

NMS/227/2020/24

PRESENTATION TO CODESA

PREAMBLE

We, the National Children's Rights Committee, an umbrella organization established under a Deed of Trust, and representing more than 200 non-governmental organizations in 14 regions in South Africa, call on the participants of CODESA to put children's needs and rights FIRST in all their deliberations and decisions because our country's future depends on our children.

The National Children's Rights Committee (NCRC) has been formed to encourage programmes that assist with the SURVIVAL, the PROTECTION from harm or exploitation, and the DEVELOPMENT of every child to his or her full potential. It is at present engaged in national multisectoral research into the situation of women and children in South Africa, so that priority areas of need can be established.

THE NCRC IS COMMITTED TO:

- lobby for political action at the highest level during this interim period and also when a post-apartheid government has been established, so that the needs of the child will be recognised, and in particular that the UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD will be ratified by South Africa;
- inform social and economic policies to enhance children's health and nutrition and their optimal growth and development;
- work to strengthen the role and status of women, and for support and respect for the family in its role of nurturing children;
- work to ameliorate the plight of thousands of children in our land who live in particularly difficult circumstances, especially children displaced and orphaned through violent conflict, disabled children, street children and abused children;
- work for programmes that reduce illiteracy and provide educational opportunities for all children irrespective of their background or gender; and that prepare children for productive employment and lifelong learning opportunities;
- promote the values of peace, understanding and dialogue in the community and in the education of children, so as to give children a peaceful and secure future;
- work for common measures for the protection of the environment at all levels, so that all children can enjoy a safer and healthier future;
- work for an economic policy that promotes economic growth while ensuring the well-being of the most vulnerable sectors of the population, especially children.

CONSIDERING that our children are innocent, vulnerable and dependent but also curious, active and full of hope, their time should be one of joy and peace, of playing, learning and growing. Their future should be shaped in harmony and co-operation. Their lives should mature as they broaden their perspectives and gain new experiences.

HOWEVER, for the majority of children in our land the reality is very different. There is in fact a silent catastrophe among the children in South Africa with regard to:

SURVIVAL - In some rural areas up to 157 children in 1 000 - more than one in ten - die before their first year of life, and of the survivors about the same proportion die before they turn five.

DEVELOPMENT - Of the survivors, thousands drag out their lives, handicapped by disease and malnutrition, without the stable family life that is needed for emotional growth and stability, and without the stimulation and basic education that are needed for their intellectual potential to be fully developed.

PROTECTION - Neither in law nor by common practice is the protection of children adequately provided for. In South Africa children are IN THE FRONT LINE in the conflict and violence. They are the most vulnerable victims of the poverty of almost half our citizens. They are often subjected to abuse through child labour neglect and prostitution (about 10 000 of them are street children).*

We therefore reiterate our call on all participants of CODESA to put children first by giving priority on the national agenda to the right of the child to survival, protection and development.

ACCORDINGLY, we recall the public notice by CODESA, inviting all interest groups in South Africa to make submissions, and we hereby take advantage of that invitation, and besides our general appeal we make the following specific recommendations to all the Working Groups of CODESA:

* Many are detained in adult prisons.

WORKING GROUP 1

The current level of violence in the country violates the rights of the African child, in particular the right to a secure family life, health and education.

Family life is disrupted for many in the poorest localities of our country, as these are the main target areas for those perpetrating the violence. As a result of the violence hundreds of children are killed and maimed each year and education is disrupted.

We are convinced that the National Peace Commission and CODESA have the capacity to stop the violence.

Working Group 1, charged with the task of recommending mechanisms to CODESA 2 for the creation of a climate conducive to free political activity, should speed up the process to resolve this problem.

WORKING GROUP 2

Nothing in the constitutional principles considered by Group 2 should undermine the rights of the child as contained in the United Nations Convention on the protection of the rights of the child.

We identify the following important rights as inalienable and therefore should unequivocally be protected in a new constitution:

- nationality and citizenship;
- non-discrimination;
- protection against abuse and exploitation;
- freedom to voice problems;
- health;
- shelter;
- education;
- secure family life;
- protection against exploitative adoption practices both nationally and internationally;
- leisure and recreation;

- special treatment, care and education if disabled;
- appropriate treatment or training for recovery and rehabilitation if maltreated, neglected or detained.

The democratic state should take full responsibility for providing the necessary services.

WORKING GROUP 3

We urge this group to see that interim arrangements are accelerated and to ensure that nothing in your proposals undermine the best interests of the child.

WORKING GROUP 4

We urge this working group to consider the protection of children against customs which undermine their well-being:

- exploitative child labour;
- early marriages;
- dangerous circumcision practices;
- unequal health provision for the female child;
- exploitative sexual practices;
- inequality in education.

WORKING GROUP 5

Speedily effect the mandate to this group, by taking cognizance of the agreed-upon time frame, and, in considering your terms of reference 1.1.2, repeal all the discriminatory legislation which in particular affects the rights of the child to survival, protection and educational development.

WE MAKE THIS APPEAL ON BEHALF OF ALL THE CHILDREN IN SOUTH AFRICA - NOT ONLY FOR THE PRESENT GENERATION, BUT FOR ALL GENERATIONS TO COME. THERE CAN BE NO TASK NOBLER THAN GIVING EVERY CHILD A BETTER FUTURE.

(Signed) (Albertina Sisulu)

..... (Sr Bernard Ngcube)

(CHIEF CONVENORS)