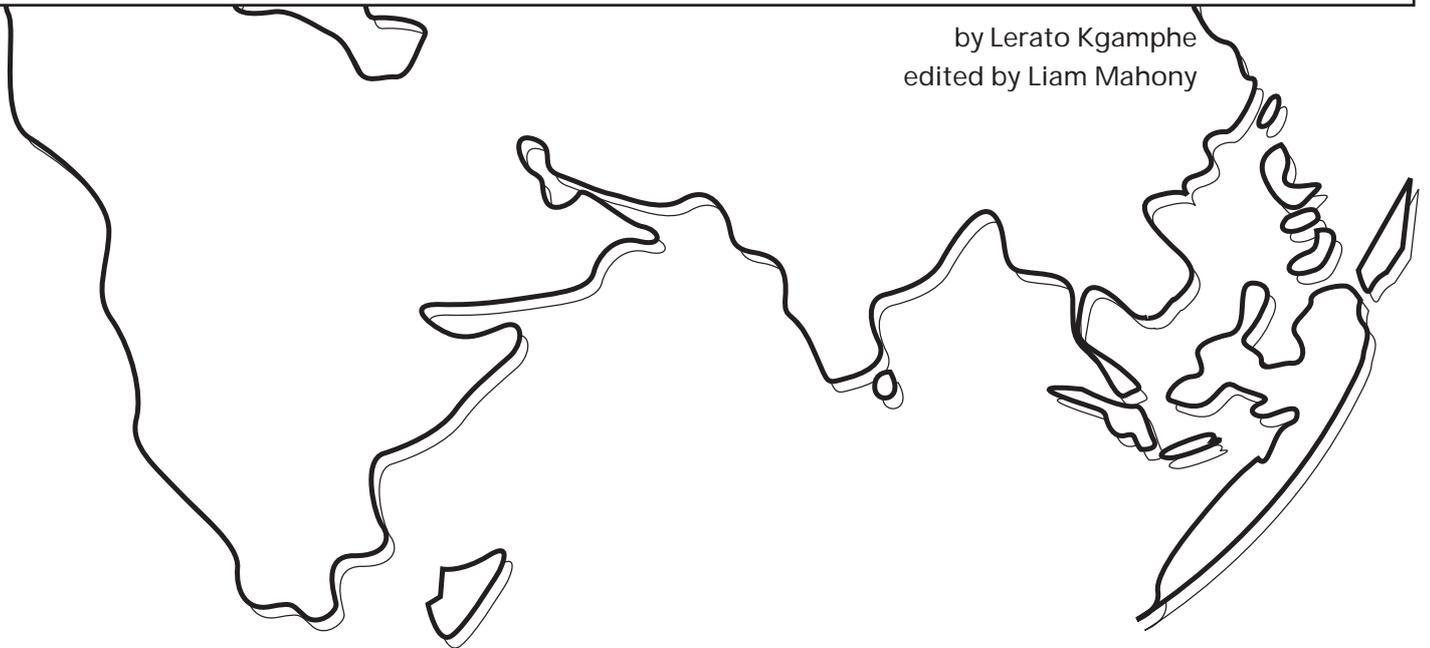


Using Government Budgets as a Monitoring Tool

The Children's Budget Unit in South Africa

by Lerato Kgamphe
edited by Liam Mahony



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4	Editor's preface & author biography
5	Letter from the New Tactics project manager
7	Introduction
8	What is the Children's Budget Unit?
10	Children's rights & child poverty
10	Role players in the implementation of child rights
10	Five steps of the tactical approach
11	Case study
14	Follow-up
15	The budget process
15	Outcomes: What progress have we made?
16	Difficulties
16	Transferring the tactic
18	Conclusion
19	Budget monitoring publications



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Lerato holds an undergraduate degree in economics and finance from the University of Cape Town. She is currently studying towards her master's degree in financial analysis and portfolio management.



September 2004

Dear Friend,

Welcome to the New Tactics in Human Rights Tactical Notebook Series! In each notebook a human rights practitioner describes an innovative tactic used successfully in advancing human rights. The authors are part of the broad and diverse human rights movement, including non-government and government perspectives, educators, law enforcement personnel, truth and reconciliation processes, and women's rights and mental health advocates. They have both adapted and pioneered tactics that have contributed to human rights in their home countries. In addition, they have utilized tactics that, when adapted, can be applied in other countries and situations to address a variety of issues.

Each notebook contains detailed information on *how* the author and his or her organization achieved what they did. We want to inspire other human rights practitioners to think *tactically*—and to broaden the realm of tactics considered to effectively advance human rights.

In this notebook, we learn about following the money. Budgets are used everywhere—from local agencies, to non-governmental organizations, to governments and international bodies. They provide a concrete tool for evaluating how programs and policies actually fulfill their financial and legal obligations. In South Africa, Idasa's Children's Budget Unit (CBU) has used budget analyses to monitor the government's legal obligations, commitments, and progress in advancing child-specific socioeconomic rights and programs. The CBU monitors and evaluates these programs by looking at the government's budget allocations, spending of funds, and program expenditures and implementation. The power of this tactic lies in its ability to reveal, in black and white, the extent of a government's efforts towards its human rights obligations and commitments.

The entire series of Tactical Notebooks is available online at www.newtactics.org. Additional notebooks are already available and others will continue to be added over time. On our web site you will also find other tools, including a searchable database of tactics, a discussion forum for human rights practitioners, and information about our workshops and symposia. To subscribe to the New Tactics newsletter, please send an e-mail to tcornell@cvt.org.

The New Tactics in Human Rights Project is an international initiative led by a diverse group of organizations and practitioners from around the world. The project is coordinated by the Center for Victims of Torture (CVT), and grew out of our experiences as a creator of new tactics and as a treatment center that also advocates for the protection of human rights from a unique position—one of healing and of reclaiming civic leadership.

We hope that you will find these notebooks informational and thought provoking.

Sincerely,

A handwritten signature in cursive script that reads "Kate Kelsch".

Kate Kelsch
New Tactics Project Manager

Editor's Preface

Follow the money! How often have human rights campaigns and social change movements won concessions and reforms from governments, only to find a few years later that their hard-fought gains were never implemented in the government's budget? Preventing human rights abuse depends on government action, and government action requires government spending. Human rights groups, therefore, cannot fully ascertain how well a government is fulfilling its obligations unless they learn how to carefully monitor government budgets and spending.

Unfortunately, human rights and social change organizations are often grievously ill-prepared for the technical demands of monitoring government budgets. Trained economists are employed primarily in the corporate world, while it is not uncommon for political activists and humanitarian organizations to have a certain level of "math-phobia" and "money-phobia" preventing them and their organizations from placing a sufficiently high priority on understanding the economics of human rights protection.

