



Fanelo

"It's Your Right"

Transforming Society. Securing Rights. Restoring Dignity
The South African Human Rights Commission Newsletter



Volume 21

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SAHRC launches report on Textbooks Delivery



#Bringbackourgirls



Conference on Ending Corporal Punishment



The June 16 Soweto Youth Uprising

The June 16 1976 Uprising that began in Soweto and spread countrywide profoundly changed the socio-political landscape in South Africa. Events that triggered the uprising can be traced back to policies of the Apartheid government that resulted in the introduction of the Bantu Education Act in 1953. The rise of the Black Consciousness Movement (BCM) and the formation of South African Students Organisation (SASO) raised the political consciousness of many students while others joined the wave of anti-Apartheid sentiment within the student community. When the language of Afrikaans alongside English was made compulsory as a medium of instruction in schools in 1974, black students began mobilizing themselves. On 16 June 1976 between 3000 and 10 000 students mobilized by the Soweto Students Representative Council's Action Committee supported by the BCM marched peacefully to demonstrate and protest against the government's directive. The march was meant to culminate at a rally in Orlando Stadium.

On their pathway they were met by heavily armed police who fired teargas and later live ammunition on demonstrating students. This resulted in a widespread revolt that turned into an uprising against the government. While the uprising began in Soweto, it spread across the country and carried on until the following year.

The aftermath of the events of June 16 1976 had dire consequences for the Apartheid government. Images of the police firing on peacefully demonstrating students led an international revision against South Africa as its brutality was exposed. Meanwhile, the weakened and exiled liberation movements received new recruits fleeing political persecution at home giving impetus to the struggle against Apartheid.

SAHistory.org

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Statement on Investigative Report: Delivery of Primary Learning Materials to Schools

The SAHRC released a report following its investigation into the non-delivery of textbooks in some schools. The report, released by Commissioner Lindiwe Mokate on the 29th May 2014 covers three years of intensive investigation that covered SA's 9 provinces.



Summary of Findings

The Commission found that there were vast disparities between provinces in terms of their proficiency and success at managing the delivery of textbooks. Some PEDs had greater success than others in the delivery of textbooks. However, acknowledging provincial variances in performance, the Panel identified a general and over-arching range of underlying causes that account for the challenges faced by the country in delivery of primary learning materials to schools. These include the following:

(a) Poor projection of demand at School level

The Commission found that not all schools managed to make accurate projections of the number of the learners that would enrol in each grade in the following academic year. In some instances the under-projection of demand was on account of the school's technical and managerial capacity to make meaningful estimates. In other instances, the variances were explained by the incidence of last minute enrolments and changes of subject choices.

(b) Poor communication infrastructure for rural Schools

The Commission found that in rural schools, the lack of modern modes of communication such as telephones, facsimile machines and internet access affected the ability of such schools to communicate their orders, confirm deliveries and report shortages to their respective Departments. The reliance on physical modes of communication caused unfortunate delays and errors in the delivery of materials to learners.

(c) Delayed and erroneous orders for learner materials by Schools

The Commission found that many schools either placed their orders for the supply of learner materials late, placed orders for the incorrect quantity, or in some instances did not place any orders at all. For the 2012 academic year, the Commission found that the CAPS Catalogue of learning material was released late in 2011. The phasing in of the CAPS system meant that certain school grades would receive new materials in 2012 and 2013. This meant there was a corresponding delay in the placement of orders and the delivery of learning materials to learners. It was also reported that in the same academic year, certain books were unavailable at the time schools required supply.

(d) Delayed procurement and payments processes by Schools

The Commission found that the supply of books to Section 21 schools was generally frustrated by the refusal of these schools to allow the Department to procure



Commissioner Mokate (2nd from left) giving a statement on the Delivery of Textbooks Report during a media launch.

books for them centrally. Other problems with Section 21 schools related to their failure to pay the publishers for consignments either on time or at all. This has caused late delivery of orders for materials, and the refusal of service providers to grant further credit to these schools.

(e) Poor delivery verification systems in Schools

The Commission found that in many schools, the School Principals did not carry out physical verification exercises to ensure that the materials that they had received were correct. This simple practical and procedural oversight has accounted for many of the instances of receipt of incorrect numbers and incorrect materials to schools.

(f) Inadequate datasets, statistics and record keeping at Provincial Department level

The Commission found that most of the Departments did not have an accurate record of the number of schools in their province, the

medium of instruction or the numbers of learners in each school. Consequently, Departments were largely unable to reconcile their supply records with delivery records. Therefore, whilst Departments claimed that their rates of delivery were high, further analysis revealed that these rates of delivery did not correspond to school records of receipt of materials. In part, although not wholly, this tended to be because schools place orders for material on the basis of their enrolment rates in the year preceding the year of delivery. Therefore, in instances where the number of learners in the school changed in the succeeding year, or where learners had registered change in subject selection, this would automatically result in delivery deficits.

(g) Poor budget management

The Commission found that one of the biggest challenges affecting almost all 9 provinces related to budget management. There appeared to be poor management of budgets allocated to PEDs for

the provision of learner material. In most provinces, the amount allocated to schools for the procurement of learning materials was consumed by the payment of staff salaries, often depleting that which was allocated for the procurement of materials. It was also apparent that Departments lacked mechanisms to track and monitor the spending patterns of schools.

(h) Inadequate procurement management systems

The Commission found that whilst certain provinces have elected to adopt a centralised model of procurement, other provinces and the National Department do not have a credible procurement system and distribution system that can be monitored centrally. It was reported that provincial IT systems do not interface with national IT systems. Consequently, this makes it difficult for national government to track, monitor, verify provincial and school expenditure on learner material.



Deputy Chairperson Pregs Govender, Commissioners Ameermia and Mokate listen to deliberations about issues affecting children in accessing their right to basic education

(h) Inadequate arrangements for the delivery of materials to learners with disabilities

The Commission found that there were significant challenges presented to learners who were blind or partially sighted in accessing primary learning materials. There appeared to be no coherent plan outlining the process for converting learning materials into Braille.

The difficulties in this regard appear to emanate from the absence of accurate statistics of the number of learners with disabilities; the inadequate sensitisation of educators and department officials to the requirements of such learners; the insufficient attention paid to learners with disabilities in rural areas; the lack of co-ordination within government as to how the challenges of design and development of learning materials for these children will be overcome.

