



Analysis of 2008/09 Annual Report: Office on the Rights of the Child, Office on the Rights of Persons with Disabilities and Office on the Status of Women

1 February 2010

1. Introduction

The purpose of this document is to provide Members of the Portfolio Committee on Women, Youth, Children and Persons with Disabilities (hereafter referred to as the Portfolio Committee) with an overview of the objectives for the financial year 2008/09 as it relates to the former Offices on the Rights of the Child, Status of Disabled Persons and the Office on the Status of Women. To this end, the aforementioned Offices briefed the Portfolio Committee during 2009 on the progress of activities amidst the transition to the new Ministry for Women, Children and Persons with Disabilities. In addition, the Offices appeared before for the Joint Monitoring Committee on Children, Youth and Persons with Disabilities as well in 2008 on the strategic plans for the ORC and OSDP. Hence, both briefings serve as background information for analysing the annual report for 2008/09 and as such these briefings are drawn on in this document.

Questions for consideration

- Has a final handover report been developed? What were the outstanding issues and challenges that emerged from the report?

Matters that require clarification:

The following issues as per the Presidency's Annual Report 2008/09 (listed on the Presidency website):

- According to the report, the Appropriation Statements states that for Gender, children and disability, the adjusted appropriation was R13 971 million, virement R361 million, the final appropriation R14 332 million and the actual expenditure R15 674 for 2008/09. How does the R9 million stated previously to the Portfolio Committee as the Offices expenditure reconcile with the aforementioned figures?

2. Office on the Rights of the Child (ORC)

In a previous briefing (17 June 2009) to the Portfolio Committee on Women, Youth, Children and Persons with Disabilities the former Office on the Rights of the Child (ORC) indicated to the Committee that the objectives for 2004-2009 were as follows:¹

- To enhance integrated policy implementation for accelerated children's rights delivery.
- To strengthen strategic children's rights management and leadership capabilities at all spheres of Government to achieve Sectoral and organisational cohesion.
- To facilitate, coordinate, monitor, evaluate, communicate and report on the children's rights policies and programmes.

¹ Portfolio Committee on Women, Youth, Children and Persons with Disabilities (2009)



- To foster desired citizenship principles among children and thereby give impetus to the people's contract.

Similarly, the ORC brief the former Joint Monitoring Committee on the Improvement Quality of Life Status of Children, Youth and Disabled Persons (hereafter referred to as the JMC) during 2008 on their five year strategic plan and a detailed account of the operational plan for 2008/09.² The key performance areas presented to the JMC were as follows:

- Mainstreaming of best interest of the child in governance processes.
- Capacity building for mainstreaming of best interest of the child in governance processes and advocacy for child rights delivery.
- Monitoring and evaluation of delivery on the Constitutional, Regional and International Children's rights mandates.
- Governance and strategic objectives.

Each of the aforementioned key performance areas were linked to a set of activities, indicators and allocated budget. The total budget provided then pending approval amounted to R5 373 000. However according the ORC's briefing to the Portfolio Committee in 2009, it was only allocated R2 432 367 million for financial year 2008/09 and spent R2 757 924 million. The ORC overspent by R325 557. The allocation was spent as follows:

- R400 000 on mainstreaming of a child centred governance approach.
- R120 924.00 on policy work.
- R190 999.50 on capacity building.
- R1 200 000 on advocacy.
- R 316 000.50 on child participation processes.
- R200 000.00 on coordination of Children's Rights Advisory Councils.
- R330 000 on monitoring and evaluation.

Questions for consideration

- Did the ORC delivered on the objectives of the 5 year plan? What was achieved? What was not addressed and why? What was the expenditure incurred hereto in relation to the R2 440 000 that was allocated for the 2008/09 financial year?
- Were the key performance areas and related activities presented to the JMC in 2008 attained? If not why not.
- What is the status of the national and provincial Children's Rights Advisory Councils that were previously established in light of the new Ministry?
- What is the current status of the dedicated child rights contact persons within the 188 municipalities (i.e. 46 districts and 142 local municipalities)?
- Is the website that was launched for accessing information pertaining to children still operational?