Consider some examples: Securing prisoners' rights is inextricably related to the details of prison budgets. Protecting immigrants' rights will be affected by the spending priorities in immigration departments. Preventing discrimination against ethnic groups in a jus-

tice system depends on how much money is spent on translators. Getting adequate treatment for torture survivors depends on budget priorities in health policies. When we look at the realm of economic and social rights, the connection is even more obvious: whether a government is progressively implementing the right to education or the right to health is largely a question of spending priorities, rather than rhetoric or even legislation. For a government to implement the protection of almost any right at all, the right must be reflected in government budget and spending.

In this tactical notebook, the Children's Budget Unit (CBU) of the South African NGO Idasa provides us with a promising model of NGO-based budget monitoring. They argue that children's rights can be protected only if a government's fulfillment of those rights is monitored through careful analysis of its budget and spending. With minimal technical resources, they have published high-quality budget analyzes complete with thorough recommendations that have had a notable impact on governmental policies. Their meticulous attention to budget monitoring has earned them the respect of the government, and they now play the role of influential consultant in some government financial policy debates.

In addition, Idasa and the CBU have been actively training NGOs in other countries to develop budget-monitoring units. Their training approach starts at the grassroots, offering capacity-building sessions to familiarize activists with the budget process and the analytical concepts needed for budget analysis. They have aided organizations in the entire process of research, recommendations, and implementation.

This notebook demonstrates not only how important budget monitoring can be for implementing change, but also that it is a feasible challenge even for relatively small NGOs. The CBU has broken the task down into steps, which should encourage other organizations to tailor a budget-monitoring approach to their own capacity and their own human rights goals.

Introduction

The budget is government's operational plan to deliver a better life for our people. It sets out what you will pay in taxes, how we will spend that money, and what we will deliver. It is a synthesis of all our government policies. The budget is our contract with the nation.
Trevor Manuel, South African Minister of Finance, 1998 Budget Review

Since 1995 the Children's Budget Unit (CBU) of the Institute for Democracy in South Africa (Idasa), based in Cape Town, has been using national and provincial government budgets as monitoring mechanisms to advance child-specific socio-economic rights. Budget monitoring allows us to analyze how government conceptualises, implements, and allocates budgets to fulfil its legal obligation to help realize these rights.

The rights of the child are explicit, and the government is legally bound to fulfil them: in the South African Constitution, the United Nations Convention on the Rights of the Child (CRC), and the African Charter, the child has the right to political, socio-economic, cultural, economic, and environmental rights. In addition, the South African Constitution specifies that the child has the right to basic nutrition, shelter, basic health care services, and social services.¹

Why use budgets? The budget is the key policy instrument used by a government to ensure that things happen, and thus shows a government's true priorities. A government's programs that fulfil its obligations that help realize socio-economic rights must be included in its budget, and it must account not only for the amount budgeted, but also the amount actually spent. Budgets, therefore, are instruments that allow us to monitor how services are delivered and policies implemented. The monitoring of government budgets can lead to policy reform, establish a path for "transparent, effective and efficient" budgeting principles, and make it possible to provide concrete recommendations for program evaluation and improvement.

Information gleaned from budget analysis can be used to educate people about their rights, and help them access these rights. Advancement of human rights is a two-way stream. People in need of help must communicate their needs to those in power, and articulate sustainable solutions. And those in power need to know if their methods and programs are effective to

ensure that a win-win situation is created. The budget-monitoring tactic works to aid both sides.

Our work has proven that a budget-monitoring project, used effectively, can be an important tool in changing policy. South Africa, for instance, has an extensive social security program for children. The CBU



Shaamela Cassiem transferring applied budget analysis skills to Chance Chagunda from the Catholic Parliamentary Liaison Office, Connie Mpokotho of the Children's Institute, Nceba Mafonyosi of Black Sash, and Augustus (Matt) Dlundlu from DUSA

has conducted numerous studies of the accessibility and effectiveness of this program, discovering discriminatory access in undeveloped and rural areas, and a governmental lack of administrative capacity that also hindered access to the program. In our 2001 study, "Budgeting for child socio-economic rights: Government obligations and the child's right to social security and education" (Cassiem, Streak: 2001, Idasa), we recommended that that age limit of children accessing one of the social security grants be raised from six to 14. This recommendation was put into practice by the government in its 2003/04 budget, and we, together with other civil society organizations, are now focusing on proposals that the program include all children under 18.

In this tactical notebook, after a brief introduction to Idasa and the Children's Budget Unit, we present a case study of how budget monitoring was used to see how the South African government fulfilled its obligation to provide social security to children. We then generalize the monitoring approach, outlining key questions, and summarize some of the tactic's positive results. Finally, we offer some discussion of the tactic's complexity, which should help others think about how to apply it in their own situations.

¹ The Constitution of the Republic of South Africa. 1996 28(1)(c).



What is the Children's Budget Unit? IDASA ORGANIZATIONAL HISTORY

The CBU is a project of Idasa, a South African NGO whose mission is to promote a sustainable democracy in South Africa by building democratic institutions, educating citizens, and advocating social justice. Our current primary objective is to build capacity for democracy in civil society and government.

Idasa was established in 1987 to build confidence in a negotiated solution to the South African conflict, a goal it pursued by facilitating several influential gatherings and conferences outside of South Africa with different communities and leaders. With the legalization of resistance movements and the establishment of negotiation opportunities, Idasa became a critical ally of the transition, interpreting it for ordinary citizens as it unfolded, providing capacity for a myriad of local initiatives, supporting strategies to end violence, and introducing the parties to one another — especially in the police and military arenas. In the early 1990s Idasa was deeply involved in electoral support and training, the monitoring of national and local governmental processes and accountability, and the training of officials, educators and NGOs.

- III Enforcement of laws, regulations, by-laws and the constitution, and informed compliance and consent by citizens.

The organization is founded around national programs, objective-oriented projects, and associated bodies. The national programs are:

- Budget Information Service
- Political Information and Monitoring Service
- Local Government Centre
- Public Opinion Service
- Southern African Migration Project
- All Media Group

The Children's Budget Unit is a sub-project of Idasa's Budget Information Service, established in 1995. Its mission is to contribute to the realization of child rights and the reduction of child poverty through research, training, and the sharing of information on government budget allocations and service delivery in relation to legal obligations.

In the early 1990s the South African government made a firm commitment to alleviate poverty by implementing various programs and establishing the National

Program of Action (NPA), created to advance child rights by helping ensure that they are prioritised in policymaking, budget allocations, and the delivery of public services.

