



Children's Rights Centre

September 2011

NewsBytes on Children's Rights

1. CLIMATE CHANGE

1.1 COP 17, CLIMATE CHANGE & CHILDREN'S RIGHTS

CAN WE NOW PLAN TO MAKE SURE CHILDREN'S RIGHTS, NEEDS AND VOICES ARE HEARD AT COP 17 IN DURBAN IN DECEMBER!

The Convention on the Rights of the Child, adopted by the United Nations General Assembly in 1989 and ratified to date by 193 countries, together with 'A World Fit for Children' (WFFC), protect and preserve the right of every child to a safe, healthy environment in which to develop and grow. This WFFC Declaration, which was a consensus outcome from the UN General Assembly Special Session on Children held in 2002, articulates clearly the commitment of States

"to give every assistance to protect children and minimize the impact of natural disasters and environmental degradation on them."

Together with the Millennium Development Goals (MDGs), these international commitments are of the greatest relevance for addressing the myriad threats that climate change raises for the world's children.

The 17th United Nations Framework Convention on Climate Change (COP 17), will be hosted in Durban, South Africa, 28 November to 9 December 2011

Since the UNFCCC entered into force in 1995, the Conference of the Parties (COP) to the UNFCCC have been meeting annually to assess progress in dealing with climate change. The COP adopts decisions and resolutions, published in reports of the COP. Successive decisions taken by the COP make up a detailed set of rules for practical and effective implementation of the Convention. Following the procedural rules of the Conference, it is customary for the COP and CMP to elect as President a minister from the host country. The President of COP 17/CMP 7 is Ms Maite Nkoana-Mashabane, the South African Minister of International Relations and Cooperation.

Contents

1. CLIMATE CHANGE

1.1 COP17, Climate Change & Children's Rights

1.2 Climate change and children: A human security challenge

2. LAUNCH OF WIKI on CHILDREN'S RIGHTS

3. NEWS FROM SA PARLIAMENT:

3.1 Education—assessment of learners

3.2 Corruption in the Public Service—analysis

3.3 The South African Social Security Agency (SASSA) Report

4. CALLS FOR PUBLIC COMMENT

4.1 Information Bill

4.2 Schools & HIV & AIDS testing

4.3 N Strategic Plan for HIV & AIDS & TB

4.4 Proposed Council on Gender based Violence

We gratefully acknowledge the support of the Bernard van Leer Foundation in the production and distribution of this newsletter.

Children's Rights Centre

Postal address:

P.O. Box 3630
Durban 4000, South Africa

Physical address

22nd floor S.A. Eagle Building
353 Dr Pixley KaSeme Street
(formerly West Street),
Durban, South Africa
Tel: 031 307 6075

Fax: 031 307 6074

E-mail: info@crc-sa.co.za

www.crc-sa.co.za

The **Kyoto Protocol**, adopted in Kyoto, Japan, in 1997, commits 37 industrialized countries and the [European Union](#) to the so-called **Kyoto target** of reducing their [greenhouse gas](#) emissions by an average of 5% against 1990 levels, in the 2008-2012 period.

The Protocol was adopted at the Third Conference of the Parties to the [United Nations](#) Convention on Climate Change in December 1997 and came into force on 16 February 2005. The main distinction between the Kyoto Protocol and the **Kyoto Convention** is that while the Convention encouraged industrialized countries to stabilize emissions, the Protocol sets binding targets.

To date, 184 parties of the Convention have ratified the Kyoto Protocol. Signatories must meet their targets primarily through national measures. However, the Kyoto Protocol offers an additional means of meeting targets through three market-based **Kyoto mechanisms**: emissions trading (also known as the carbon market); clean development mechanism (an emission-reduction project in the developing world); joint implementation (to encourage foreign investment and technology transfer).