Key Recommendations

In light of the findings of the Commission, the following are the main recommendations advanced by the Commission to address these chal-

lenges:

- 1) An independent National Audit of the LTSM Procurement and Delivery System and Process must be undertaken by the Department of Education to address the systemic challenges identified by the Commission;
- 2) A comprehensive data management system to track, record and update the number of schools and learners (per school, per district and per province) must be established.
- 3) A feasibility study that considers the development of a National LTSM Electronic System capable of interfacing with existing Provincial Systems must be undertaken;
- 4) Disciplinary Mechanisms to increase levels of accountability of School Principals for the timely and correct procurement of learning materials to schools must be put in place by the Department and School Governing Bodies;
- 5) Regulatory Mechanisms to monitor service delivery levels of private service providers must be put in place;
- 6) Communication infrastructure and equipment for schools in ru-

ral areas must be budgeted for and expedited;

7) A comprehensive and cohesive plan to address the design and development of suitable learning materials for learners with disabilities must be developed and implemented.

Way Forward

The Commission plans to take steps, including but not limited to the following, to monitor state compliance with the above-listed recommendations:

- a) Report to Parliament on the findings and recommendations of the Investigative Panel;
- b) Convene high-level advocacy engagements with key policy makers within National and Provincial Government to foster compliance with recommendations;
- c) Monitor and Assess compliance levels and impact of the recommendations over time, in consultation with key stakeholders;
- d) Conduct Awareness Sessions with Policy Makers and Implementors on human rights approaches to service delivery in the education sector.

Pf

Minister of Basic Education, Angie Motshekga must account for damning SAHRC report, DA

At the first available opportunity, the DA will write to the chairperson of the Parliamentary Portfolio Committee on Basic Education, requesting that the Minister on Basic Education, Angie Motshekga, be summoned to Parliament to account for her failings, as detailed in the South African Human Rights Commission's (SAHRC) damning report, *Delivery of Primary Learning Materials to Schools*, made public on 29 May 2014.

This comes after an investigation by SAHRC that found that there were sustained, vast disparities in textbook delivery between provinces, severely hampering the right of all children to basic education.

In 2012, under Minister Motshekga, the department failed to deliver textbooks to schools in Limpopo. Two years later, the contagion has been allowed to fester in other provinces.

The report is a clear indictment of the leadership and overall management of our education system. The time has come for those responsible to be held to account.

The Minister has responded to the findings, saying that the report is largely based on historical data, and that it now has credible systems in place. Minister Motshekga states that the textbook penetration rate is currently 99%. We have reason to seriously doubt this.

Textbook findings no surprise: IFP

May 30 2014 at 05:05pm
By SAPA

INDEPENDENT NEWSPAPERS

Johannesburg - The findings by the SA Human Rights Commis-

sion regarding textbook delivery and distribution to schools is not surprising, the Inkatha Freedom Party said on Friday.

"As (a) party we expressed our concern over the pupils because it's simply that they are not given the best education under this department," IFP KwaZulu-Natal education spokeswoman Thembeni KaMadlopha-Mthethwa said in a statement.

"The department of basic education did not know what was happening in the provinces because its computer systems were not synchronised with those of the provincial departments and therefore could not track deliveries of books."

KaMadlopha-Mthethwa said the department's lack of responsibility over the matter called for government to deploy new officials to the department.

DBE response to the findings

The Department of Education has responded to the Report by saying: "DBE has advanced significantly in all of these areas since the commission of the SAHRC report by parliament. Since the publishing of the preliminary report over a year ago in April 2013, the department engaged with the report and began affecting actions. The DBE as well as Provincial Education Departments have implemented many significant changes in its LTSM acquisition procedures. Most of the findings

and recommendations contained within the report are already being implemented or form part of the Departments plans going forward.

But the Department is appealing Textbooks Delivery Court case.

This include:

- The challenges identified in the SACMEQ III report released in 2007 indicating LTSM penetration at 45% nationally was addressed extensively by DBE. Already in 2012 CEM took a decision that there must be one textbook per learner for every subject. The

implementation plan indicated that this must be achieved by the 2014/2015 financial year and the relevant budgetary allocations were increased accordingly. By the end of the 2013/2014 financial year LTSM penetration had reached 99%. DBE is confident it will meet this target.

- Rural to urban migration, late or non-registration of learners by parents, parents who choose to move their children from one school to another or the relocation of families, among others remains a challenge.

SAHRC concerned about growing incidents of corporal punishment in schools



Experts in the Education Sector provided much needed solutions on Ending Corporal Punishment

The abuse of corporal punishment is significantly rising in schools following recent incidents reported in the media and complaints received by the Commission on the use of force against children in schools. The South African Human Rights Commission tackled these issues affecting children in schools through a two day conference hosted under the theme, “ending corporal punishment in schools”.

Despite the exercise having been banned in schools, the conference shockingly revealed that about 2.2 million children were found to be abused in some way in 2012, which violates the children’s rights to basic education and human dignity. It also reflected on some of the cases being handled by the Commission, including a recent case where a

learner in Ekurhuleni was beaten by a teacher and forced to wipe out her blood with a toilet tissue.

Through this conference the SAHRC explored ways to make schools safer and more child friendly with the aim of curbing the practice of corporal punishment as a form of discipline. The Commission further explored ways to derive a meaningful and equitable way forward for the children of South Africa by establishing a means through which it can monitor the situation.

The SAHRC Chairperson Mbedle L Mushwana emphasized during his keynote address that, “as a human right entity we must pose questions as to why corporal punishment continues to be applied in schools, which is very much against the law and the Constitution by those who are in parental

authority over minor children at schools and at home.”

He further indicated that as the Commission continues to receive complaints of corporal punishment, it is necessary to work in collaboration with civil society organizations, school governing structures and relevant government departments to ensure that we all work together towards a common purpose of ending corporal punishment in schools.

During the first day of the conference, a media press briefing was hosted to launch the report on non delivery of learning materials in schools, which has also been violating the rights of basic education of learners.

Children must enjoy their right to education in a Corporal Punishment free environment



The promotion and protection of the rights of the child, including the right to education, is one area within the Commission's broad mandate that as an institution, we deemed fit and appropriate to focus our attention on without relegating other rights to the periphery.

This broad mandate has given us the scope and latitude to also focus on those specific areas of human rights which, in our view, are still lagging behind largely due to the extent and the magnitude of the injustices of the past.

Children must enjoy their right to education in a setting and environment that is safe and upholds their dignity.

The gathering organized by the SAHRC in Johannesburg from 29th to 30th May 2014 provided an opportunity to chart a path towards the effective elimination of the perennial problem of corporal punishment in South African schools.

South Africa abolished corporal punishment in September 1997 and, seventeen years later, corporal punishment is still being applied by some educators in some schools and also parents and caregivers in some families and homes.

