



## UN Country Team, South Africa

### Accelerating the implementation of the UNCRPD in South Africa

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#### Executive summary

Following the pronouncement of a joint United Nations fund to promote the rights of persons with disabilities, a joint United Nations programme proposal was developed by UNCT in collaboration with the Department of Women, Children and Persons with Disability (DWCPD). The programme is aimed at achieving three complementary outcomes to: (1) strengthen M&E capacity for effective oversight and advocacy for promotion of rights of persons with disabilities; (2) establish a CRPD compliant legal and policy framework to implement provisions of the Convention in South Africa; and (3) reduce economic vulnerability of persons with disabilities. The programme implementation is envisaged to take approximately 18 months (Feb 2013 - Jul 2014). A total cost of \$585,290 is required to achieve the stated outcomes and \$349,890 is expected to come from the UNPRDP fund. The participating organisations which include UNDP, UNICEF and OHCHR will contribute the balance.

UNDP will be the lead agency and responsible for the overall coordination and M&E technical support of the programme, UNICEF will provide technical expertise on child-disability issues, OHCHR will focus on international standards and legislations on the rights of people with disabilities, while technical expertise on the needs for women with disabilities will be sourced from UNFPA and UN Women. These agencies have been individually supporting the DWCPD based on their respective mandates and comparative advantages. UNPRDP funding will bring together the UN agencies to collaborate on this joint programme for promoting the rights of persons with disability in South Africa.

*Please provide a short summary of the proposed intervention.*

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## 1. Background

In South Africa, as elsewhere in the world, people with disabilities constitute one of the most excluded groups in society and face serious barriers to the full enjoyment of their human rights. Altogether, the key barrier is frequently not the impairment itself, but rather a combination of social, cultural, attitudinal and physical obstacles which people with disabilities encounter in their daily lives. The barriers presented to persons with disabilities exacerbate already existing vulnerabilities based on poverty, gender stereotypes and stigma associated with STIs such as HIV/AIDS.

According to available statistics from Statistics South Africa's General Household Survey 2010, some 2.8 million or 6.3 percent of South Africans aged 5 years and older were classified as disabled. The provinces of Free State (10.1%), Northern Cape (9.8%), North West (8.5%), and Limpopo (8.2%) had the highest rates of disability in the country. Official data, however, do not reveal the extent to which people with disabilities are deprived of essential services and are free from discrimination and stigma. There is a dearth of information on opportunities/constraints to participation in societal activities by people living with disability in the country, hampering effective planning and implementation of disability policy, programmes and allocation of resources.

South Africa's constitutional principles of human dignity, the achievement of equality and the advancement of human rights and freedoms, although applicable to everyone, are especially important for people with disabilities.

Nonetheless, despite a relative conducive policy environment, the situation of people with disabilities continues to be characterised by significant service gaps. For example, school attendance among disabled children is over 20 percentage points lower than attendance among non-disabled children. Research further indicates that only 35-40 percent of children with disabilities are receiving the rehabilitation services they need. Moreover, children with disabilities have a greater prevalence of all forms of abuse than their non-disabled counterparts. Yet, studies show that 80-85 percent of criminal abuse of residents in institutions is never reported to authorities. Young women and girls with disabilities also have significant unmet needs for sexual and reproductive health (SRH) services. The difficulty with access to information on HIV for children with disabilities is compounded by the fact that a high number of youth with disabilities are out of school, and therefore they do not benefit from prevention and information programmes, and are thus at greater risk of HIV infection.

Up-to-date and verified information on children and other vulnerable populations with disabilities is particularly hard to come by. UNICEF in partnership with the lead government agency for disability, the Department of Women, Children and People with Disabilities as well as the Department of Social Development, will be releasing a *Situation Analysis on Children with Disabilities in South Africa during August/September 2012*. The study bridges national knowledge gaps regarding: child disability

prevalence rates and types of impairment; factors contributing to child disability; and inequalities faced by children with disabilities. It also discusses state obligations under UN Conventions; the existing national policy response to disabled children; and makes concrete recommendations to address gaps identified. The study involved wide consultations with national and provincial government officials; service delivery NGOs and other stakeholders in the field to discuss the scope and adequacy of the national response to the needs of children with disabilities. Focus groups discussions were organised with disabled children themselves and caregivers in selected provinces to better understand their daily realities. Academic institutions and non-governmental organisations have also supported small-scale studies in various areas. The findings can however not be generalised for the entire population of people with disabilities.

