



**Commissioner
for Children**

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#amazwiamancinciMAKAVAKALE

STATEMENT

UPR Pre-Session on South Africa

Geneva, 30th August 2022

**Delivered by: Saadiq Daniels, Child Government Monitor,
Western Cape Commissioner for Children**

1. Presentation of the Organisation

I am Saadiq Daniels, a differently abled 17-year-old from a township on the Cape Flats, called Bonteheuwel- the hometown of Apartheid freedom fighter Ashley Kriel. I represent the Child Government Monitors in the office of the Western Cape Commissioner for Children; I joined in 2020. The WCCC is established by the Western Cape Commissioner for Children Act 2 of 2019 as a human rights institution. The oversight mandate of social sector government departments includes investigations, monitoring, research, awareness raising, lobbying, advice and recommendation and child participation. The Commissioner focuses on children's participation in governance as she believes **#littlevoicesMUSTcount**. Child Government Monitors meet weekly with the Commissioner on WhatsApp to share their lived realities and issues affecting child rights. The Commissioner shares information about law, policy and practice and works with the monitors to make submissions to improve governance.

2. Plan of the Statement

This statement largely focuses on child participation rights in South Africa, particularly addressing the following issues: (1) The South African Constitution be amended to give children age 16 years and up the right to vote; (2) The South African Constitution be amended to create a National Commissioner for Children, with provision for Commissioners in each province.

3. Statement

Children's civil and political rights are undermined in South Africa because children do not have a 'voice' in our country. Many adults do not listen to children's views and opinions. Therefore, it is vital that we share our opinions for change through the office of the Commissioner for Children. We want to contribute to change in our country. Sometimes we use media to put out our messages of change. We speak through newspaper articles, radio and television. We especially want to change the norm in our society that says, "children must be

seen and not heard". To promote the voice of the child, we believe that the following changes must be made:

- 3.1. The South African Constitution be amended to give children age 16 years and up the right to vote.

Children must be listened to. Their voices must count. But the politicians do not respect children as active citizens. The President of our country once told me personally children must focus on schoolwork not politics. Yet, when he was a child, children were deeply involved in bringing about political change. Perhaps if children have a legal right to be part of the electorate, politicians will have to listen to them and address their concerns and rights violations. *"With children voting at age 16 and up they'll have to start listening to us because when it comes to putting politicians into parliament, we'll actually have a say and that would put them at a disadvantage if they don't listen to us". "Just because we'll have power to vote and think of what we want for our country doesn't mean we'll have to grow up faster it just means we'll have to actually think about our future and the country we want to live in".* Everyone should get voter education so politicians can't bribe them to vote for a certain party.

- 3.2. The South African Constitution be amended to create a National Commissioner for Children, with provision for Commissioners in each province - the South African Human Rights Commission does not replace the need for a Commissioner for Children.

We have experienced the value of having a Children's Commissioner on our side. The Commissioner listens to us when nobody else wants to. She involves children with different backgrounds in her work, even children who were born in other countries. She builds a bridge between us and powerful adults like heads of government departments - getting them to listen and respond to our issues. The Commissioner is able to draw on many child rights experts to help us with our campaigns. *"We need this type of platform to speak louder about children's issues".* We have learnt many skills from The Commissioner including how to analyse our provincial government budget. The Commissioner must be an *"oversight"* institution, *"not placed within a government department"*. *"It gives us a better state of mind to know there is an adult who will work FOR and WITH us"*. Therefore, we would like the South African Constitution to be amended to create a National Commissioner for Children, with provision for Commissioners in each province. In fact, in Cycle 3 (2017-2021), Mongolia recommended that South Africa *"Develop an independent child rights mechanism and allocate adequate resources to ensure effective implementation of relevant international*

obligations"¹. A Commissioner for Children must partner with children in their work.

3.2.1. The law that creates the Commissioner for Children's office must state that the Commissioner must work with Child Government Monitors.

The Child Government Monitors are active citizens and leaders today, we are not only for the future. We are expected to build the future, but nobody takes our point of view today. We struggle to get adults to listen to us and take our concerns seriously. There is a big gap between adults and children in our society. Adults believe they can learn nothing from children. So, children often get overlooked. Children need a champion at the highest level of governance. That is why we should be involved in governance and the work of the Commissioner for Children.

Most of all we want paper rights to become real rights for all children in South Africa.

Contributing Child Government Monitors:

Ayabongwa Matiso

Brandi Ryland

Cailin Steyn

Inathi Nozeco

John-Lee Platjies

Jonay Skietekat

Lilitha Kopolo

Liyanda Sokuyeka

Omul Elmi

Ruan Klaase

Saadiq Daniels

Solakha Noyi

Tara Hendricks

Vimbai Watmabwa

Zureesia Esterhuizen

Zubair Ryklief

¹ UPR Info, Cycle 3 (2017 – 2021), Session 27- May 2017, Recommending State- Mongolia, State under review- South Africa, Recommendation 139.39. Accessed at: <https://upr-info-database.uwazi.io/en/entity/kzxo59cmd4a?searchTerm=south%20africa>