The birth of the CBU came at a time of dramatic transformation in the country's political landscape. South Africa's first democratic government, elected in April 1994, inherited a legacy of extensive and deep poverty—including child poverty. At this time it was estimated that, at a minimum, 60 percent of South African children were income poor. During the first few years of democratic rule, the new government took a number of significant steps that reflected a strong commitment to reducing child poverty and advancing socio-



Godwin Booyesen of the Free State Christian Church Leaders Forum, Leonie Caroline of Black Sash and Mama Darlina Tyawana of New Women's Movement working together

In its analysis of South African society and its capacity for democracy, Idasa identified three general areas of focus. Each area contains a civil society and state component, and each demands equal attention. Idasa does not believe that it alone can do this work, but considers capacity building here critical to the achievement of its mission and primary objectives:

- I Representation of voters, and community and public participation;
- II Delivery of state services and constitutional obligations, and appropriately articulated and organised citizen demands;

economic rights. These included:

- Certification of a new Constitution (in June 1996), which includes a broad range of civil, political, socio-economic, and cultural rights for everyone, and specifically for children.
- The government's ratification (in June 1995) of the Convention on the Rights of the Child.
- The design and initial introduction of a broad range of government programs aimed at fulfilling everyone's socio-economic rights, particularly those of children.

<u>Role players</u>	<u>How they help give effect to child rights</u>	<u>Relevance to budget monitoring</u>
A country's government (executive branch)	By developing laws, conceptualizing and implementing programs (with the related allocation and use of resources), and using policy to establish an environment in which the market creates income opportunities for the poor.	The government should consider study recommendations during its process of policy reform.
A country's parliament	By monitoring fulfillment of government's obligations related to child rights.	Helps directly with budget monitoring and ensuring progressive realization of the right
A country's judiciary	By making and enforcing laws pertaining to child rights.	Ensures that government is legally obliged to recognize the rights. Should the government fail in its obligation, these rights can be sought in the courts
Human rights commissions	By monitoring the measures governments implement to realise child rights.	The commissions use budget monitoring to advocate for change and improvement in realization of the right.
Parents	By helping provide the material goods, love, protection, and psychological support children need to meet their basic needs and live healthy and secure lives.	Through education, parents can learn the rights of children. Budget monitoring can ensure the provision of programs to help realize these rights.
Civil society	By assisting in the provision of public or other services to children, conducting research on the fulfillment of child rights obligations, and promoting child rights.	Can use budget monitoring to advocate for change and improvement in realization of the right.
Research organizations	By monitoring the implementation of child rights and helping define rights, obligations, and implementation strategies.	These organizations can use budget monitoring to advocate for change and improvement in realization of the right.
The international financial community	By making loans to governments in state parties, giving aid that finances specific child rights programs, and offering technical support.	Can use monitoring to ensure that funds allocated to programs are used in the most effective and efficient manner possible for realization of the right.
UN Committee on the Rights of the Child (the UN supervisory body of the CRC)	By overseeing the implementation of the CRC, and accepting related state and NGO reports.	Budget monitoring gives information on the extent to which programs have been implemented and are in line with the obligations set out in the CRC.
Children (rights bearers)	By being aware of and claiming their rights.	

South Africa's new democracy has been further strengthened by an active NGO sector and many independent agencies conducting research and advocacy work aimed at promoting socio-economic rights. However, no research was being conducted on the government's budgeting for children and how it should be improved. The CBU was established to fill this gap and hold the state accountable to its legal obligations related to child rights.

The CBU currently consists of three permanent staff members and an assistant researcher, who generally complete one central study each year, along with "Budget Briefs," newspaper articles, submissions to parliament, and responses to major policy documents, radio interviews, training, capacity building and project support.



Children's rights and child poverty

All children in South Africa are entitled to a comprehensive set of human rights, enshrined in the South African Constitution² and in international and regional children's rights treaties. These rights entitle children to basic socio-economic necessities such as adequate

health care, education, water, shelter, sanitation, food, and income.³ The Constitution also insists

SECTION 27(1)(C) OF THE CONSTITUTION STATES THAT

Everyone has the right to have access to ... social security, including, if they are unable to support themselves and their dependents, appropriate social assistance.

SECTION 28 (1)(C) STATES THAT

Every child has the right to basic nutrition, shelter, basic health care services and social services

*Constitution of the Republic of
South Africa, 1996*

on a dimension of progressive improvement in the enjoyment of socio-economic rights, and imposes legal obligations on the state and parents to give effect to these rights, which are legally enforceable through the courts.⁴

The socio-economic realities experienced by most of South Africa's people, including children, differ widely from the ideals advanced by the child-specific socio-economic rights in the Constitution. Child poverty remains extensive and deep. Millions of South African children go to bed hungry, lack the material means to attend school or health clinics, and find it impossible to live healthy and secure lives. Millions of parents in South Africa cannot fulfil their primary responsibility to meet the basic needs of their children. In this context it is crucial that the state responds effectively to its obligations to deliver socio-economic rights to children and their caregivers.

Approximately 42 percent of the South African population is comprised of children under age 18 and, depending on the income level used, 43–65 percent of the children—between 10.5 and 14.3 million—are poor. More than five million children under the age of seven live below the poverty line of R400/month per capita, and 11 million under age 18 can be classified as desperately poor, living with less than R200 (1999 Rands). Exacerbated by the impact of HIV/AIDS, child poverty is concentrated primarily in the poorer provinces or regions, namely Kwa-Zulu Natal, Eastern Cape, Limpopo, and North West Province.

Role players in the implementation of child rights⁵

To become meaningful, the child rights that exist on paper must be translated into tangible benefits. It is useful in doing so to distinguish between the people and institutions given explicit obligations in domestic laws (such as constitutions) and international human rights instruments, and those that are not.

In most relevant human rights treaties, states (referred to as “state parties” in the CRC) and parents are explicitly given such obligations.⁶ International treaties, including the CRC, say nothing about the relative role of different state organs—the executive branch, the parliament, or the courts—in fulfilling state party obligations, while constitutions, including South Africa's, are more precise in explaining how various components of the state are required to give effect to child rights. These role players are described in the table on the next page.

Five steps of the tactical approach

The budget monitoring tactic can be broken into five steps, which we will illustrate through the example of monitoring the fulfilment of the child's right to social security.

- determine the nature of the government's legal obligations to advance the right
- measure the extent of the problem addressed by the right (i.e. child poverty)
- review program conceptualization & design:
 - program existence and design
 - budget allocations and expenditures
 - budget implementation and service delivery
- analyze national and provincial government budgets
- make recommendations on how the government can better fulfil its obligations to advance the right

These same steps can be applied to monitor the fulfilment of socio-economic rights for other populations, and of civil and political rights, to the extent that the fulfilment of such rights requires responsible government expenditure (in the justice system, in police or military training, and so on).

² Act 108 of 1996 (hereafter referred to as the Constitution).