² JMC (2008a)



- What were the outcomes of the Ukuthwala programme reported on previously? How has duplication of work with other Government Departments in addressing Ukuthwala been dealt with?
- What is the status of the third country report on the United Nations Convention on the Rights of the Child? Has it been approved by Cabinet if not why not? When will it be lodged at the United Nations? Does the Ministry intend presenting to the Committee on the Rights of the Child with respect to the country report? What are the plans hereto?

Matters that require clarification:

The following issues as per the Presidency's Annual Report 2008/09 (listed on the Presidency website):

- R50 000 was received from UNICEF for the production of the country report, has this been completed, how has the report been disseminated and when will this report be presented to the Portfolio Committee?
- A total of R90 000 was received from UNICEF and EDCON for producing T-shirts for Children's Day, how does such an initiative best contribute to the advancement and mainstreaming of child rights in the country?

3. Office on the Rights of Persons with Disabilities (OSDP)

In a briefing to the Portfolio Committee the former OSDP indicated that the Office was allocated a total of R2 330 000 million for the 2008/09 financial year. The Office also received R4 million for special projects through donor funds from the Flemish and Danish Governments. The allocation was spent as follows:

- R680 000 on policy coordination.
- R200 000 on advocacy and awareness raising.
- R450 000 on monitoring and evaluation.
- R100 000 on mainstreaming.
- R600 000 on training and workshop on United Convention on the Rights of Persons with Disabilities and developing manuals and copies in Braille for the workshops.
- R300 000 on International Obligations.

In May 2008,³ the OSDP briefed the former JMC on its 2008/09 programme and provided a list of the following activities it intended to undertake namely;

- Establish and/or participate in appropriate Disability Coordination structures to facilitate implementation of policies and programmes.
- Delivering on South Africa's obligations in respect of the UN Convention on the Rights of Persons with Disabilities.
- Mainstreaming of Apex priorities.

³ JMC (2008b)



- Facilitate inclusion of people with disabilities and disability mainstreaming in all Economic Growth and Development programmes.
- Danish funded project (Pilot Commercialisation of Workshops, Establish database of professionals for labour market).
- Ensuring that persons with disabilities and their families are aware of existing Government programmes for persons with disabilities.
- Awareness raising through International Day of Disabled People.
- Training and civil servants on mainstreaming disability in partnership with SAMDI.
- Reporting and accounting to strategic and political structures.
- Facilitate inclusion of persons with disabilities and disability mainstreaming in all Social Development programmes.
- Confirmation of disability baseline data and of disability indicators.
- Finalise National Disability Policy Framework.
- Finalise 15 year review.

The budget allocated at the time was R2 313 320.

Questions for consideration

- What were the outcomes of the activities the OSDP presented to the JMC in 2008? Were these activities undertaken? If not why not.
- Were the donor requirements met with regard to meeting the stated objectives pertaining to the funding obtained? Elaborate.
- Has a donor report been provided to the Committee? If not why not. How has the OSDP ensured the sustainability of donor related programmes?
- Did the ORC delivered on the objectives of the 5 year plan? What was achieved? What was not addressed and why? What was the expenditure incurred hereto in relation to the R2 440 000 that was allocated for the 2008/09 financial year?
- When is the first country report due on the United Nations Convention on the Rights of Persons with Disabilities?

Matters that require clarification:

The following issues as per the Presidency's Annual Report 2008/09 (listed on the Presidency website):

- The report states that the Presidency spent R1 004 million and R1, 838 million (Denmark and European Union) and that the balance of the donor funds (R4, 342 million) was surrendered to the Reconstruction and Development Programme Fund at the end of March 2009. This contradicts a previous briefing to the Portfolio Committee by the OSDP in 2009. Why the discrepancy?

