

DEPUTY PRIME MINISTER'S OFFICE

DEPARTMENT OF SOCIAL WELFARE

ANNEX

**Questions and issues for contributions to Secretary-General Report pursuant
General Assembly Resolution 65/182**

Question 1: Please provide information on the current situation of the human rights of older persons, including particular challenges and threats that may prevent the full realization of their rights.

Question 2: Please provide information on existing legislations, policies and programmes to protect the human rights of older persons.

Question 3: Please provide information on existing legislations, policies and programmes to address discrimination against older persons, including measures to address multiple discrimination (e.g. discrimination based on age and gender).

Question 4: Please provide information on existing legislation, policies or programmes to address violence and abuse against older persons in the private and public spheres.

Question 5: Please provide information on existing legislation, policies and programmes addressing old age-sensitive services and facilities, much as those related to mobility, age-adequate design, long-term care, primary health care and adult and continuous education.

Question 6: Please provide information on existing legislation, policies and programmes concerning social protection measures as well as right to work and right to social security with regard to older persons.

Question 7: Please provide information on existing legislation, policies and programmes to systematically collect, update and analyze information disaggregated by age.

Question 8: Please provide information on existing legislation, policies and programmes to enhance participation and active engagement of older men and women in community, political and cultural life.

Question 9: Please provide information on existing legislations, policies and programmes to ensure to justice and judicial remedies for violations of the rights of older persons, including references to specific mandates of institutions such as national human rights institutions to address their rights.

Answer to Question 1

It is the mandate of the Department of Social Welfare (DSW) to provide comprehensive, integrated and equitable social welfare services that address vulnerability and poverty in partnership with key stakeholders in order to improve the quality of life of the Swazi Nation, especially the most vulnerable groups. Currently Swaziland is experiencing a wide range of social problems which are very complex in nature. Poverty, disease, drought, disasters, unemployment, rural–urban migration, and high death rates are major contributory factors to vulnerability in children, families and older persons.

The Department is recognized for its contribution in making a difference to the lives of vulnerable populations in the Kingdom of Swaziland including older persons, persons with disabilities, children and others. The DSW has survived under a range of challenges and has shown resilience in responding to respective changes it has undergone.

The Department of Social Welfare has a task of protecting and providing social assistance to vulnerable older persons who are currently facing challenges of poverty, neglect, abuse and ill health. There is also a challenge of older persons taking care of orphans and vulnerable children.

The Old Age Grant (OAG) was introduced in April 2005. Initially it provided a quarterly transfer of E300, equivalent to E100 per month, to poor older persons who are 60 years and above receiving a pension of E1000.00 or less per month; now it provides a quarterly transfer of E600, equivalent to E200 per month per elderly deserving person. It is estimated that roughly 49,000 older people obtained the OAG in 2006/07. Currently, it is estimated that 55,000 older persons receive the OAG, which is in the order of 5% of the total population for the Kingdom of Swaziland.

The OAG is a permanent social transfer with the obligation on government to meet the budgetary cost according to the number of individuals that are granted registration as recipients. In other words it comes close to being an entitlement or right of the citizens that can comply with its criteria.

Empirical evidence shows that the OAG has impacted many aspects of beneficiaries' lives as well as their household characteristics (HelpAge International, UNICEF, Regional Hunger & Vulnerability Programme, 2010). Considerable impacts have been noted both for the beneficiaries themselves, and for other members of their household. One of the most visible outcomes of vulnerability amongst the elderly is hunger and food insecurity, and receipt of the OAG undoubtedly seems to reduce these conditions in terms of meal frequency, meal quality, ability to purchase food (directly or indirectly), and benefiting from economies of scale by buying in bulk.

The role of farming (both crops and livestock) is an important livelihood activity, and based on an empirical survey sample, 43% of beneficiaries cited farming and selling goods as their main income source. This suggests that receipt of the OAG contributes cash which in turn contributes to farming activities which may otherwise be unfeasible.

Engagement in agriculture is, however, contrasted against the obstacle that exists in the form of decreased physical capacity and increased frailty, which is very likely to reduce the ability to farm as beneficiaries grow older.

Weaknesses and Challenges

Although the Department of Social Welfare has made tremendous progress in many of its initiatives with regard to social service provision to the elderly, there still exist some weaknesses which can be highlighted as follows:

- Resource constraints, which encompass limited office space, shortage of transport, inadequate personnel, and financial constraints.