³ An important point about socio-economic rights—particularly in a country like South Africa, where the level of inequality in access to resources is high—is that their main purpose is not to reduce income inequality, but to meet everyone's basic needs (Brand, in Creamer 2002:29–30). In other words, the real problem being addressed through the realization of socio-economic rights is that of reducing absolute poverty (including child poverty), as opposed to relative poverty. Of course, progress in realization of socio-economic rights may reduce absolute and relative poverty at the same time, but this need not be the case. This confluence would require the poor becoming better off more rapidly than the rich getting richer.

⁴ Taken from: “Towards a monitoring framework for child socio-economic rights in the South African constitution,” by J. Streak and J. Wehner, in *Monitoring child socio-economic rights in South Africa: Achievements and challenges*, E. Coetzee and J. Streak (eds), Idasa, Cape Town, 2003.

⁵ Extract from the CBU Budget Guide to NGOs.

⁶ In Article 4, the CRC also implicitly refers to obligations of the international community, suggesting that in some cases developing countries may need to draw on international assistance for realization of child socio-economic rights.

⁷ Streak J, Kgamphe L: Brief #107 Idasa, Cape Town.

UNDERSTANDING BUDGET TERMINOLOGY

- Nominal amount: the actual monetary value in terms of purchasing power, i.e., without taking inflation into account.
- Real terms: the nominal amount adjusted for inflation over time.
- Five steps to follow when adjusting nominal budget allocations:
 - Choose a base year
 - Identify inflation rates for the conversion
 - Calculate a price index and price deflators
 - Use the price deflators to convert nominal values to real values
 - Work out the real ___ (year-on-year and average annual growth rates)

UNDERSTANDING BUDGETS

Choosing a base year:

- The year for which you assume there is no inflation.
- The easiest approach is to use the first year for which data is available.

Inflation rates:

- Consumer Price Index (CPI)/Product Price Index (PPI)/Gross Domestic Product (GDP): which one to use, and the differences among them.

Calculating the price index and deflators:

- The price index is a set of index numbers showing how the average price of a bundle of goods has changed over time.

Year	Price index	Note
One: 2002/03	= 100	The price index is always 100 in the base year
Two: 2003/04	= 100 + 100 * (6.6 / 100) = 106.6	Projected GDP inflation rate: 6.6
Three: 2004/05	= 106.6 + 106.6 * (5.1 / 100) = 111.7	Projected GDP inflation rate: 5.1

USING DEFLATORS TO CONVERT NOMINAL DOLLARS INTO REAL DOLLARS

Real budget allocation = nominal / deflator

Growth rate calculation: growth rate = [(year 2 - year 1) * 100] / year 1

Calculated deflators 2003:

	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
GDP inflation		0.072	0.075	0.077	0.066	0.049	0.049
Deflator	79.23032	85.3775	92.3	100	106.6	111.8234	117.3027
Deflator	0.792303	0.853775	0.923	1	1.066	1.118234	1.173027

The Budget Information Service was begun with the belief that everyone can perform basic budget analysis. It is not necessary to have prior budgetary or economics knowledge before embarking on a study, as the aim is to build capacity in the field of budget monitoring. Things that do need to be clarified at the beginning are the study objectives, any obligations of the government to realize the rights in question, and whether there are gaps in the realization of the rights relating to budgetary allocation, access, and accountability. Asking these questions early on will help you formulate pertinent questions during the research, and later make informed recommendations on how to positively change the situation.

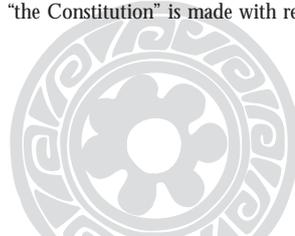
Case study: Right of children to social security

As an example of our tactic, we describe here one of our budget briefs, entitled "Government's recent performance in budgeting for the child's right to social assistance in South Africa" (2002).⁸

Two staff members wrote the brief, using data collected through various methods over a period of six months. The easiest method involved using annual government budget books, policy statements, and other articles; staff members also telephoned various government ministries to clarify and request information. Qualified professionals were hired to conduct some of the required research, such as the analysis of child poverty data, and, finally, staff members conducted telephone and in-person interviews with research agencies and government officials.

This process took some time, as not all government officials were willing to disclose the differences between budgets and expenditures, particularly in provinces that had not utilized the entire budget. Unfortunately, these tended to be the poorer provinces, whose children have the most need. With cooperation from the National Department of Social Development, who also needed the budget data, we eventually pressured the officials to submit the figures.

⁸ All reference to "the Constitution" is made with respect to Act 108 of 1996.



CONCLUSIONS & RECOMMENDATIONS FROM THE 2001 STUDY, "BUDGETING FOR CHILD SOCIO-ECONOMIC RIGHTS"

- There is urgent need for the following data:
 - Income status breakdown of the child support grant (CSG).
 - Information on whether CSG amounts are sufficient to ensure fulfilment of basic needs.
 - Information on how the CSG target population is spread across the provinces, and on the real demand for the grants.
 - Information about how the total provincial budget allocations in each province are spread across the districts, and the intra-provincial spread of children targeted for allocations.
- Government must in the future meet its obligation to maintain the real value of social security grants flowing to poor children in parental care.
- It is recommended that the age limit of the child support grant be expanded beyond 6 years, even if not to 17.
- It is hoped that the growing real resources available for spending on services are distributed in a way that gives every poor child in South Africa an equal chance of realizing his/her right to social security, regardless of where s/he lives.
- It is recommended that the government allocate resources to effective distribution channels for child security in remote rural areas, helping ensure that difficulties in accessing the grants do not undermine the realization of child social security rights in South Africa.

We stressed to officials that the purpose of the research was not to discredit the government, but rather to help improve policy formulation, budget planning, child advocacy and lobbying, and the delivery of services for children. We now use measurable objectives in the budget reports, which simplifies the process for everyone, as all required information is made available in the budget books.

STEP 1: DETERMINE THE NATURE OF THE GOVERNMENT'S LEGAL OBLIGATIONS

The child's right to social services, as set out in Section 28(1)(c) of the South African Constitution,⁸ implies a "basic" social service. The Constitution is not explicit in stating that social assistance is part of this right, but for the purpose of monitoring we assume that it is. It is clear from the drafting of Section 27(1)(c) that social security includes both contributory forms of social insurance, and needs-based assistance received from public funds (social assistance).⁹

The White Paper for Social Welfare in South Africa (February 1997) defines the scope of covered social security:

- A wide range of public and private measures that provide cash, in-kind benefits, or both, in the event of an individual's earning power permanently ceasing, being interrupted, never developing, or being exercised only at unacceptable social cost, and such a person being unable to avoid poverty.
- Social welfare policies and programs which provide for cash transfers, social relief, and developmental services to ensure that people have adequate economic and social protection during

periods of unemployment, ill-health, maternity, child-rearing, widowhood, disability, old age, and so on.