The abolition of corporal punishment is in line with international practices and indeed the fact that some of the corporal punishments that were meted out were severe and excessive and not conducive to the optimum learning environment or the proper development of the child.

Corporal punishment violates international human rights norms and standards and International human rights law which require States to protect children from corporal punishment, or what we should in actual fact call violence against children in schools.

For instance Article 19 of the Convention on the Rights of the Child requires State Parties to take all "appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has the care of the child(teachers)".

Further the African Charter on the Rights and Welfare of the Child similarly in Articles 16 and 17 requires States to take legislative measures to protect children from all forms of torture and inhuman or degrading treatment.

In addition, Article 11 calls upon States to ensure that discipline of

children, whether at home or in schools, respects their human dignity.

The Committee on the Rights of the Child has highlighted the State's obligation to prohibit and eliminate all corporal punishment in all settings, including juvenile justice systems.

The Committee has also stated that "addressing the widespread acceptance or tolerance of corporal punishment of children and eliminating it, in the family, schools and other settings is...a key strategy for reducing and preventing all forms of violence in societies."

Section 29 of the South African Constitution provides that everyone has the right to basic education. This right has been referred to by the courts as the most important right that is inherent to the children's human dignity.

As a mandated institution it is therefore imperative for us to ensure that this right is accessible to all and the human dignity of every child is always protected.

It is therefore of grave concern that there are still schools that continue to administer corporal punishment to learners.

This practice undermines the legislative law, which abolishes corporal punishment in this country, and indeed the Constitution.

Coincidentally the conference on corporal punishment was arranged during the "The Child Protection Week" which is a practice that is observed every year to highlight the importance of creating safer communities for children.

Corporal punishment must be ended

The Child Protection Week is the creation of the Department of Social Development, dating back to 1998, with its founding statement that reads: "This is done to create awareness amongst South African Communities about the shared role we each must play in safeguarding the children of our nation"

As Africans we are all aware of one of the oldest proverbs, which states that "It takes a village to raise a child".

Therefore the Child Protection Week which for this year started from 27 May and ends on 3 June, presents an opportune moment to reflect and deal with the theme or topic of this Conference, namely, "Ending Corporal Punishment in South African Schools".

As a human rights commission we convened the conference with all stakeholders, that include the Department of Basic Education, teachers unions, School Governing Bodies, Council of Educators, and others, with the firm view that our resolve should be:

- to embark on an arduous task of posing searching questions as to why corporal punishment continues to be applied, very much against the law and the Constitution, by those who are in parental authority (*loco parentis*) over minor children at schools and at home.
- Why this flagrant disregard of the law happens with impunity and where remedial sanction or corrective measures have been taken if any, are far less proportionate to the damage and harm caused to the child. Some of the cases of corporal punishment that we have adjudicated upon as a Commission, reveal serious harm and damage caused to the victim, who happens to be a child.



Adv Mushwana recently hosted pupils from Morris Isaacson and Protea Glen Secondary Schools as part of 'Take a Girl Child to Work' day

- As we ponder in retrospect the damage and harm meted out to the child, to work towards finding lasting solutions and strategies to end this endemic canning of children at schools and homes.

- As we continue to receive complaints of corporal punishment, it may be necessary for us as a Commission to work in collaboration with Civil Society organisations, school governing structures and relevant Government Departments to make sure that we all work and operate towards a common purpose.

We should constantly be reminded by the Text from the Prevention and Education Manual (Childline South Africa), which teaches us that physical punishment is not acceptable because it teaches children that hurting others is okay; it breaks down the relationship between parent and child or teacher and child; it may damage children physically; it opens the door to physical abuse; it damages children's development and many others.

In his article on corporal punishment, Sir Frank Peters states that: "A country that fails to invest in its children doesn't have a future - the children are its future. The healing process can begin by ridding its schools and madrasahs of the cruel, inhuman cruelty - both men-

tal and physical - together with the lawbreakers who perform it"

We dare not fail therefore as individual South Africans and collectively to demonstrate that we are serious about the future of this country and therefore our children are our priority today, tomorrow and forever.

As the South African Human Rights Commission we want to reiterate that corporal punishment must be ended as it violates the learner's rights to education and human dignity.

We believe that we should have a consensus that we need to start afresh, to re-evaluate and re-prioritise new initiatives to ensure that the role-players were sensitized to the prescripts of the law.

We also believe that there needs to be a roll-out of training for the teachers and school governing bodies throughout the country on corporal punishment.

And we should all shout in one voice and say that no learner should have to live in fear of physical violence administered by an educator, least of all as a formal method of discipline. **Pf**

Ending corporal punishment in schools requires commitment of all role players



Roleplayers deliberating on how to end Corporal Punishment

Despite having been abolished for 18 years, corporal punishment in schools continues with alarming frequency with the General Household Survey 2012, indicating that some 2.2 million children were made subject to the practise in this year. Of late, the SAHRC has noted a considerable rise of incidences of corporal punishment in schools.

Matters of this nature coming to the attention of the Commission include where a child was beaten with a blackboard duster, where a child was beaten with a broomstick, an instance where a child at a special needs school was struck by a teacher with a stick or an instance where a learner's head was hit against a desk by a teacher. Despite the fact that this issue is frequently reported on there is a considerable sense that this issue remains poorly understood and that interventions in this regard remain sparse and fragmented. In light of this, the South African Human Rights Commission ("SAHRC/the Commission") will be convening a national conference entitled "Ending Corporal Punishment in Schools", set to take place on 29 and 30 May 2014.

Corporal punishment is defined by the UN Committee on the rights of the child as 'any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light..It involves hitting or slapping a child with the hand or an implement (e.g. belts, canes etc.), kicking, shaking, or throwing a child, pinching or pulling their hair; forcing a child to stay in an uncomfortable or undignified position, or to take excessive physical exercise; burning or scarring a child (and the threat of any of these actions) as a form of discipline.'

The practice of corporal punishment in schools is contrary to the prescripts of the South African Constitution and international human rights norms and standards. It was outlawed in 1996 by section 10(1) of the South African School's Act 84 of 1996 ("School's Act") and further by section 3(4)(n) of the National Education Policy Act 27 of 1996 ("National Education Policy Act"). Section 10 of the School's Act specifically states

that, "(1) No person may administer corporal punishment at a school to a learner;(2) Any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a sentence which could be imposed for assault."Section 3(4)(n) of the National Education Policy Act 27 of 1996 states that,"...no person shall administer corporal punishment, or subject a student to psychological or physical abuse at any education institution"

Independent schools too, are prohibited from using corporal punishment. This was confirmed in the case of *Christian Education South Africa v Minister of Education* 2000 (4) SA 757. In this case, the application was brought by parents of learners who alleged that "corporal correction" constituted a vital part of their religious beliefs and the prohibition of the use of corporal punishment in schools violated their constitutionally entrenched rights to practise their religion. Through a balancing of interests, the court refused to exempt Christian schools from the prohibition.

