective to monitor the realization of child rights in the country.
  - The NCOP must develop a strategy to report back to the children, from across the country, who conveyed their messages to seminar participants. They should be told what we have done and what has happened; and
  - Special attention must be given to children with disabilities in realization of their rights, including providing transport to schools.

Issues affecting vulnerable groups are close to my heart.

The listed recommendations will not only remain on paper but the Select Committees on Women, Children and People with Disabilities, Social Services and Education and Recreation will ensure that we follow up on them.

Children as a community responsibility

Despite the mammoth task that lies ahead of us in terms of our set targets, I am happy that a growing number of our children are growing up in a better South Africa.

They are growing up in a society where they are not discriminated against on the basis of their background or on the basis of who they are.

Among many things we can do is bring back the notion that a child belongs to, and is the product of, a community.

The notion of a community was an African way of supporting families and raising children. Unfortunately, we seem to have abandoned it and as a result we are grappling to address the challenges that confront our children.