Social welfare programs of this nature contribute to the development of human resources by enabling impoverished households to provide adequate care for their members, especially children and those who are vulnerable. When such programs are combined with capacity building, people can be released from the trap of poverty.

In essence, social security is understood to consist of those measures aimed at guaranteeing a certain minimum subsistence level, and protecting the income of people in situations where it is imperilled owing to various contingencies.

The right to social security should consist of universality, equality, adequacy, and appropriateness. Without increasing dependence on social assistance, the program should at least meet a defined minimum standard, with the recipient not falling below an accepted poverty line.

If progress is to be measured, the Ministry should put in place a transparent plan of action for realizing the right. This plan of action should include benchmarks (targets) tied to specific time frames. Without this plan of action, there is real risk that policy commitments will simply remain noble sentiments on paper.

STEP 2: MEASURE THE EXTENT OF CHILD POVERTY

We measured child poverty to ascertain the potential impact of a social assistance program if accessed by all children entitled to it. See the section above on Children's Rights and Child Poverty for a description of the extent of child poverty in South Africa.

"If I don't have money for the bus I don't go to school. Sometimes there is no money for more than two weeks." (Girl, 16)

"My family had no money for food. When I was alone sometimes I thought that I am a problem at home and maybe it's better to leave home and get my food alone." (Street child, 16)¹⁰

HIV/AIDS, affecting income earners in many households, is exacerbating poverty levels, and in addition the South African economy has not shown favourable growth or an increase in employment opportunities, both key factors for household security and the sustained alleviation of poverty.

⁹ Liebenberg, S., 2002, "The right to social security: response" in Brand, D. and Russell, S. (ed.), *Exploring the core content of socio-economic rights*, Protea Book House, Pretoria.

¹⁰ Quotes from the ACCESS (Alliance for the Children's Entitlement to Social Security) Child Participation Project, 2001.

STEP 3: REVIEW PROGRAM CONCEPTUALIZATION & DESIGN

In the next step, we examined the design, delivery, and implementation of the social security programs, as well as the budget allocations and expenditures.

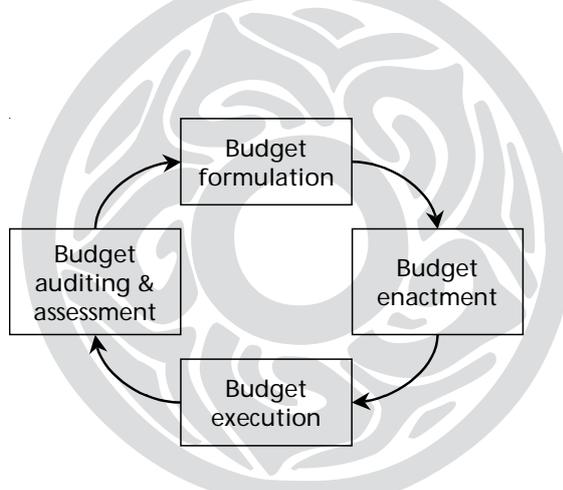
Social security is defined as non-contributory income support paid to citizens by the state to help ensure that everyone has enough income to meet basic needs. This means that it is a monetary outcome that is given over and above the current household income.

The government has instituted several programs that contribute to the realization of a child's right to social security, namely the Child Support Grant, the Foster Care Grant, and the Care Dependency Grant, all conditioned on passing means tests and being a South African citizen in possession of a bar coded "Identity Document."

We asked if the scope of the program ensured non-discrimination and a rapid provision of services to all children in need. Our findings, published in a study entitled "Budgeting for child socio-economic rights: government obligations and the child's right to social security and education" (Cassiem, Streak: Idasa), showed that the government had not been meeting its obligation to ensure, in budget allocations, non-discrimination against particular groups of children. Some provinces, particularly the poorest, were not receiving equitable shares, many because they lacked infrastructure and physical access to the grants. In addition, we showed that the government was obliged to deliver "progressively and subject to available resources." The rights to social security, as well as other section 28 rights in the South African Constitution, have been deemed "unqualified" rights by the South African Constitutional Court, implying that the South African government was obliged to deliver them, irrespective of resource availability.

The following questions should be asked while implementing this step of the tactic:

- Has the government put in place a program (or programs) to give effect to the right? If yes, what is the content of the program, including the implementation plan? Look at the description of the program, as well as the implementation agency.
- If yes, does the scope of the program ensure non-discrimination, and does the time frame envisage a rapid roll out of services (particularly basic ones) to all intended beneficiaries?
- If the program does not cater to all intended beneficiaries (there may be arguments about limited resources and time) or envisages a slow rollout of services, or if there is no program in place, what is government's plan to ensure that all those covered by the right can be reached quickly in the future?



STEP 4: ANALYZE THE BUDGET ALLOCATIONS AND EXPENDITURES

We next examined the country's budgeting process, budget allocations, and expenditure figures for the existing social security programs. This process includes determining trends over time in the proportional share of the program's allocation as compared to that of other fiscal priorities, and helps illustrate the level of government commitment to the right in question.

We then questioned whether there had been a real¹¹ growth in the allocation over time. Such growth implies that government is fulfilling obligations to administer programs in a progressive manner (over the medium term expenditure framework period) and subject to available resources (depending on the total fiscal envelope available). One can thus ascertain the government's priorities, given the assumption that the more money allocated for a program, the higher the priority given to it. The allocation can also be compared with the proportional share received by other programs—in our case, by a program to purchase arms—and, when necessary, the government can be taken to task about its priorities and commitments related to more pertinent issues in the economy.

Several additional questions should be addressed at this point:

Budget allocation (budget input)

- How much has been allocated annually to the program since its implementation, and what is allocated for future years?
- What proportion of the total budgeted expenditure has been allocated to the program each year?
- What is the trend over time (growth rates year-on-year and annual averages) in nominal and real budget allocations to the program?

Budget implementation and service delivery

- Are the allocated funds reaching their intended destination, and what proportion of the budget allocated to the program is being spent? Look at the intended number of beneficiaries, calculate the sustainability of the program, look at govern-

¹¹ Real terms: the nominal amount adjusted for inflation and other economic factors that cause the value of the currency to depreciate, i.e. purchasing power. Nominal amount: the actual value stated in most budgets, not taking into account inflation and other deflationary pressures that occur in the economy (i.e. trade and exchange rate controls) and that affect the value of the currency.