Despite legal provisions which exist to protect children from corporal punishment in the school environment, statistics from the General Household Survey 2012 indicate that 15.8% of learners experienced some kind of corporal punishment in schools. Overall, this represents a marginal decrease from figures of 16.3% published in the 2009 General Household Survey. Despite this, considerable increases in incidences of corporal punishment are visible in some provinces, such as the Eastern Cape. In this province, the percentage grew from 25.5% to 30.3%. This province also has the highest incidence of corporal punishment in the country, followed by Kwa-Zulu Natal. Gauteng shows the largest



Provincial Managers at the 'Ending Corporal Punishment Conference'

Corporal Punishment has grown from 25% - 35% in the Eastern Cape

rate of reduction between 2009 and 2012, with figures of 11.7% and 4.6% respectively.

Through convening a conference on "Ending Corporal Punishment in Schools", the SAHRC aims to sensitise role-players to the nature and scope of the current situation; to understand the role of stakeholders in implementing the dictates of the law sanctioning corporal punishment in schools; to unpack the challenges to implementation of the law; to explore how to make schools safer and more child friendly through curbing the practice of corporal punishment as a form of discipline; to derive a meaningful, just and equitable way forward for the children of South Africa and to establish a means through which the Commission can monitor the situation going forward. Corporal punishment in schools is a challenge that requires the committed and intensive involvement of many roleplayers, if it is to be overcome. Constant vigilance is required on the

part of teachers, school-governing bodies, principals, trade unions, parents, caregivers, community members, non-governmental organisations and other independent institutions, as well as government to ensure the safety of learners at schools and to protect them from this form of physical violence.

will produce outcomes which contribute to the improvement of school life for children across the country, allowing them to be educated without fear or exposure to inhumane treatment through corporal punishment.

Pf

It is the sincere hope of the Commission that convening this event



Public Call for Proposals: Open Data

The South African Human Rights Commission (SAHRC) would like to make a public call for proposals from organisations with the relevant knowledge and capacity to conduct a feasibility study and assessment on South Africa's readiness for an open data portal. This feasibility study will be aimed at establishing a foundation for a road map to direct South Africa in launching the portal. Interested organisations must be willing to partner with the Commission, and work on a pro bono basis, or raise donor funds for the project.

The SAHRC is the national institution established to support constitutional democracy. It is committed to promote respect for, observance of and protection of human rights for everyone without fear or favour. The Commission was established under the Human Rights Commission Act 54 of 1994 and as provided for by the Constitution of the Republic of South Africa Act 200 of 1993.

Through its participation in the Open Government Partnership (OGP) platform, South Africa has developed an Action Plan which contains the establishment of an online open data portal to host environmental management information as a key target. This commitment has been echoed in the National Development Plan which speaks of making "more open data available" as a means through which to tackle corruption, increase government accountability and transparency, and further the objectives and implementation of the Promotion of Access to Information Act.

The SAHRC is engaging in a project to bring about the establishment of an online open data portal to host government information and data. Through strategic exercises aimed at strengthening the realisation of the rights con-



tained within the Bill of Rights.

The term open data refers to a movement which calls for the online public release of data. The release of such data is free from restrictions such as copyright, fees and patents, and able to be reused, desegregated and compiled with various other datasets by anyone. Increasing relevance has been assigned to the concept of open data as a function of open government, particularly in relation to development studies and within contemporary debates around democracy, which place emphasis on participatory governance and state accountability. Indeed, one of the most critical values of open data is the platform it creates to promote government transparency, to allow for citizens to hold government accountable, and to advance the meaningful engagement of citizens in policy-making. Open data has, therefore, been hailed as a digital revolution that has the potential to bring about radical social change by bridging the power-knowledge gap between government and society, and creating a paradigm shift in the way individuals, communi-

ties and civil society engage with public institutions.

The SAHRC is committed to facilitating the commitments made in the NDP and under the OGP to open data, in line with the Constitutional provisions for an open and transparent government, the realisation of the right of access to information and the legislated provisions of the Promotion of Access to Information Act (PAIA) in relation to the voluntary disclosure of information. The SAHRC open data project would include an analysis of the accessibility and usefulness of datasets and information released to improving livelihoods, enhancing political participation and aiding the demands of the public for sustainable development and social justice.

Proposals are to be submitted to Rachel Ward at rward@sahrc.org.za by the 6 June '14. The proposals will be independently reviewed before a suitable organisation is selected to partner with the SAHRC on this project.



Rights Abroad

Expert Accreditation Programme to build the capacity of African NHRIs

Opening remarks by Adv Mbedle L Mushwana, SAHRC Chairperson. The workshop was held from 12 - 16 May 2014- at the SAHRC Offices in Johannesburg

It is a great honor and privilege to have the opportunity this morning, on behalf of the South African Human Rights Commission, the Steering Committee of the Network of African National Human Rights Institutions (NANHRI) to welcome you to South Africa and in particular to the South African Human Rights Commission for this third and final phase of the NANHRI Expert Accreditation Programme.

Let me immediately extend my appreciation to the Raoul Wallenberg Institute (RWI) for their unwavering support to the NANHRI and their commitment to advancing human rights in Africa through building the capacities of African NHRIs to effectively address human rights.

As we may all be aware, the idea of piloting an Expert Accreditation Programme for NANHRI was borne from discussions between NANHRI and its partner the RWI.

The discussions sought to find solutions to the increasing shortages of Experts in the region in the area of Human Rights Training and specifically Experts who have practical experience in terms of the functions and roles of NHRIs.

This scarcity of resource persons has been ongoing for a long time with no tangible attempt being made to begin to mentor new talent and skills in order to build an institutional memory within the NANHRI and indeed to always have the availability of skilled resource persons to



Adv Mushwana at the accreditation workshop at the SAHRC Head Offices, Johannesburg

build capacities of African NHRIs on an ongoing basis.

The RWI remains an invaluable and cherished partner to NANHRI and we therefore take this opportunity to express our sincere thanks and gratitude for this continued collaboration.

We also thank the Swedish International Development and Cooperation Agency for the financial support accorded towards the implementation of this project.