Critical contextual challenges that the DSW needs to consider to strategically navigate its work in the next five years are:-

- that needs in the country outweigh the resources at hand and trade-offs need to be carefully negotiated; and
- the global economic recession has the impact of increasing the needs of the poor and vulnerable populations that the DSW services, especially older persons.

Threats

The Department of Social Welfare is currently faced with a number of threats which impact negatively in the operations and professional service delivery, especially with regard to older persons. The threats can be highlighted as follows:

- Lack of an active Social Workers' Association (SWA) and lack of a Council of Social Workers (CSW) to adequately address social problems as they relate to older persons;
- No specialized training on social work at tertiary level; lack of understanding of social work and lack of recognition of social work as a profession which may negatively impact social service delivery to the older persons; and
- Ever increasing number of clients demanding social services who may compete with the available resources for implementation of programmes for older persons.

Since inception, the OAG has been instrumental in reducing absolute poverty and food insecurity for older persons and their households. The distributive effects on household members, particularly with regards to nutritional status, education and health care are significant – this improves the lives and well-being of both the elderly and children, and other highly vulnerable groups in Swaziland.

Answers to Questions 2 to 9

QUESTION #	LEGISLATION	POLICY	PROGRAMME
<p>Question 2</p> <ul style="list-style-type: none"> • <i>Rights Protection</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • The Girl & Women Protection Act No.39, 1920 • The Marriage Act No. 47, 1964 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 • Anti Corruption Policy 	<ul style="list-style-type: none"> • Elderly Grant Programme • Social Dialogue Programme
<p>Question 3</p> <ul style="list-style-type: none"> • <i>Discrimination</i> • <i>Gender</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • UN Convention on the Elimination of All Discrimination Against Women 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 • Swaziland National Gender Policy, 2010 	<ul style="list-style-type: none"> • National Annual Action Plan to End Gender Violence
<p>Question 4</p> <ul style="list-style-type: none"> • <i>Violence and Abuse</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • Crime Prevention Act • Sexual Offences and Domestic Violence Bill, 2009 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 	<ul style="list-style-type: none"> • National Annual Action Plan to End Gender Violence

<p>Question 5</p> <ul style="list-style-type: none"> • <i>Mobility</i> • <i>Age-adequate Design</i> • <i>Health</i> • <i>Transport</i> • <i>Adult/Continuous Education</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • Public Health Act, 1969 • Complementary and Alternative Medicine Practice Bill, 2011 • Finance Regulations, 2010 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 • National Health Policy • National Transport Policy, 2000 • Decentralization Policy, 2005 • National Pharmaceutical Policy, 2008 • National Health Policy, 2007 	<ul style="list-style-type: none"> • National Health Strategic Plan, 2009-2014 • Elderly Free Medical Service Programme
<p>Question 6</p> <ul style="list-style-type: none"> • <i>Social Protection</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • National Disaster Management Act, 2006 • Financial Services Regulatory Authority Act, 2010 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 • Final Draft National Disaster Policy, 2011 • National Food Security Policy, 2005 • National Development Strategy, 1999 	<ul style="list-style-type: none"> • Elderly Grant Programme • Poverty Reduction Strategy and Action Programme, 2006 • Philani Maswati Project (Ageing & Orphanage Home)
<p>Question 7</p> <ul style="list-style-type: none"> • <i>Statistics</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • Statistics Bill, 2011 	<ul style="list-style-type: none"> • National Population Policy, 2002 	<ul style="list-style-type: none"> • National Population Census • Demographic & Health Survey • Swaziland Household Income & Expenditure Survey • Quality of Impact Measurement Survey

<p>Question 8</p> <ul style="list-style-type: none"> • <i>Community Participation</i> • <i>Political</i> • <i>Cultural</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 	<ul style="list-style-type: none"> • Elderly Grant Programme • Gender Dialogue Programme • Lutsango LwaKaNgwane Programme
<p>Question 9</p> <ul style="list-style-type: none"> • <i>Justice</i> 	<ul style="list-style-type: none"> • National Constitution of the Kingdom of Swaziland, 2005 • Universal Declaration of Human Rights • Criminal Procedure & Evidence Act No. 20 of 1938 	<ul style="list-style-type: none"> • National Social Development Policy, 2009 • Anti-Corruption Policy and Strategy 	<ul style="list-style-type: none"> • Social Dialogue Programme