NUTRITION IN MDUKATSHANI

The CBU conducted a case study of implementation problems plaguing the Integrated Nutrition Program in the Mdukatshani Community Garden project. This region is one of the poorest in South Africa, and children in the Msinga district suffered as the program awaited money promised by the government. These funds were earmarked from money set aside, via the conditional grants system, for spending on the Integrated Nutrition Program—money that the government was having difficulty spending! By using our tactic, we were able to make findings available to the necessary parties, and money was eventually paid out to the beneficiaries.

ment budget allocations versus budget expenditures, analyze the under/over spending trends.

- What are trends in access to program services? Is access broadening quickly, are there inter and intra-regional variations in access, is there racial or gender discrimination, and are the most vulnerable being provided for? Compare the budget expenditure to the number of beneficiaries; using the assumption that all those with access will have received the grant, this helps determine accessibility. To answer questions regarding discrimination, examine budget allocations in poor versus rich provinces.
- What is the quality and efficiency of service delivery in the program, and have they been improving over time? If there is a continued trend of lack of delivery, what is being done about it? (In our case, government had implemented various training and capacity-building techniques to improve accessibility and low take-up rates. It has also proposed plans for the future administration of grant systems in South Africa, basically through a National Agency.)
- What type of service delivery problems (financial and non-financial) need to be addressed to facilitate a rapid roll-out of services? Ask relevant governmental officials about implementation and problems. Look into how these can be improved over time. (We found that capacity and administration constraints within government departments led to problems in service delivery in certain areas—primarily poor areas with higher child poverty rates.)
- Does the government's plan for program development and implementation address the problems (financial and non-financial) that are undermining universal access to services, and help realize the right in question?

STEP 5: MAKE RECOMMENDATIONS

When the budget analysis is completed, the final stage is to synthesize the analysis into a set of recommendations and conclusions that can be presented—in a form that is not too technical—to the public and to policy-makers. In the case of our 2001 study on child socio-economic rights, we made a comprehensive set of recommendations, summarized on the previous page.

Follow-up

After completing the study, provincial training workshops were conducted with organizations and other interested parties that could use our findings to improve the situation of their province's children, and study results were also distributed in printed form to many institutions on the Budget Information Service's mailing list. Because our poverty data is still the most recent data available, many NGOs continue to use it for advocacy purposes

Policy makers, government officials, and any interested parties were involved in publicizing the study results. Some of our recommendations were taken into consideration, and resulted in policy changes. Prior to 2003, for example, the CSG was limited to children under seven years of age. We recommended, in con-



Leonie Caroline from Black Sash, changing the nominal figures into real ones

junction with other organizations, that all children under 18 and in need have access to the grant, and, though not including older children, in 2003 the government did agree to include children up to age 14.

An effective research study must have a strategy for disseminating its results. To reach varied audiences, this strategy usually involves publications (books, book-

lets, brochures, and newspaper and magazine articles), radio interviews, and information posted in electronic media. The Children's Budget Unit, for instance, has published four books encapsulating our work's conceptual basis (see appendix). Idasa's Budget Information Services also produce shorter "Budget Briefs," which provide more easily accessible analyzes of the points that emerge from our budget research, and are available on our website.

Research results can also be communicated to a more specific target audience through workshops and direct correspondence. This involves collaboration with a spectrum of organizations and groups that will lobby or change policy using information generated in the study.

The ultimate aim of the research is to provide policy makers and government officials with information they can use to improve the design and implementation of programs that fulfil human rights obligations. The research can also provide advocacy organizations and parliamentarians with data that adds legitimacy and weight to their calls for better implementation and extension of these programs .

Active networking and alliance-building are therefore an important complement to the tactic. CBU has close partnerships with organizations such as the People Participating in Poverty Reduction project, the National Committee for the Management of Child Abuse and Neglect, the Alliance for Children's Entitlement to Social Security, and the Child Justice Alliance, among others. CBU also networks with other international budget monitoring organizations.

The budget process

The budgeting process includes the following steps:

- Budget formulation
- Budget enactment
- Budget execution
- Budget audit and assessment

This process includes collation of the budget by the executive branch, the approval process by the legislative branch, the implementation process, and the final audit and assessment. Knowledge of these stages is particularly important if you are trying to participate in the budget process. In South Africa, hearings and debates about the proposed budget occur during the enactment stage, and civil society can participate through hearings and advocate for change in budget allocations. This participatory process does not happen in all countries, however, so the best time to advocate for policy change in the budgets is during budget formulation, when information is being collated and prioritized into the budget document.

Outcomes: What progress have we made?

We have found how difficult it can be to bring two traditionally separate disciplines closer together. Budget planning may respond to the need to alleviate poverty, but can fail to address, for example, children in especially difficult circumstances. Budgeting priorities, therefore, do not necessarily address rights priorities, and the government still lacks a rights-based approach to planning and budgeting. The CBU must constantly re-examine the rights of the child and the meaning of a rights-based approach to budgeting.

Measuring the direct impact of our budgetary work is almost impossible. The Budget Information Service responds to many requests from both the government's executive branch and civil society organizations, providing data used to substantiate advocacy from an informed and holistic view of government policy and priorities. Some new policies have contained direct references to our studies, while others have used CBU data without acknowledging its source; in both cases, at least, we are certain that the government is paying attention to our work.

"I particularly draw on the CBU's budget work, as it enables me to present the numbers that are needed to back up the facts to social policy arguments." Isobel Frye (Black Sash)

"I have used work done by the CBU in a number of materials that I've produced, for training purposes, as well as lecturing on socio-economic rights." Teresa Guthrie (Children's Institute)

We believe that children's well-being is now being framed more and more in terms of "children's rights" and the obligations of government and civil society organizations to protect, promote, fulfil, and respect these rights. We have contributed to this trend.

Our studies are viewed as accurate and reliable research on outcomes related to child socio-economic rights. Looking at how programs are conceptualised and implemented, and at how budgets are allocated, reveals whether or not the system is working. Our recommendations offer a way forward.

The CBU continues to use this tactic. New information is constantly being generated, and is used widely by policy makers, advocacy groups, and the general public. We have also formed closer partnerships with other organizations. Because we had the right information at a time when the government needed it, we have developed a good working relationship with the National Treasury, which has led to our participation in government task forces, increasing our influence in promoting our policy recommendations.

Government departments are now recognizing their need for such research, and asking more directly for information that will help them achieve rational policy



implementation. This networking ensures that there is an outside, expert perspective to help with the decision-making processes. The CBU has also formed a good relationship with the Community Law Centre, which helps us take careful account in our analyses of the legal aspects of socio-economic rights.

Difficulties we faced

People are particularly hesitant to do the research because of negative perceptions about understanding the budget—a task that can appear quite daunting and cumbersome.

It can be costly and difficult to obtain the data. To measure the impact of services rendered by the Home-Based Caregivers, for example, researchers must work hands-on with the communities affected by the program. This means that they will be faced daily with patients dying from AIDS, extreme poverty, and hunger.

