

Minister for Justice and Correctional Services  
Department: Correctional Services  
124 WF Nkomo Street (Corner WF Nkomo & Sophie De Bruyn Streets)  
Poyntons Building (West Block)  
Pretoria, 0001

04 June 2020

Dear Hon. Minister Ronald Lamola,

**Re: CESCR Concluding Observations in Light of Covid-19 Pandemic**

We bring you greetings during this difficult time. Since 5 March 2020 when the first case of Covid-19 was reported in the country the rate of infection has risen drastically, currently with over 6000 affected persons and over 100 deaths. Beyond the fatalities and the health consequences, the virus has brought untold economic hardships to vulnerable and marginalised groups, especially those in informal settlements and rural areas in our country. The government has responded decisively by imposing a nationwide lockdown in order to curb the spread of the virus and manage the pandemic. In addition, the government recently announced one of the biggest palliatives to cushion the impact of the virus on vulnerable and marginalised groups in the country. These include notably amongst others, a R500 monthly increase to Care-givers whose children receive a Child Support Grant for five months and a cash transfer (Covid-19 Social Relief of Distress grant) of R350 for those who are unemployed for six months. These measures are commendable and truly show that the government is sensitive to the plight of the people.

While we commend the government for the measures taken so far, we are concerned that the measures are for a limited and fixed period and thereafter things will return to the status quo. We are especially concerned about the majority of South Africans of working age who are unemployed and who have no hope of a source of income after the lockdown. Those between the ages of 18 and 59 years who receive no or little income are not eligible for social grants in the current social assistance programme. Honourable Minister, our country is currently facing serious economic challenges, which has led to the downgrade of our economic status and further exacerbated the poverty situation in the country. According to Statistics South Africa (2019), approximately 49% of adults in the country are living below the upper bound poverty line. Noting the consistent triple challenge of poverty, unemployed and inequality which is not abating, civil society has consistently called for the social assistance to be extended by providing financial support to those who are unemployed between the ages for 18 to 59 years with little or no income and for a universal basic income grant. During the submission to the Committee on Economic, Social and Cultural Rights (CESCR) in 2018, civil society groups had expressed concerns about the high unemployment rate and the fact that a significant number

of our citizens of working age are without jobs. In its recommendations to the government, the CESCER acknowledged the effort of the government to reduce poverty through the provision of social grants. However, the Committee observed that the poverty level in the country is still unacceptably high. Therefore, it urged the government to increase the amount for social assistance benefits to a level that ensures an adequate standard of living in general, and introduce social assistance for those between the ages of 18-59 years with little or no source of income and has recommended that the South African consider a universal basic income grant. The CESCER further requested the government provide an update on the steps it has taken to implement the following recommendations by October 2020:

- The preparation of a composite index on the cost of living and access to social assistance for adults between 18 and 59 years of age with no or little income;
- Information concerning the proposed increased social grant to orphaned and abandoned children, and;
- Information concerning access to education for undocumented migrant, refugee and asylum-seeking children

We are concerned that there are no concrete measures or timelines in place to ensure that some of the recommendations of the CESCER will be fully implemented by the due date.

Therefore, in view of the above, we kindly request that government prioritises plans to ensure the full implementation of the recommendations of the CESCER before October 2020. In this regard, we request that the government convey a meeting with relevant stakeholders with a view of addressing the recommendations of the CESCER.

We look forward to hearing from you soon.

Sincerely yours,



Prof. Ebenezer Durojaye  
Head: Socio-economic Rights Project  
Dullah Omar Institute  
University of the Western Cape  
Email: [edurojaye@uwc.ac.za](mailto:edurojaye@uwc.ac.za)

Lynette Maart  
Black Sash National Director  
Email: [lynette@blacksash.org.za](mailto:lynette@blacksash.org.za)