These measures are designed to stimulate green investment and help signatories meet their emission targets in a cost-effective manner

For more information: www.unfccc.int

1.2 CLIMATE CHANGE AND CHILDREN: A human security challenge

Policy Review Paper by the Innocenti Research Centre in cooperation with UNICEF Programme Division

EXECUTIVE SUMMARY

The evidence presented in this review confirms the centrality of children and their unique vulnerabilities to global, national and sub-national policies and frameworks on climate change and human security.

It also identifies a gap in existing agreements, protocols and policies that have not sufficiently recognized or addressed children's issues in the past.

The Convention on the Rights of the Child, adopted by the United Nations General Assembly in 1989 and ratified to date by 193 countries, together with 'A World Fit for Children' (WFFC), protect and preserve **the right of every child to a safe, healthy environment in which to develop and grow.**

This WFFC Declaration, which was a consensus outcome from the UN General Assembly Special Session on Children held in 2002, articulates clearly the commitment of States

"to give every assistance to protect children and minimize the impact of natural disasters and environmental degradation on them."

Together with the Millennium Development Goals (MDGs), these international commitments are of the greatest relevance for addressing the myriad threats that climate change raises for the world's children.

Protecting the environment and providing for the health, education and development of children are mutually inclusive goals. **Almost any action taken to enhance environmental quality also helps meet the basic needs of children.** It is therefore important not to separate climate change from other priorities, but rather to integrate comprehensive actions to include climate risk in development planning, programmes and projects.

The strong institutional basis for inclusion of children's issues in the international climate regime has yet to align with an emerging mechanism for championing children's issues in the sector. For example, National Adaptation Programmes of Action (NAPAs) and other adaptation plans rarely, if ever, reference the unique vulnerabilities of children or address their needs.

Similarly, they fail to draw on the practical knowledge, insights and capacity for meaningful change that children can and do offer, most notably at sub-national and community levels.

This paper seeks to substantiate the need for frameworks and protocols that will **recognize, protect and empower children and young people in light of the effects of climate change.**

Thus, the major messages of this paper are that:

A human rights-based approach necessitates inclusion of children's issues in all international and national efforts, most notably the climate change regime following the UN Climate Change Conference in Bali, NAPAs and poverty reduction strategies.

There is an increasingly convincing body of evidence that many of the main killers of children (malaria, diarrhoea and under-nutrition) are highly sensitive to climatic conditions.

The complexity of the challenges posed by the changing global environment calls for an integrated approach. The challenges of providing access to clean household energy, water, sanitation and

education, are compounded by the increasing and chronic prevalence and severity of natural disasters, and are often simultaneous.

Inter-sectoral coordination and collaboration between line ministries (including Education, Health, Environment, Youth and Finance) are essential for paying special attention to the needs and vulnerabilities of children of different ages.

Scaling up efforts to meet the MDGs will reduce risk caused by many of the social and economic factors that are shown to exacerbate and increase the impacts of climate change, thereby increasing the resilience of the most vulnerable children.

Gender-sensitive participatory approaches to community development, including water and energy stewardship, environmental education, food security and disaster risk-reduction activities, will create economic opportunity, reduce vulnerability and empower the most marginalized citizens to take part in creating a sustainable society.

Empowered children are dynamic and ultimately powerful protagonists for protecting and improving the environment. Today's children and future generations bear the brunt of the climate change impacts, but they are also great forces for change. As such, they have a right to be involved not only locally, but also in the current international negotiation process.

Partnerships are key. The wide-reaching complexity of climate change is too large for any one organization to tackle alone. A coherent, cooperative partnership between governments, civil society, UN organizations, donors, the private sector and every individual (inclusive of and taking into account generations and genders) is needed to reduce and mitigate risk at all levels.

It is clear from all perspectives that children are central to the climate change and human security agenda.

They are among the populations that are most vulnerable to climate change, and may be the greatest victims of its impacts.

At the same time, they are powerful protagonists for change and can contribute significantly to the collective effort to mitigate climate change and its effects.

