

Human rights can be placed into two categories:

- a) Civil and political rights and
- b) Socio-economic rights (SERs)

Uniquely in RSA,
SERs are enshrined
in the Constitution

If the Government
Budget results in a
retrogression of SERs -
it must indicate the
reasons as well as the
measures it is taking

Given Covid-19 and budget constraints (which are likely to continue into the next few years), how do we focus on and protect SERs?

FFC has been deliberating on this and how it can add value to the debate. A seminar was hosted with the hope that the inputs and ensuing debate would serve to sharpen the FFC thinking. Thus:

*FFC seminar entitled: "Socio-economic Rights and the role of the FFC"
was hosted virtually on Thursday, 02nd September 2021*

The seminar comprised three presentations presented by experts: Servaas van Der Berg, Tania Ajam and Jaap de Visser. Some of the important issues raised in the seminar included:

Socio-economic rights: From the Constitution to budget implementation (Van der Berg)

Debates on basic education do not emphasise Educational Outcomes

Policies are nationally driven - little room for provincial contributions

Demographic shifts in aging of SA teacher population will have implications for future Educational Attainment

Socio-economic rights and the mandate of the financial and fiscal commission (Ajam)

Regarding SERs, FFC should cover: value for money, immediate and intermediate Sectoral Outcomes and developmental impact

To make influential recommendations on SERs, FFC must improve stakeholder management and provide user-friendly policy advice and packaging

The intersection of socio-economic rights, the courts and the mandate of local government (de Visser)

Constitution outlines the process for changes to division of powers/functions - not being followed

Court decisions have highlighted as well as led to gaps in IGFR architecture

IGFR not flexible in incorporating court's findings