It is envisaged that the experts under this programme shall therefore be called upon from time to time and when such a need arises to build the capacity of African NHRIs.

Let me also extend my congratulations to NANHRI for the important role it continues to play in advancing the promotion and protection of human rights within the Continent under very difficult and challenging circumstances imposed by both financial and personnel constraints.

But such challenges are also a reality for most NHRIs and it is thus important that we devise ways to harness the wealth of expertise and experience that rests with NHRIs.

The resource persons gathered here today represent only a fraction of the human rights expertise that lies untapped within NHRIs.

Thus, this project is a step in an im-



portant direction as it recognises that NHRIs themselves can contribute to their own successes through experience-sharing and knowledge transfer.

I also acknowledge the important role that each of your institutions played in facilitating your presence here today.

This represents a commitment to the process of strengthening our institutions as it is very important that NHRIs identify not only how they can benefit from the experiences of other NHRIs but how they too can facilitate the strengthening of other NHRIs.

I thus commend each one of the participants for accepting the call from NANHRI to participate in this expert accreditation project.

This will certainly enhance NHRIs' capacity to effectively discharge their mandates.

This being the final leg under the programme, I am acutely aware that this shall be a very busy week for you and I therefore take this opportunity to wish



Participants at the workshop eager to consume knowledge on accreditation

all of you the best in your preparations and subsequent presentations to the various audiences that you shall be meeting during the course of this week.

rights for our people, we find comfort in the knowledge that there are many dedicated individuals to the cause of human rights and who are willing to fight for these rights.

In conclusion, while we are faced by numerous challenges in our efforts to advance the realisation of human



SAHRC CEO Kayum Ahmed at the workshop

SAHRC's role in the promotion and protection of LGBTI rights

This is an edited speech delivered at the launch of the South African Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) programme at the Constitution Hill, Johannesburg, 29 April 2014.

By Adv. Lawrence Mushwana



It is apt that we took a moment of silence in honour of those who have lost their lives fighting for their right to be treated with dignity and without discrimination. I recall in 2008 the brutal rape and murder of Eudy Simelane and whose death forms part of the backdrop for addressing hate crimes in South Africa today.

I commend the Department of Justice and Constitutional Development and the other stakeholders for efforts being made to ensure that the rights envisioned by the Constitution are a reality for everyone and especially those who are vulnerable and marginalised.

SAHRC's role in the promotion and protection of LGBTI rights
The launch of this LGBTI Pro-

gramme comes at a time when not only South Africa, but Africa and the world at large grapple with the promotion and protection of human rights for LGBTI persons.

In South Africa, our constitution serves as our point of reference for upholding the human rights for all.

Our constitution further ensured the creation of custodian institutions that would support democracy, including through the promotion, protection and monitoring of the realisation of human rights in South Africa, such as the South African Human Rights Commission (SAHRC).

The SAHRC recognised the need to pay particular attention to the rights of LGBTI persons within the broader context of equality and, as the Chairperson of the SAHRC, I am tasked with overseeing the promotion and protection of the rights of this vulnerable and often

marginalized group.

Over the years the SAHRC has contributed to the promulgation and amendments of laws that were discriminatory against persons on the basis of their sexual orientation.

Today, South Africa has repealed all discriminatory provisions; which is indeed a landmark achievement.

Yet, in the years that these changes were being effected, levels of homophobia and attacks against homosexuals have increased.

The anecdotal evidence from media reports of murder, brutal rape and other attacks, especially against lesbians, bears credence to this alarming trend.

Public proclamations amounting to hate speech against LGBTI persons have found space in the media.

Recently the SAHRC held a round-



LGBTI community continue to feel neglected despite Constitution providing them with rights. Pic: The atlantic

Sexual orientation and gender identity is still deemed a sensitive issue

table on equality in Soweto, which included discussions on addressing rights of LGBTI persons and the ways to mitigate challenges experienced in the efforts to promote and protect their rights.

In its latest Equality Report (2012), the South African Human Rights Commission included a chapter on equality and sexual orientation. Several recommendations were put forward including:

That at “the systemic level, there needs to be a well funded and supported LGBTI sector, as well as alliances between LGBTI organisations and all other human rights organisations and defenders. All government departments (but especially those representing the criminal justice system) need to be held to account by, and work with, NGOs and rights defenders (including Chapter Nine institutions), and commit to processes and policies, which uphold the laws of the country. Social upliftment programmes, and economic policies which build a more equal society, can address the grinding poverty, which enables some of the excesses of discriminatory practice”; And that the “training of the civil service on issues around diversity, commitment to building greater consensus within government about the value of addressing LGBTI rights, and a meaningful commitment to an inclusive national identity, can help make the Equality Clause a reality rather than an ideal.”

Leading by example

The launch of this programme is thus a step forward in the journey for the pursuit of equality and justice for LGBTI persons.

It reinforces South Africa’s position within Africa as a leader in the promotion and protection of the rights of LGBTI persons.

Those who are marginalised look to South Africa to lead the way within the national, regional and international spheres.

Indeed, South Africa has taken a stance internationally by presenting the United Nations Human Rights Council’s resolution 17/19 on sexual orientation passed in 2011 which was the first-ever UN resolution to focus specifically on violations of human rights based on sexual orientation and gender identity.

Likewise the SAHRC has endorsed statements presented before the United Nations Human Rights Council in support of the promotion and protection of the rights of LGBTI persons.

In both instances South Africa was one of, if not the only, African voice affirming its commitment to equality for all.

We are thus fortunate that our legacy has taught us important lessons of freedom, dignity, equality and justice and that this has awakened us to grasp the essence of creating an environment conducive for diversity in all aspects including race, language and sexual orientation.

We also draw from international human rights norms and standards, which dictate the minimum provisions for the realisation of human rights for all.

Adhering to these norms and standards is a requirement for all States and I hope that other States in Africa and around the globe will use our experiences in addressing dis-

crimination and hate crimes against LGBTI persons as a point of reference and further that the South African government can share its experiences in promoting and protecting human rights for all and especially those who are vulnerable and marginalised.

Conclusion

Despite the many positive strides that have been made, sexual orientation and gender identity is still deemed a sensitive issue. Within many cultures around Africa and across the globe, homosexuality and gender identity were not spoken about. However silence is not an option because lives are at stake and there is a duty upon each one of us to uphold the dignity and promote the respect of rights for everyone. We need to end impunity by ensuring that the perpetrators of violence against LGBTI persons do not escape without penalty. The programme launched at the Constitution Hill during the month when we celebrate our hard-won freedom, provides an impetus to effectively address challenges that have hindered LGBTI persons in South Africa from truly living within a society that the Equality clause in our constitution envisioned. We have a duty to ensure that it is implemented within the spirit within which it was drawn.