Launch Children's Rights Wiki

CRIN has launched a "Children's Rights Wiki" to bring together all information about children's rights in one place. The aim of the project - which is in the style of a Wikipedia - is to make the large volume of information that exists on children's rights more accessible, to highlight persistent violations and inspire collective action. Much of the information in the new Wiki is already available on the CRIN website but might not be easily retrievable.

See the Wiki here: http://wiki.crin.org/mediawiki/index.php?title=Main_Page

The Wiki is a web-based, multi-lingual and interactive project - this means we need your input to ensure the pages are kept up to date. Find out how to contribute below.

Please note that this project is still being tested, if you have comments or suggestions, please email them to info@crin.org.

3. News from the SA Parliament

3.1 Education – Assessment of Learners

The **2011 Annual National Assessment of school learners** has been released, based on studies of Grade 3 learners at 827 schools, and Grade 6 learners at 840 schools.

Over half did not achieve the 35% pass rate, with very few reaching 70% or higher.

Learners performed relatively well in grades 1 and 2, because of expansion of Grade R, the introduction of standardised learning materials, and improvements in literacy and numeracy teaching. However, they struggled with the transition from mother tongue to second-language teaching. Both this and the backlogs from former years would hopefully be addressed by the Curriculum Revision process. **Principals and Deputy Principals must now enter into performance agreements, with clear targets that measured academic performance and quality of management.** Only some schools had introduced remedial measures from March, as required. The Accelerated Schools Infrastructure Delivery was trying to ensure that all schools would function properly by 2014, but revitalisation of technical schools was still lagging behind.

All Gauteng and Western Cape should have basic services by March 2012, and remaining provinces should get electricity, sanitation and water in all schools by 2013/14.

(From the PMG August MONITOR—A monthly briefing sheet to keep CBOs informed about what is happening in Parliament)

3.2 Corruption in the Public Service—analysis

Corruption is a cancer in society that is not only defrauding us all of material benefits but is also undermining moral values and the spiritual heritage of our children. The Public Service Commission recently presented an analysis of the most common instances of corruption, and its related risks, in the Public Service. The National Anti-Corruption Hotline was set up to try to stop instances of corruption, by allowing callers to report incidents, to investigate any alleged corruption, and then to provide feedback to whistle blowers and provide the information to institute disciplinary action and criminal prosecutions. By 30 June 2010 there had been 7 766 cases of alleged corruption reported to the Hotline. The largest number of allegations related to fraud and bribery (1 511 cases) and the mismanagement of Government funds (985 cases). Other reports included abuse of Government resources, identity document fraud and procurement irregularities. However about 63% of cases still had to be finalised.

3.3 The South African Social Security Agency (SASSA) Report

The effectiveness of SASSA has a direct influence on the lives of the millions of children dependent on the welfare grants that alleviate poverty. We note that SASSA has reported a steady increase in the demand for services, but reports that it does not have sufficient human or office capacity, and most of its systems are still manual. Plans for improving service delivery include more funding for standardisation and coordination of services across provinces, better training for staff, more permanent staff appointments and improvement of conditions at service and pay points, including one-stop services. SASSA needs better integration with other departments who assist with social benefits, like Health and Education. There are ongoing efforts to improve filing systems, align the database with other agencies, introduce biometric access and chains of automated processes, and **encourage beneficiaries also to use services for social relief of distress and early childhood development, which are available at clinics. Negotiations with the staff unions hope to achieve permission for extended working hours, to ensure that beneficiaries are assisted on the day they first attend the offices.** Management of records and storage is improving. The Special Investigating Unit is continuing to investigate the fraud from previous years.

4. CALLS FOR PUBLIC COMMENT

4.1 'Secrecy' aka 'Protection of Information' Bill—consultations to take place

On 20 September 2011, the ANC Parliamentary Caucus took a decision to withdraw the Protection of State Information Bill from the Parliamentary process, pending further consultations with interest groups, civil society and individual members of the public.

