

Statement by the South African Human Rights Commission

Children are the future of our society and the success of any country depends, to a large extent, on the way we raise our children and nurture their growth and development. It is for this reason that Nelson Mandela described children as the greatest treasure of any society and that the true character of any society is best reflected in how it treats its children.¹

Children's rights aim to protect and nurture children's development as outlined in the United Nations Convention on the Rights of the Child, the African Union's Charter on the Rights and Welfare of the Child and the Bill of Rights in our own Constitution. The overriding principle pertaining to the promotion and protection of children's rights is the requirement that the best interests of children shall be the paramount consideration in all matters that affect them.

Adequate and safe nutrition plays an important role in children's survival and development, yet the 2020 Global Nutrition Report describes how a double burden of malnutrition prevents children from realising their full potential. Adequate food and nutrition therefore form an essential part of the broader basket of children's rights. The UN Convention requires State Parties like South Africa to take appropriate measures to ensure the provision of adequate nutritious foods in order to combat disease and malnutrition, whilst the AU Charter requires State Parties to ensure the provision of adequate nutrition and safe drinking water for children. Our own constitution provides the right to basic nutrition for every child and the right of access to sufficient food for every person in the country - rights which our government has a constitutional obligation to respect, protect, promote and fulfil.

This issue of the *Child Gauge* details South Africa's progress in realising children's rights to adequate food and nutrition and the impact of malnutrition on children's health, education and development through their life course. This well researched account also addresses the impact of COVID-19 on the realisation of these rights and the ability of the state to discharge its obligations.

The *2020 Child Gauge* paints a worrying picture of the state's failure to discharge its obligations to our children. Whilst acknowledging that some progress has been made, the report shows that levels of stunting – a sign of chronic malnutrition – have remained extremely high for the last 20 years – affecting 27% of children under five years and undermining their future education and earning potential. In addition, rising consumption of unhealthy foods – low in nutrients and high

is salt, sugar and fat – is fuelling an increase in obesity – with 13% of children under five years overweight or obese and at increased risk of developing chronic illnesses such as diabetes and heart disease.

This double burden is exacerbated by poverty and inequality: Two thirds (59%) of South Africa's children live in poverty, and South Africa is regarded as one of the most unequal country in the world. High levels of unemployment, a plummeting economy and COVID-19 have further worsened the plight of South Africa's children.

The *Child Gauge* describes the "slow violence of malnutrition" and calls for a clear commitment from government and other stakeholders to ensure that our children's rights to adequate food and nutrition security are effectively and meaningfully realised. It calls for a food system that is child-centred, pro-poor, pro-health and sustainable and that will ensure that children's best interests are indeed of paramount importance. This will require a radical transformation in how government carries out its obligations towards the protection and promotion of child rights through legislation, policy and other measures, and in how it co-operates with other stakeholders including grassroot communities and bodies like the South African Human Rights Commission (SAHRC).

The *Child Gauge* also calls for the establishment of a National Food and Nutrition Security Council chaired by the Deputy President to improve coordination and advance food and nutrition security as initially proposed by South Africa's National Policy on Food and Nutrition Security in 2014. The failure to establish the Council as a multi-stakeholder forum has made it difficult for government to respond effectively to the impacts of the COVID-19 pandemic resulting in litigation and community-based organisations intervening in order to provide food relief to those affected by the pandemic.

It is hoped that the negative impact of COVID-19 on the food and nutrition security needs of children in South Africa will create a greater sense of urgency and a more proactive response from government and all relevant stakeholders.

The *South African Child Gauge 2020* makes an invaluable contribution in raising issues that affect children and their rights to the attention of government and civil society and making recommendations on how best to address these challenges. The Children's Institute and the authors should be commended for their continuous efforts in contributing towards the advancement of child rights in our country.

¹ Jennifer Crwys-William (ed.) *In the words of Nelson Mandela: A Little Pocketbook*. Johannesburg: Penguin Books, pp 21 -22.