The country does not have disability-specific legislation, but has sought to ensure that disability is mainstreamed into all Acts affecting persons with disabilities. However, subsequent to the ratification of the UNCRPD by South Africa, a wide range of stakeholders have called for a disability-specific legislation that will provide the umbrella for more effective mainstreaming of disability issues in other laws as well as policies. There is currently however no consensus either in the disability sector or within government on the exact format and purpose of disability-specific legislation, and it has been agreed that the legislative audit to determine compliance of existing laws and policies first be concluded.

DWCPD was established in 2009 to coordinate and consolidate the promotion of the rights of women, children and people with disabilities in South Africa. The core functions of the Unit of DWCPD responsible for people with disabilities are: (a) to facilitate transversal policy implementation toward the empowerment, advancement and socio-economic development of persons with disabilities, (b) to mainstream disability considerations into government policies, governance processes and programmes, (c) to facilitate, co-ordinate, oversee and report on the national rights of persons with disabilities programme - as well as those programmes part of South African regional, continental and international initiatives.

The UN family in South Africa has been working with Department of Women, Children and Persons with Disability (DWCPD) to promote the rights of women, children and people with disabilities through the work of various Agencies. The UN has supported DWCPD to report on international commitments e.g. *Committee on the Elimination of Discrimination against Women*, the treaty body on the *Convention on the Rights of the Child*, and others. In support of DWCPD Women Empowerment and Equality branch UNFPA provided technical support to the drafting of the Green Paper Towards Gender Equality, the National Strategic Plan, and commissioned gender audits in Department of Health, Limpopo, KwaZulu-Natal, Free State and Eastern Cape Provinces. UN Women commissioned The Women in Cross Border Trade study to develop knowledge and understanding of

the gender dimensions, with a view of programming and improving service delivery. UNICEF has conducted M&E Diagnostic Review to assist DWCPD to establish the M & E Framework and Database Development, as well as the Disability Situation Analysis to bridges national knowledge gaps regarding: child disability prevalence rates and types of impairment; factors contributing to child disability; and inequalities faced by children with disabilities.

DWPCD has requested the UN for capacity support towards the execution of its core functions. In the context of the forthcoming UN Strategic Cooperation Framework (UNSCF) 2013-17 with the Government of South Africa, the present proposal seeks to support DWPCD's legal and policy development efforts that will accelerate the fulfillment of rights of people with disabilities. Technical support for the establishment of a responsive M&E system as well as knowledge management systems is a key priority, especially given delays in the submission of timely reports including the initial report on implementation of the CRPD that was due in 2010, that is after ratification of the Convention in 2007.

## **2. Programme approach**

In collaboration with DWPCD, the UN in South Africa seeks to implement a capacity enhancement programme for the disability sector to rejuvenate efforts towards implementing the provisions of the CRPD. This programme will be implemented within the existing coordinated UN approach to providing M & E support to DWCPD. The UN has a UNCT Working Group on M&E which is mandated to harmonize all UN assistance to DWPCD. The three agencies responsible for implementation of the proposal will submit periodic progress report to both the UNCT and the M&E Working Group.

The entry points are: (a) data and monitoring systems development, (b) alignment of national policies to the CRPD, and (c) empowerment of families with people with disability through expanded social protection.

### ***2.1 Capacity support for data and monitoring systems development***

In furtherance of Articles 31 and 33(2) of the CRPD, the UN in South Africa will support the establishment of credible data and monitoring systems on the situation of people with disabilities, as well as the responsiveness of government agencies to fulfilling their rights.

There is currently inadequate research and data on people with disabilities available to assist government in planning and improving programmes and services. Statistics South Africa has transformed data collection on the status of people with disabilities to subscribe to the so-called Washington Group Model for the purposes of surveys and census. Statistics on prevalence of disability however remain systematically flawed due to serious methodological and operational (data collection) challenges. Data on disability among children, for example, does not reflect

developmental delays. Furthermore, the lack of qualitative information on service provision for people with disabilities is a major barrier to the monitoring the responsiveness of government agencies. Funding from the MDTF would enable in particular UNICEF and UNDP to significantly enhance national capacity in data collection and analysis of disability statistics in collaboration with the Department of Women, Children and Persons with Disabilities (DWPCD), Statistics South Africa (the national statistical agency), and other research institutes. This would involve a series of training activities as well as designing and implementing a child disability module for national household surveys to monitor prevalence and equalisation of opportunities. Furthermore, support will be provided for streamlining the module in household surveys that cover the situation of adults with disabilities.