4. Office on the Status of Women

In a briefing to the Portfolio Committee on Women, Youth, Children and Persons with Disabilities on 17 June the former Office on the Status of Women highlighted its mandate, strategic objectives and key result areas for the period April 2008 – March 2009. The OSW indicated that it had been



allocated a budget of R2.3 million for the period 2008/09, and that it had overspent this allocation by R300 000 due to attending the United Nations annual Commission on the Status of Women session. The R2.3 million budget was spent on the following strategic objectives and key result areas:

- R501 602.00 on gender mainstreaming.
- R450 312 on planning and coordination.
- R319 145.00 on advocacy.
- R1 39 528.04 on monitoring and evaluation and reporting

Further to this, OSW in May 2008, presented to the former JMC on the Improvement of Quality of Life and Status of Women⁴, the following strategies and key activities for 2008/09:

<p>STRATEGY 1</p> <p>Mainstreaming of gender equality and women's empowerment into the programmes of projects of government structures</p>	<ul style="list-style-type: none"> • Develop a country strategy and implementation plan in support of the National Policy Framework for Women's Empowerment and Gender Equality • Develop a policy on Effective Partnerships in Promoting Women's Empowerment and Gender Equality • Commission research that advances women's empowerment and gender equality <ul style="list-style-type: none"> - 15 year review, Gender profiling - Gender responsive budgeting and financing gender equality - Harmful traditional practices • Promote gender responsive budgeting for CFOs and senior management • Facilitate the review and rework of the Gender Resource handbook
<p>STRATEGY 2</p> <p>National Planning, Co-ordination and Advocacy to facilitate the Mainstreaming of Gender Equality and Women's Empowerment</p>	<ul style="list-style-type: none"> • Manage and facilitate events • 16 Days of Activism (Nov/Dec) • Women month (Aug) 365 days of Action (ongoing) • International Women's Day (100 years)(March 2009) • Women's Health (ongoing/Aug-Oct) • SADC protocol (May-Aug) • Ghana HLF (May-Sept) • Gender Budget initiative (ongoing) • CSW round table discussions (July-Aug) • CSW 2009 (Sept-Feb 2009)
<p>STRATEGY 3</p> <p>Monitoring and Evaluation of delivery on the National, Regional and International Mandates for Gender Equality and Women's Empowerment</p>	<ul style="list-style-type: none"> • Develop a M&E framework for monitoring progress of government departments and local government in implementing the National Policy Framework for Women's Empowerment and Gender Equality <ul style="list-style-type: none"> - Reporting formats for use of national and provincial GFPs standardised - Plan and manage a high level NGM review - Conduct a gender analysis of GPOA - Compile reports in compliance with international instruments - CEDAW report (June) - Initiating Beijing report 2009 (March 2009) - AU (July) - SADC - Commonwealth (ongoing) - UN (ad hoc)
<p>STRATEGY 4</p> <p>Liaising between the Presidency and national</p>	<ul style="list-style-type: none"> • Develop a marketing strategy that will ensure effective communication with internal and external stakeholders • Branding and image of OSW

⁴ JMC on the Improvement of Quality of Life and Status of Women, 2008



and international stakeholders in support of the objectives of the National Policy Framework

- Prepare documents for marketing and advocacy
- Support relationship building with strategic partner countries
- China (Sept)
- Senegal (June)

Although the OSW did report on some of the above activities in its June 2009 presentation, it is not clear whether all of the above have been achieved.

Questions for consideration

- Is the office involved in the development of the 50/50 bill to ensure the equal representation of women in decision-making positions? If yes, what is the progress in this regard?
- In its briefing to the Committee in June 2009 the OSW indicated that a draft report on the Austria/ South Africa Harmful Traditional Practices Project had been developed. What is the current status of this report? When will it be made available to the Committee?
- What is the current status of the National Gender Machinery, and what role is the OSW playing in this regard?
- The OSW reported in June 2009 that as part of its broad mandate it is responsible for developing a National Plan of Action for women's empowerment and gender equality. Has there been any progress in this regard for the period 2009/10?

5. References

Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons (2008a) Briefing by the Office on the Rights of the Child and National Youth Commission on Budget and Strategic Plans for 2008/09. Minutes of Proceedings, 16 May 2008.

Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons (2008b) Briefing by the Office on the Status of Disabled Persons and Umsobomvu Youth Fund on Budget and Strategic Plans for financial year 2008/09, Minutes of Proceedings, 23 May 2008.

Joint Monitoring Committee on Improvement of Quality of Life and Status of Women (2008) Briefing by the Office on the Status of Women on Budget and Strategic Plans for 2008/09. Minutes of Proceedings, 23 May 2008.

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