The SAHRC looks forward to continuing working together with the Department of Justice and Constitutional Development, the various governmental departments and civil society in ensuring that all South Africans live as equals without fear, as was the dream twenty years ago.

Adv. Mushwana is the Chairperson of the SA Human Rights Commission.



OPINION: Let us observe how far we have come, honour June 16 heroes



Kebothhale Motseothata,
Visiting student

Being young in modern day South Africa is one of the best feelings in the world. The youth is finally free. Although it does not feel like we have acquired the ultimate sense of liberation, the hope that we will prosper and encounter opportunities lies as our only source of inspiration.

Thirty Eight years later, being young in South Africa means protesting against different kinds of inequalities. Where the struggles form various components of the ultimate struggle. The part where we are at war with ourselves because we struggle to find peace in our differences. Our struggle for liberation is now about fighting for our identities so that we can be fully recognised as human beings and not as a danger to society. The struggle is for us to be fully recognised as human beings capable of transforming the world into what it could be, regardless of skin colour or background.

In this twenty years of freedom, being young in South Africa means refusing to allow circumstances to dictate our future. The South African youth has now shifted

from fighting against Afrikaans as a medium of instruction, to fighting against modern day economic slavery as the only means to an end. The youth now demands quality education and better opportunities. Our minds are walking treasures and we deserve to have our value acknowledged for the betterment of society.

We, the youth, are the leaders of tomorrow and we deserve to be heard and taken seriously. We need to be taught about the nature of growth in order to carry forward the light of our leaders. We are currently blinded by material things and our only aim is their acquisition. We seek our worth in toxicity and are losing our cultures, manners and traditions in the process. We mistreat each other and torment our elders. We waste more than we save and complain more than we work.

In this information era, we grasp things that delay us than those that enrich us. We are more fortunate than the youth of 1976, yet we are blinded by the nonchalant ills of this world. This freedom was fought for, students were gunned down for it and the least we can do is fight in their honour for legitimate places in society. This is not the time to facebook our vanity, but to connect with our brothers and sisters all over the country and continent. This is the time for us to put our heads together and find solutions.

Being young in South Africa means having ideas and not knowing who to pitch them to. It means having talent, but allowing the industries that are supposed to nurture it, exploit it. We all aspire to be in the limelight because that

seems to be the only place where money comes easily. We don't read enough and express ourselves enough. We bully each other for being different and our accents determine how seriously we are taken as well as how far we go.

Being a youth in South Africa is the most pleasant, yet difficult thing in the world. Especially when you do not have much to sustain yourself. When your path is a mystery to you and your inadequacies remain your constant obstacle. When you constantly wonder if your voice will ever be heard and understood. You struggle to find paths of peace and the journey of bringing about a different kind of revolution feels like a far fetched, unrealistic dream. Where the fighters of yesterday have abandoned us for the pursuit of tenders and power. The healing and restoration of the country burdens your shoulders and the hope of saving yourself and your family is the only thing that keeps you going.

The only way to truly honour those who struggled to make this democratic South Africa existent, is to observe how far we have come and how far we still need to go. The youth is not as active in healing and restoring the nature of this country as it should be. But being young in South Africa also means having hope. It means acknowledging one's opportunities and being grateful that one has a source of light. It means getting up and fighting each time we fall and believing that nothing is impossible. The diversity and beauty of our country is inspiring and through it, the spirit of the youth of 1976 lives on. The youth will one day bring change.

Pf

South Africa decide: 2014 election results overview



Total valid votes:	18,402,497
Spoilt votes:	251,960
Total votes cast:	18,654,457
Voter turnout:	73.43%
Registered population:	25,381,293

Party	Voters	Percentage	Seats
ANC	11,436,921	62.15%	249
DA	4,091,584	22.23%	89
EFF	1,169,259	6.35%	25
IFP	441,854	2.40%	10
NFP	288,742	1.57%	6
UDM	184,636	1.00%	4
VF PLUS	165,715	0.90%	4
COPE	123,235	0.67%	3
ACDP	104,039	0.57%	3
AIC	97,642	0.53%	3
AGANG SA	52,350	0.28%	2
PAC	37,784	0.21%	1
APC	30,676	0.17%	1

SADC observer mission satisfied with Elections

26 May 2014

The Southern African Development Community (SADC) wishes to welcome you at this media conference and thank you for honouring our invitation this early in the morning.

It is an established practice for SADC Member States to observe elections in the region as part of regional efforts to strengthen democracy. SADC regards elections as an important component of the region's democratic dispensation.

In observing elections, SADC Electoral Observation Mission (SEOM) assesses the extent to which the electoral process was credible, peaceful, transparent, free and

fair as provided for in the SADC Principles and Guidelines Governing the conduct of Democratic Elections.

Consistent with the established practice, the South African Government invited SADC to send an Observation Mission to the 2014 National and Provincial Elections.

His Excellency Hifikepunye Pohamba, President of the Republic of Namibia and Chairperson of the SADC Organ on Politics, Defence and Security, officially constituted the Observation Mission and mandated the SADC Executive Secretary to facilitate the deployment of the Mission.

President Pohamba appointed me in my capacity as Minister of Foreign Affairs of the Republic of

Namibia to head the SADC Electoral Observation Mission (SEOM) to South Africa.

The Mission arrived on 21 April 2014 and observers underwent a two-day refresher training course. The Mission consisted of 188 observers who were deployed in all nine provinces of South Africa. The Mission was preceded by the SADC Electoral Advisory Council (SEAC) assessment mission that took place from 26 to 29 March 2014, to assess the level of preparedness and readiness of the country to hold the 2014 National and Provincial Elections. The SEOM was assisted by the SADC Electoral Advisory Council (SEAC) during the election period.

SEOM consulted different stakeholders in fulfilment of its mandate in order to gather information on various aspects of the electoral process. Interactions with these stakeholders greatly assisted SEOM to understand the legal framework and political environment of the country.

SEOM observed that electoral campaigns were generally peaceful. Contesting parties demonstrated political tolerance and maturity. However, there were incidents of inflammatory statements made by some parties that were inconsistent with Section 99 of the Electoral Code of Conduct. SEOM also noted that there were sporadic incidents of violence and intimidation during campaigns in some provinces. Some of these incidents were related to service delivery protests and industrial actions.