In addition, DWPCD will be provided technical support to establish an effective Monitoring & Evaluation (M&E) system that systematically tracks progress in the fulfilment of rights of people with disabilities and feeds back information into policy processes. With assistance from UNICEF, DWPCD has just completed the first phase of a diagnostic review of the status of monitoring and evaluation system for women, children and persons with disabilities. The diagnostic review reveals that DWPCD urgently requires adequate capacity for co-ordinating and disseminating the collation of service delivery data collected by other departments. Thus, a major focus will be on developing capacity in knowledge management. UNICEF and UNDP will support the DWPCD to establish an effective knowledge management system, in the context of an overall M&E framework, and covering an agreed set of indicators for systematic tracking and situation monitoring of the rights of persons with disabilities - along with their corresponding disaggregation by sex, age, geographic location, population group. In this context, DWPCD will be assisted to establish and maintain a DevInfo database system on indicators of impairment, activity and participation limitations confronting people with disabilities.

Overall, UN support is expected to lead to the establishment of an online database that provides factual information on the demographic and socio-economic characteristics of people with disabilities as well as the responsiveness of service providers. Data publications will be developed and the National Disability Machinery, currently being restructured will ensure that information gathered and analysed feeds directly into policy processes of the country.

## ***2.2 Capacity enhancement support for alignment of national laws and policies to the CRPD***

In furtherance of Articles 4 (1a-c) of the CRPD, the UN in South Africa, in particular OHCHR, UNICEF and UNDP will support the alignment of current legislation and policy frameworks to the provisions of the Convention.

Specifically, the UN will provide technical support to the DWPCD for the alignment of sectoral and cross-sectoral national policies to the CRPD. A particular focus area will be to develop a framework for universal access and design norms and standards, accreditation and funding models across priority sectors, which will include the built environment, communication systems, transport systems, and general design. Training and system realignment programmes will be implemented.

In addition, technical support will be provided to DWPCD in its efforts to determine the format and purpose of a disability-specific law.

Furthermore, in furtherance of Articles 4 (2-3) and 8 (1c), a programme that promotes the participation of people with disabilities in policy processes be developed and implemented. DWPCD will be supported to strengthen participation in the national disability machinery at all three spheres of governance. This will include a skills audit to be conducted to determine skills gaps in the national disability machinery.

Furthermore, in pursuance of Article 33 of the CRPD, the DWCPD will also be provided with technical support to develop proposals for the establishment and strengthening of monitoring mechanisms for the CRPD.

### ***2.3 Enhancing social protection for children, young people and families with persons with disability (UNICEF, UNDP)***

Determination of social security benefits, subsidization of residential care facilities, special schools and other services targeting people with disabilities, as well as reasonable accommodation support is currently not informed by evidence, resulting in inequities in provisioning, insufficient subsidization and faulty targeting of such financial support.

The primary focus will therefore be on a participatory research study to determine the cost/economics of disability, which will then in turn inform the review of social security benefits, subsidization of special schools, residential facilities, transport, as well as reasonable accommodation measures.

### **3. Objectives and expected results**

**Table 1. Expected impact**

<b>Impact</b>		
<b>Persons with disabilities in South Africa enjoy their rights and attain their full potential in an inclusive and equitable society</b>		
<b>Impact indicators</b>		
<b>Indicator</b>	<b>Baseline</b>	<b>Means of verification</b>
Number of children between the ages of 0-5 years accessing early identification and intervention services	To be determined (TBD)	Statistics South Africa household surveys Annual reports of government departments, Parliamentary records
Poverty status of people with disabilities	TBD	Statistics South Africa household surveys National Development Indicators
Health status of people with disabilities	TBD	Statistics South Africa household surveys National Development Indicators
Enrollment rates for compulsory school education for children with disabilities	TBD	Education Management information System (EMIS) Statistics South Africa household surveys
School completion rate for children with disabilities	TBD	Education Management information System (EMIS)

**Table 2. Expected outcomes**

<b>Outcome 1 Strengthened M&amp;E capacity for effective oversight and advocacy for promotion of rights of persons with disabilities</b>		
<b>Outcome indicators:</b>		
<b>Indicator</b>	<b>Baseline</b>	<b>Means of verification</b>
Number of disability disaggregated indicators included in the national surveys	TBD	General Household Survey (GHS) Living Conditions Survey
A knowledge-hub on disability rights available to all (Web-based indicators database on rights of persons with disabilities)	nil	Knowledge hub/Database
Number of reports produced by DWCPD on the rights of people with disabilities, including report to treaty bodies	TBD	Reports