Quote: "Public meetings, the details of which will be communicated in due course, will be held in all the provinces to garner inputs from members of the public. This will ensure that we do not only listen to the views of well-financed lobby groups with means to travel to Cape Town, but also those of ordinary people in the remotest villages".

Submissions on the Protection of State Information Bill may be emailed to the Unit on: infobill@parliament.gov.za or faxed to: 086 7316737.

Quotes from the S A National Editors' Forum:

In its current state, it fails appropriately to weigh the state's legitimate need for secrecy - in narrowly defined matters of national security—against the rights of all South Africans to freedom of speech and access to information.

A law worthy of our democracy cannot criminalise the publication of information that reveals corruption, human rights abuses, or the abuse of state resources for political ends. It must ensure that the grounds of classification are sufficiently narrow to prevent officials from using it to draw a veil of secrecy across the workings of government.

It must enable appropriate public scrutiny of our powerful intelligence and security services and it must do so in a fashion which maximises transparency and accountability in the classification process. Much progress has already been made. We look forward to participating in the ongoing process of getting this important piece of legislation right.

4.2. Schools and HIV & AIDS

The Department of Basic Education has developed a new Draft Integrated Strategy on HIV and AIDS, 2012-2016. The Strategy is intended to guide the Department's response to HIV and AIDS over the next five years.

The Draft Strategy will be refined and finalized through a consultative process with key stakeholders at national, provincial, district and school level.

You are invited to review and provide commentary on the **summary** and **full versions** of the strategy.

Both versions of the document can be found on the DBE website.

Comments can be sent to: hivstrategy@dbe.gov.za. The closing date for submissions is 30 September 2011

4.3. Submissions for the new HIV/AIDS and TB National Strategic Plan (2012-2016)

Draft Zero of the new HIV/AIDS and TB National Strategic Plan (NSP) 2012-2016 was released during August 2011. Comments and inputs (including suggested text) can be sent to Sonja Giese from Yezingane Network on sonja@pace-sa.co.za

The Children's Sector welcomes public support for the recommendations it is making. These include:

- each child to be issued with a unique patient identifier at birth to facilitate continuum of care;
- maximising the maternal and family testing opportunities around pregnancy through PMTCT services;
- disclosure and adherence support for children;
- more dedicated focus on adolescents – including targeted prevention efforts, improved access to condoms, support for adolescents transitioning from pediatric to adult health care services, programmes to address adolescent pregnancies etc;
- disability screening – and special provision for children with disabilities more generally;
- harmonisation of legislation

4.4 Proposed National Council on Gender Based Violence

The Ministry for Women, Children and People with Disabilities has published a concept paper for the establishment of a National Council on Gender Based Violence with a dedicated Secretariat located within the DWCPD. The Ministry notes that the phenomenon of gender based violence can only be reduced or eradicated with effective leadership at national, provincial and district level and requires collaboration between government, civil society organizations, the business sector and tertiary level institutions. The Department has called for written comments on the Concept Paper from all role players in government, civil society and the private sector.

Your comments must be submitted in writing by **7 October 2011** to the Chief Director: Legal Services of the DWCPD at Room B101, 36 Hamilton Street, Arcadia, Pretoria or via e-mail to carien@dwcpd.gov.za or fax to 0867659905. She can also be contacted telephonically at 012 359 0371 or 082 219 8090.

QUOTE FROM 'GENDERLINKS':

A situation in which women continue to be abused irrespective of the Domestic Violence and Sexual Offences acts should elicit serious further enquiry into social crime prevention.... more effort and different approaches are required in order to curb all forms of domestic violence. It is most critical to step-up education, outreach and awareness programmes to sensitise citizens about existing legislation. Prevention work will only succeed at reducing crime if all stakeholders agree to engage with (and tackle) the difficult underlying factors that contribute to a culture of violence. (<http://www.genderlinks.org.za>)