SA elections free and fair

Access to public media is one of the key principles governing democratic elections in the SADC region. During the electoral campaign, SEOM noted that air-time was equitably allocated to political parties by the public broadcaster, the South African Broadcasting Corporation (SABC) on the basis of their representation in the National Parliament. SEOM also noted that political parties were invited by the public broadcaster to participate in debates.

SEOM noted that the Independent Electoral Commission conducted its work of managing the elections in a transparent and professional manner. SEOM noted the presence of political party agents at voting stations, as well as domestic and international observers deployed throughout the country.

SEOM teams observed both the opening and closing of the voting stations and noted that the procedures were in conformity with the provisions of the Electoral Law of South Africa. SEOM teams also observed that voting materials such as ballot papers, ballot boxes, voters' roll, indelible ink, were in place at the various voting stations visited. However, SEOM also observed that not all the materials were delivered on time which resulted in delays of the opening of some voting stations.

Furthermore, the layout of voting stations enabled easy flow of the voting. The perimeters were also clearly marked with directions. Throughout the exercise, SEOM observed that the flow of voters was generally orderly and the voting continued until all voters who were in queue at the voting stations before the closing time, were allowed to cast their



South Africans, including born-frees took to the polls in the 5th democratic elections. Pic: CTV news

votes. SEOM observed that voters who needed assistance were assisted to cast their votes.

SEOM observed that counting started immediately after the closing of the voting stations. The prescribed counting procedures were adhered to.

SEOM also observed that political party agents as well as domestic and international observers were present during the voting and counting process.

The SEOM also observed that counting officers announced the results immediately after counting as provided for in the Electoral Act.

CONCLUSION

SEOM observed that despite some short-comings and concerns, such as the late opening of some of the voting stations, delay of the delivery of some voting materials, and sporadic incidents of violence, such

short-comings and concerns are not of such magnitude as to affect the credibility of the overall electoral process.

Guided by the SADC Principles and Guidelines Governing Democratic Elections, SEOM concludes that the 2014 National and Provincial Elections were peaceful, free, fair, transparent and credible, reflecting the will of the people of South Africa.

SEOM urges all political parties, and other stakeholders, to respect the will of the people in line with the Laws of the Republic of South Africa, and the SADC Principles and Guidelines Governing Democratic Elections. Any complaint relating to the electoral process should be referred to relevant legal dispute settlement mechanism of the country.

Finally, on behalf of the SEOM, I would like to express our gratitude to the people of the Republic of South Africa for their warm welcome and cooperation during the work of our mission.

Commission for Gender Equality reflects on elections

The 2014 National and Provincial Elections occurred on the 20th year of the advent of democracy in South Africa. As a constitutional body supporting democracy and primarily mandated to promote, protect and advance gender equality, the Commission for Gender Equality (CGE), therefore utilized the occasion of the 5th national democratic elections in South Africa not only to observe South Africans of all races, ages and socio-economic backgrounds exercising their right to elect a government of their choice, but also to observe the democratic principle of gender equality expressing itself through the ballot box as a measure of progress, 20 years after the advent of democracy in this country.

The CGE sent a team of Election Observers across the country to observe a total of 198 polling stations, spread across all the nine provinces. Our Observers utilized an observation tool that enabled them to observe and note the various stages of the process of voting on Election Day. In particular, the CGE's Team observed the various stages and aspects of the process, including the opening procedures, the voting process throughout the day and the closing procedures as well as the technical management and overall conduct of the election process from a gender equality perspective. It was imperative for the Commission to ensure that no systemic factors were allowed to impinge on the right of the voters, irrespective of their gender, to exercise their democratic right to choose their government. Our Observers paid attention to the level of participation of women and men in the elections process, noting any factors that could potentially play a role in undermining or enhancing the right of both men and women to vote. It was important also to observe



Born frees all smiles as they queued to vote for the first time.

Pic: The Citizen

the different categories of men and women such as the disabled, pregnant women, young men and women, the elderly, men and women from disadvantaged rural communities and those at risk of not being able to exercise their right to vote due to gender discrimination.

The CGE is pleased to declare that no formal/legal and political factors were observed and deemed to have undermined the right of both men and women to vote. We are also pleased to convey a message of approval and support for the work of the Independent Electoral Commission (IEC) in managing the 2014 National and Provincial Elections.

The Commission does, however, recognize that any task of this magnitude - especially in a country such as ours where socio-economic, geographic, literacy, financial and even gender related factors continue to define the quality of citizenship of millions of South Africans - is bound to encounter numerous practical challenges, and some of our observers did note many of these challenges on the day

of the election. As part of its mandate to support South Africa's democracy, the CGE is currently drafting its detailed election observer report containing findings and recommendations to be discussed directly with the IEC. The aim is to ensure that the Commission for Gender Equality contributes directly towards the improvement of the quality of citizenship of South Africans irrespective of their gender, thereby enhancing their ability to exercise their democratic right to choose their leaders through free and fair electoral processes.

Keketso Maema,
Chief Executive Officer (CEO)
Commission for Gender Equality



Pic: Lateral Union

In the Seat with Aubrey Mdazana

*Human Rights Advocacy and Research Officer,
Eastern Cape*



Tell us about Aubrey in a nutshell?

Aubrey is a loving father of three children in marriage, two boys and the youngest, a daughter, an apple of her father's eye. I see myself as a selfless, down to earth person who would sacrifice everything in his endeavour to promote harmonious interrelatedness in his space. Coupled with that, I love to promote peace and mutual coexistence in my engagements with all irrespective of one's background. This is premised on my passion for my culture, which inculcates amongst the many values, the value of 'ubuntu'.

Where were you born and how was it growing up?

I was born and bred from a small town of Fort Beaufort, in a little but

very historic place of Healdtown where the likes of Nelson Mandela, Robert Sobukwe, and the exhaustive list of top politicians, academics and business leaders one could come to think of in South Africa, studied. Growing up in that kind of an environment offered me with no options but to subscribe to the doctrine of Christianity, something that the entire community embraced, under the stewardship of the Methodist Church of Southern Africa (John Wesley).

My upbringing was not entirely a bed of roses as I lost my dear mother at tender age, thanks to the maternal love of my grandmother, uMaRadebe, who, like a hen, took us (and my siblings) under her wings and nurtured us until we could see the light of day. She, together with my father, would always stress the need to be educated, as they were, as they had nothing else to offer outside of that. To them, education was the only key to unlock all doors in life.

Educational Background?