Number of policies informed by evidence for disability rights	nil	Policy documents
<b>Outputs</b>		
<b>Formulation</b>	<b>Tentative timeline</b>	
1.1. Key Statistics South Africa staff members are skilled on disability sensitive sample and questionnaire design, data collection, entry and analysis to fill data/evidence gap on disability in national surveys	June 2013	
1.2. Key DWCPD, disability focal points and disability sector personnel skilled in Monitoring and Evaluation and database management	May 2013	
1.3. A comprehensive M&E framework for persons with disabilities established	December 2012	
1.4. Disability sensitive data collection instruments designed for surveys in 2012/2013 by Stats SA	September 2013	
1.5. Training to carry out disability sensitive analysis and development of disability sensitive tabulation/reporting plans	November 2013	
1.6. A DevInfo based database system for persons with disabilities developed and operationalized	April 2013	
1.7. Updated situation analysis for person with disabilities	July 2013	
1.8. DevInfo updated with the latest data including data from the Census on persons with disabilities	December 2013	

<b>Outcome 2 A CRPD compliant legal and policy framework established to implement provisions of the Convention in South Africa</b>		
<b>Outcome indicators:</b>		
<b>Indicator</b>	<b>Baseline</b>	<b>Means of verification</b>
Number of policy instruments aligned to the CRPD	TBD	Annual reports of government departments, Parliamentary records
Number of legal provisions recommended for amendment to ensure compliance with the CRPD	nil	Annual reports of government departments, Parliamentary records
Skills audit of national disability machinery concluded	Nil	Reports
<b>Outputs</b>		
<b>Formulation</b>	<b>Tentative timeline</b>	
1.9. Key members of DWPCD skilled in mainstreaming of disability in national policies	February 2013	
1.10. Key provincial personnel skilled in mainstreaming disability in programmes and implementation plans of departments	March 2013	
1.11. Key civil society partners skilled in mainstreaming of disability in project implementation and advocacy activities	May 2013	

1.12. Audit of compliance of legislation against CRPD completed and National Disability Policy finalised	February – July 2013
1.13. Report on strengthening monitoring mechanisms for the implementation of the CRPD finalised	February – July 2013
1.14. National Disability Machinery strengthened for active participation of persons with disabilities in policy and legal processes	October 2013
1.15. DevInfo updated with the latest data including data from the Census on persons with disabilities	December 2013
1.16. At least 5 strategic policy dialogue events organized on carrying forward the provisions of the CRPD	February 2014

<b>Outcome 3 Economic vulnerability of persons with disabilities reduced</b>		
<b>Outcome indicators:</b>		
<b>Indicator</b>	<b>Baseline</b>	<b>Means of verification</b>
Proposals for more effective subsidization of disability services, reasonable accommodation measures and provision of social protection for children and adults with disabilities approved by government	TBD	Annual reports of government departments, Parliamentary records
<b>Outputs</b>		
<b>Formulation</b>		<b>Tentative timeline</b>
1.17. Report on the cost/ economics of disability conducted		April 2013
1.18. Sector specific proposals for review of subsidies/grants finalised		June 2013
1.19. Submissions made for MTEF adjustments to effect recommendations by affected sector departments		July 2014

(Footnote: The employment aspect will be covered in the project the DWCPD is currently discussing with ILO)

#### 4. Management arrangements

**Table 3. Implementation arrangements**

Outcome number	UNPRPD Focal Point	Implementing agencies	Other partners
1. Strengthened M&E capacity for effective oversight and advocacy for promotion of rights of persons with disabilities	UNICEF UNDP	DWCPD Statistics South Africa	
2. A CRPD compliant legal and policy framework established to implement provisions of the Convention in South Africa	OHCHR, UNDP, UNICEF	DWPCD	Department of Social Development Department of Basic Education, Department of Health
3. Economic vulnerability of persons with disabilities reduced	UNDP, UNICEF	DWPCD	South Africa Social Security Agency National Treasury Department of Social Development Department Public Service and Administration Department of Labour Department of Transport Department of Health

#### ***Overall coordination arrangements***

Within the South Africa UNCT, the Resident Coordinator and the Representatives of the three agencies (UNDP, UNICEF and OHCHR) will have overall responsibility for the achievement of the expected outcomes, in the context of their country programmes.

A steering committee will be established with Government to oversee the partnerships involved in the implementation of the proposal. The steering committee will be chaired by the Head of the Disability Branch of DWCPD, with UNDP M&E acting as co-chair. The committee will oversee the implementation of the proposal. The Chair and Co-chair will feed information from implementation of the proposal into formal participatory mechanisms of the DWPCD. All implementing partners will be members of the steering committee (see Table 3). The Head of the Disability Branch of DWCPD and UNDP will be responsible for issuing overall progress reports.