There are few child poverty indicators used to measure and monitor child well-being, which makes setting comparative measures particularly difficult.

Many programs need to be monitored, but there is limited capacity and skill within both the CBU and the government itself. It is one thing to make recommendations, but you must also ensure that implementation is effective and helps solve the initial problem without creating additional ones.

Transferring the tactic

In using this tactic you need to focus on the end result. Budget monitoring has the advantage of providing a solution to problems, and recommending better paths towards future development. We do not simply focus on the wrongs, but rather examine all sides and give constructive recommendations.

South Africa's turbulent history, filled with gross injustice and human rights violations, is not so different from that of many other countries. Likewise, poverty occurs worldwide, and all governments have made certain commitments to the upholding of rights—commitments that require expenditures in order to be responsibly fulfilled. All that is needed for this tactic to work is law or policy that can be used to hold government accountable for its actions.

TRAINING FOR BUDGET MONITORING

The Children's Budget Unit and the Budget Information Service offer two types of training. In the first, our objective is to disseminate information. Once we have completed studies, we host workshops and one-day meetings for our advocacy partners, civil society organizations, and government officials.

We also hold capacity-building workshops. These are usually longer, and are designed to equip participants

with the basic tools of budget analysis. Our budget training manual is on the CBU website (www.idasact.org.za/bis), and is a good source of theoretical information. It is important for grass roots organizations to know basic budgetary analysis. Organizations report that our workshops have helped tremendously in terms of their own internal budgetary needs, as well as access to government funds. After all, if you know how much is "supposedly" going to NGOs, as per budget books, you have a stronger case in arguing for increased allocations.

TRAINING IN OTHER COUNTRIES

Various units within the Budget Information Service conduct international training, aiming to build the capacity of civil society budget groups to participate in their countries' budgetary processes. These units also work with legislatures and other stakeholders that share a vision of transparent, participative, and democratic budgeting to relieve poverty. For example, the Africa Budget Project is a regional partner of the International Budget Project at the Center for Budget and Policy Priorities in Washington, D.C.

Examples of CBU assistance in other countries:

- Through training and joint research projects the CBU assists organizations in learning the technical language required to access budget processes.
- In joint research projects and information management activities the CBU provides research instruments and analysis frameworks that groups can apply to gain a credible voice, and has created a user-friendly training manual to aid analysts in their research.
- Through networking and facilitating contact, the CBU helps organizations share their success stories and thereby stimulate growth in applied budget work.
- The CBU provides one-on-one technical support to organizations at critical points in their development.
- By working with international organizations the CBU aims to improve the transparency of budgets and build the credibility of civil society in budgetary debates.

Units using this tactic have now been developed all over the world. Child budget projects have been developed in Zambia, Mozambique, and Zimbabwe, and the CBU assists in child budget studies and provides support for other projects that are applying the tactic, such as our partners at the Save the Children UK in Ghana. After attending a national training workshop in Cape Town, members of the Zambia Children Education Foundation asked us for assistance in their own study. We helped them with proposal writing, project design, and project implementation. They pulled together a research team including a university economics lecturer and tutors, a statistician, and a government official from the budget office, and spent eighteen

months on a study, whose results are to be released later in 2003.

Eight countries attended SADC regional training workshop on child budget analysis, held in Cape Town: South Africa, Swaziland, Namibia, Zimbabwe, Zambia, Malawi, Mozambique, and Angola; two law advisors also came from Uganda.

TECHNICAL REQUIREMENTS: ECONOMIC AND FINANCIAL SKILLS

Our team includes one person with a master's degree in Development Studies and adult education, another with a history degree and economics honours, another with a master's degree in gender networking, and an assistant researcher with an undergraduate degree in finance and economics who is currently completing her master's in financial analysis and portfolio management. Budget monitoring requires a small team of people who have basic economics training along with a willingness to acquire other necessary knowledge and skills. The tactic does not require a team of PhD economists, but an NGO considering the tactic will need to think about the skills it requires.

PhD economists, in any case, would not be sufficient, because for this tactic to work you need a team of activists who are able to offer the necessary follow-up to sustain an impact—and that follow-up requires political commitment, networking, lobbying, and skills in disseminating information. We found, for instance, that in cases outside South Africa in which professional consultants with economic backgrounds were employed to conduct a study, subsequent dissemination was incomplete, and the process did not help to develop the necessary skills capacity to sustain the monitoring work within the NGO. This is one of the reasons Idasa and CBU place a high priority on capacity building and on de-mystifying the budget process for NGO activists.

TRADEOFFS: QUALITY, TIMELINESS, AND COST

To produce efficient work with this tactic is time consuming and costly. More often than not we are researching virgin territory, which means a lack of existing data. In helping NGOs in other countries we have seen that the availability of and access to information can determine both the focus and the extent of studies.

For your work to be effective, it is crucial to ensure that it is timely. If there is a budget being tabled before parliament, recommendations must be presented months prior to the budget enactment. Otherwise the work is wasted; since all the statistics will have changed, it cannot be used the following year. This need for timely work increases costs because skilled staff—a scarce commodity in South Africa—must be acquired. There is also the balancing act of logistical costs, such as trips to interview key individuals, versus savings. Better data yields a better product, and greater speed results in more timely policy pressure. But both speed and quality mean higher costs.

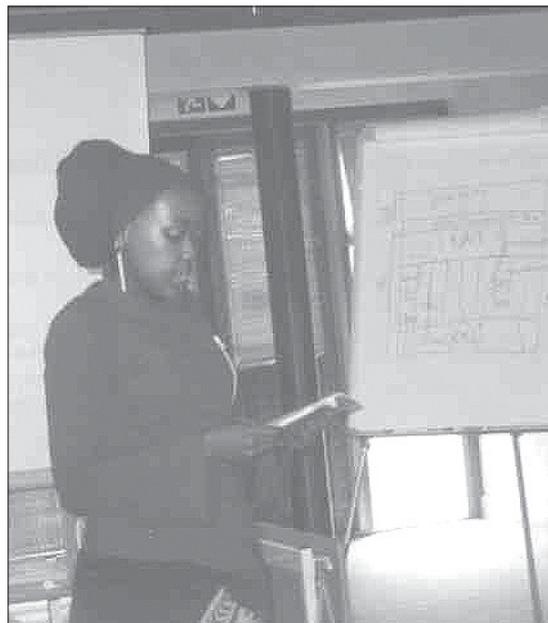
RELATIONS WITH GOVERNMENT

The budget-monitoring tactic is not one-sided. The goal is not merely to criticize what a government is failing to do, but to assess government capacity and progress in reducing poverty. Sometimes a government is doing a great deal to reduce poverty, but the process is taking longer than expected due to other factors. In a very poor country, a government might claim that it lacks resources for the progressive implementation of economic and social rights. The entire point of this tactic is to be holistic. There is no point in demanding spending when money is clearly not available; it might, in such a case, be better to advocate for changes in policy priorities so that more money could be spent where it is needed.