The steering committee will draw on technical guidance from the Headquarters of the three UN agencies in the implementation of the proposal. A coordinated mechanism will be established for this purpose when the proposal is approved,

## 5. National ownership, participation and partnership-building

This proposal is directly supportive of a request to the UN by DWCPD (the Government of South Africa's oversight agency for disability) for capacity building in monitoring and evaluation and policy mainstreaming. Other government agencies, including Statistics South Africa and the Department of Social Development will play important roles in implementation. The DWCPD was fully involved in the preparation of this proposal and has endorsed it in its entirety.

DWCPD has a strong tradition of working with civil society. Disabled People South Africa, one of the key umbrella bodies, is for example an important partner of DWPCD. The partnership-building mechanisms of the DWCPD will therefore be used for participatory programming, implementation and monitoring of this proposal. Conscious efforts will be made to include disability-related organisations in the execution of capacity development, research and advocacy tasks.

## 6. Knowledge generation and potential for replication

Knowledge generation and dissemination is at the core of the proposal. Achieving the three outcomes is dependent on drawing effectively on global knowledge. Global UN knowledge and skills will be leveraged to ensure achievement of planned results. South Africa also has mechanisms for South-South and North-South learning, including BRICS and G20 arrangements. These mechanisms will be used to generate as well as share relevant knowledge. Furthermore, South Africa plays a unique leadership role in the Southern Africa region as well as the whole of Africa. As part of the UNDAF 2013-2017, the UN in South Africa has an objective to leverage South Africa's influence for the rest of the continent's development. The implementation of this proposal will therefore be pursued with the imperative of replication in other countries, especially in Africa, as a key objective.

## 7. Budget

Funding from the UNPRPD will enable the UN to provide high quality, technical support to the Department of Women, Children and People with Disability and other government departments to achieve the three outcomes. A total of \$585,290 is required to achieve stated outcomes of which \$349,890 is expected from UNPRDP. Details are as follows:

Overall budget							
Category	Item	Unit cost	No. units	Total cost	Request from UNPRPD Fund	UNCT South Africa cost-sharing	Other partners cost-sharing

Outcome 1: Strengthened M&E capacity for effective oversight and advocacy for promotion of rights of persons with disabilities	Technical support: Additional modules in existing surveys, survey support, data analysis	25,000	2 annual surveys	50,000	30,000	20,000	
	Technical support: M&E system design	30,000	1	30,000	-	30,000	
	Technical support: Database design	20,000	1	20,000	20,000	-	
	Technical support: Database management	5,000	4 times	20,000	-	20,000	
	Training	4,000	1 DWPCD + 9 provinces	36,000	36,000	-	
	Publications on the situation of people with disabilities and responsiveness of service agencies	10,000	2	20,000	20,000	-	
	<b>Outcome 1 total</b>			<b>176,000</b>	<b>106,000</b>	<b>70,000</b>	
Outcome 2: A CRPD compliant legal and policy framework established to implement provisions of the Convention in South Africa	Technical support: Alignment of laws	10,000	4 laws	40,000	40,000	-	
	Technical support: legislative audit	25,000		25,000	15,000	10,000	
	Technical support: Alignment of policies	10,000	3 policies	30,000	-	30,000	
	Skills audit	4,000* 2 rounds of training	1 DWPCD + 9 provinces	76,000	76,000	-	
	Technical support: Strengthening of participatory mechanisms for monitoring	20,000		20,000	-	20,000	
	<b>Outcome 2 total</b>			<b>191,000</b>	<b>131,000</b>	<b>60,000</b>	
Outcome 3: Economic vulnerability of persons with disabilities reduced	Technical support: Cost/Economics of Disability Study and development of sector-specific recommendations	180,000	1	180,000	90,000	90,000	
	<b>Outcome 3 total</b>			<b>180,000</b>	<b>90,000</b>	<b>90,000</b>	

<b>Subtotal</b>				<b>547,000</b>	<b>327,000</b>	<b>220,000</b>	
Indirect costs (7%)				38,290	22,890	15,400	
<b>Total</b>				<b>585,290</b>	<b>349.890</b>	<b>235,400</b>	

UNPRPD funding would enable the UN in South Africa to provide high quality, technical support to the Department of Women, Children and People with Disability and other service delivery departments to ensure adequate mainstreaming of priorities of people with disabilities in strategic plans and budget proposals of key government departments.

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