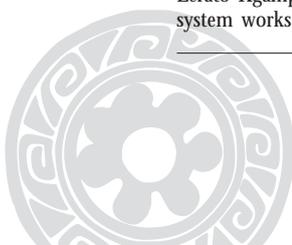
We had a government committed to reducing poverty, and we had strong advocacy organizations, which made it easier to implement the tactic. South Africa's efficient treasury, and liberal and rights-conscious constitution, also made it easier to access data. In fact, we found that the government recognized the need

for the kind of analysis we were doing, and in some cases was itself the client employing our services.

In the case of a government with limited transparency, a denial of individual rights to information, or a lack of commitment to rights-associated expenditure, the relationship with the government might be quite different. The collection of information would be a more painstaking process, perhaps requiring a variety of political pressures and the support of other allies, including those within the international community. Application of the tactic may provide ways to make the government process



Lerato Kgampe demonstrating how the government budget system works



more transparent, and help organizations and individuals become more active in the governing process.

Experience has shown that political will plays an important role in whether a study can be conducted and its extent. A study in Vietnam, for instance, was conducted only because the government was engaging in a process to mainstream education for children with disabilities. In this instance, it was important to develop an alliance with the government. In Palestine, the work of the child budget study has been halted because of the Intifada in 2001, and the study's recommendations cannot be discussed or implemented.

After a critical report is released, a government must be held accountable. We have found that it is difficult to determine who should be held accountable for the issue at hand. Roles and responsibilities in government can be ill defined, and one often finds officials passing the buck or sweeping matters under the table. There are also, of course, many political plays interwoven into choices about public policy.



Group Photo of participants of the annual NGO workshop held in Cape Town. Lerato Kgamphe is in the front row, second from right.

Conclusion

We are certain that the human rights movement can benefit a great deal and achieve its objectives with greater certainty if NGOs make greater use of budget monitoring. As we have stressed above, only by holding the government accountable for its spending can we be sure that even a well-intentioned government is fulfilling its obligations.

If your NGO is interested in budgeting monitoring, we urge you to look at our website and to get in touch with other organizations doing this kind of work. We would be happy to hear from you and to offer advice.

Appendix: Budget monitoring publications by Idasa

Budget Watch is a regular newsletter, each edition of which examines a specific aspect of public sector finance and economics. The printed edition of Budget Watch is available on subscription.

Budget Briefs is an e-mail service that responds within hours to any current budget and poverty issues. The briefs are distributed to a 1,000-person database which includes national and provincial parliamentarians and members of government, civil society, and the media.

Idasa also publishes Occasional Papers, longer articles with an in-depth focus on key issues, as well as full-length books.

SAMPLES OF BUDGET BRIEFS (ALL ARE AVAILABLE ON THE WEB):

Budget Brief #125: "Child poverty, child socio-economic rights and Budget 2003 - The 'right thing' or a small step in the 'right direction'?" by Judith Streak, compiled in March 2003. This brief looks at the budget as a crucial instrument through which the government can address South Africa's extensive child poverty and deliver socio-economic rights. It acknowledges that the 2003 budget included a range of spending and tax initiatives that will stimulate economic growth, and may even lead to job creation for the parents of poor children. The brief also asks, however, whether the national treasury could and should have done more for poor children. On the 'direct measure' front, the treasury could perhaps have allocated more to the Child Support Grant program, through the new conditional grant introduced in the budget, to finance a more rapid rollout of the CSG to children age 7-14. The treasury could also have raised the value of the state old age pension by more than R60, as this also benefits children. As noted in the brief, for the national treasury to be able to take further steps to reduce child poverty and provide children with the goods and services to which they are constitutionally entitled, the capacity to deliver must be improved in other government departments.

Budget Brief #95: "The Child Support Grant and Budget 2002: The implications for child poverty relief" by Shaamela Cassiem, Paula Proudlock, and Judith Streak, compiled in March 2002. Budget 2002 claimed to offer considerable poverty relief and reduction measures for the poor, including children. This brief argues that while the budget introduced new measures that could help reduce child poverty in the medium to long run, it did not go far enough, particularly with regard to income support for children.

Budget Brief #86: "The fourth Children's Budget Book: Budgeting for child socio-economic rights" by Judith Streak, compiled in February 2002. This brief summa-

rizes the study's key findings on the government's legal obligations and performance in budgeting for child socio-economic rights, including social security and basic education. The brief's conclusion also highlights the vagueness of the budget obligations, which allow the government's minimal use of the budget to advance child socio-economic rights, and examines the chasm between questions asked with a methodology based on legal obligation and the availability of data to which to answer them.

BOOKS BY CBU ON BUDGET MONITORING

Budgeting for child socio-economic rights: Government obligations and the child's right to social security and education, Shaamela Cassiem and Judith Streak (2001). This book describes government obligations to budget for the realization of child socio-economic rights. It develops a methodology for evaluating government budget performance in relation to human rights, and examines delivery of the child's right to social security and education in South Africa.

Child poverty and the budget 2000: Are poor children being put first?, Shaamela Cassiem, Helen Perry, Mastoera Sadan, and Judith Streak (2000). Focusing on government obligation in relation to child poverty, this book introduces a new framework for understanding the various dimensions of poverty amongst children, and makes particular reference to the Convention of the Rights of the Child, the South African Constitution, the Growth Employment and Redistribution Strategy, and the government's National Program of Action for Children.

Where poverty hits hardest: Children and the budget in South Africa, Shirley Robinson and Mastoera Sadan (1999). This book illustrates significant trends in how budgets have been allocated, on both national and provincial levels, to address issues of education, welfare, justice, and health as they relate to children. For each sector in each province the book presents an "Indicator Report Card," showing whether children's socio-economic rights have been realized or poverty reduced. It also comments on problems in service delivery that undermine how effectively budgets are allocated. The budget analysis focuses on 1995/96 to 1998/99.

First Call: The South African children's budget, Shirley Robinson and Linda Biersteker (1997). The first CBU book on budget monitoring, this describes children's rights as contained in the Convention of the Rights of the Child and the South African Constitution. It considers government spending on children in the areas of social welfare, education, health, and justice, and also examines service delivery problems that hamper the realization of child rights. The budget analysis focuses on 1996/7, but also comments on the early 1990s.



To print or download this and other publications in the Tactical Notebook Series,
go to www.newtactics.org.

Online you will also find a searchable database of tactics and
forums for discussion with other human rights practitioners.



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