Despite the challenges of growing up, some of which I have managed to overcome, I have acquired the following higher education qualifications; a Bachelors degree, a Higher Education Diploma, an Honours degree, a Further Education Diploma, a Masters degree in Human Rights, a Post Graduate Diploma in Management from the

Universities of Fort Hare, Pretoria, and Nelson Mandela Metropolitan University, all in record time. My studies were more into education, same as it has been with my profession until I could find resonance in working for an institution that I imagined being a vehicle in shaping our society for the better.

Describe your position at the Commission and explain what it means holding that position?

I am Human Rights Advocacy and Research Officer, earlier known as the Education Officer, Education and Training Officer. Reflecting on these, one gets to have the impression that I do not really know who I really am in terms of my position. Despite all of that, I enjoy the kind of work that I do as it brings fulfilment in life. I take so much pride and comfort knowing that any little thing, as part of my work, can make a tangible difference to someone else's life. I find my position interesting as it brings out the best in me as an agent of change. This becomes more fulfilling as and when my work gets to benefit the impoverished, the poor, those in the peripheries of our society.

In summary can you take us through your day at the Commission?

My daily routine as and when I am in the office is to switch on my little radio and listen to some of



the interesting debates in SAFM whilst perusing through the local newspaper taking particular interest on matters that have a direct bearing and/or find relevance to the work of the Commission, particularly those that have relevance to my work. This, I always believe, provides opportunities not only for possible intervention but further enlighten me in terms of the work that I do.

Outside of that one, I would undertake some desktop research work on a whole range of issues particularly, including but not limited to the confines of the predetermined APPs but also to some of the topical issues that are part of the invitations and/or requests made to the Commission for possible intervention.

Liaising with external stakeholders forms the basis of my engagement with the outside world. One would utilise the existing database as well as extend my engagements to include other like-minded entities in effort to establish relationships. Needless to indicate that this has proved less stressful in terms of not only implementing our APPs but also to ensure that the Commission is able to benefit from the resources of our external (potential)stakeholders in an effort to pursue the agenda of the Commission.

My views about the Commission

My personal view with regard to how the institution goes about conducting its business does

not auger well with me. When I joined the institution, I held the institution in high esteem as the champion of the poor. However, having been with the institution for a number of years, it has been a frustrating experience. I guess I share similar sentiments with many of those who may have had an encounter with the workings of the Commission.

By way of an example, it cannot be that an institution of this nature would prioritise one element of its Constitutional mandate over and above the other as it was the case in the past financial year/s – the protection aspect. It was never an accident of history that the promotion aspect should assume precedence in our endeavour to execute our mandate. This is particularly relevant especially against the backdrop that many of our people are, over centuries, beginning to experience freedom that provides for such mechanisms. The cross-cutting approach to advocacy does not necessarily come closer in addressing that ‘late realisation’ (of not putting the cart before the horse). Only when a strengthened advocacy programme can we confidently deal with all other elements of our mandate. Come to think of it; when you have an established human rights culture (a utopia), there would be less and less complaints, government would move swiftly in executing its mandate. I hope this does not expose my ignorance and/or naivety.

Day outside of the office?

My day outside of the office is characterised by engaging in some form of debates with my

friends on a whole range of issues ranging from politics to social life in general. Outside of that one, as and when I manage to find time to myself, I prefer reading books, least would be fiction. Generally, I like watching TV with a particular focus on constructive debates on societal challenges, sport, and of course watching movies as well as documentaries particularly those that have a bearing on us as a nation.

Favourite activities?

Being with my family stands out but I also like to listen to music when in the company of friends, outside of us debating issues. In addition, growing up in a rural community means that you will have from time to time to be part of that ‘family’ and share with them their challenges in an effort to contribute to their livelihoods. This has become routine, especially on weekends.

Any interesting thing that people don't know about you?

I love my people!

Tell us the compliment you get most frequently from people?

“If I were a church leader, they would join my congregation”. My response has always been that I am not sure whether I can walk the talk. There are established processes and ‘Rome was never built overnight’ and that they must persevere, the light is starting to shine in the horizon.



It's Keri's Day

SAHRC Legal Officer Keri Ellis says I do

It is Human Rights Day, the 21st March 2014, and Western Cape Legal Officer Keri Ellis and Bernice Kannie shared nuptials during glittering reception in Hout Bay, Cape Town. The couple met in 2010 and have been together since 2011. Keri, an American, has been volunteering at the Western Cape office since October 2012, focusing on complaints involving socioeconomic rights. Bernice is a Kaapstad born and bred. About one hundred guests of all ages attended the matrimonial ceremony which took place on a beautiful rare sunny Cape Town morning. Among the who's who at this candidate-for-a-wedding-of-the-year were many of the staff of the Western Cape office, accompanied by their families. Guests came from near and far, the furthest from Anchorage, Alaska, almost halfway around the world from Cape Town. "We were deeply moved by the love and support of everyone who attended and who sent well wishes before and after."





1. Guests greet the newly married couple with bubbles and good wishes, 2. Bernice and Keri 3. Keri with her mother Jean. 4. From left – Jennifer Komorowski (friend of the couple), Zena Nair (Senior Legal Officer, Western Cape), Melanie Lue Dugmore (Provincial Manager, Western Cape), 5. Bernice, marriage officer Virginia Spies, Keri. 6. From left – Gina Perez (friend of the couple), Tammy Carter (Senior Legal Officer, Western Cape), Zena Nair (Senior Legal Officer, Western Cape), Warren Daly (friend of the couple), Julian Masimila (HURAP Officer, Western Cape)

Pfanelo wishes Keri and Bernice **all the best in their marriage**



“Transforming Society, Securing Rights, Restoring Dignity”

Youth making change happen



**Oscar Nwandzule,
Commissioners Programme**



Winds of change continue to blow across our country as we watch the celebration of twenty years of democracy. Propelled by youth, these changes are evident in our fifth parliament where some of the youngest members of Parliament are ushering a new change through political parties. For many young people who voted for the first time in their lives during the

May 7 National elections, these youth are part of the new generation that will take forward the vision of a democratic South Africa. Part of the elements of this vision should be a commitment to human rights.

During the month of May 2014, over sixty young people from Katlehong, Ekurhuleni attended and participated in an Arts exhibition hosted by Office of the Chief Executive Officer of the South African Human Rights Commission. These youth represented a wide spectrum of society; women, men, youth with disabilities, the employed and the unemployed youth, some with formal education and others without, youth with different sexual orientations etc. To me these youth were not different from those of 1976 who woke up in the streets of Soweto to protest, not only against the use of Afrikaans as a medium of instruction in schools, but to demand a new change where they would be treated with dignity in society. Their demand for human dignity was tied to a national call for equality.

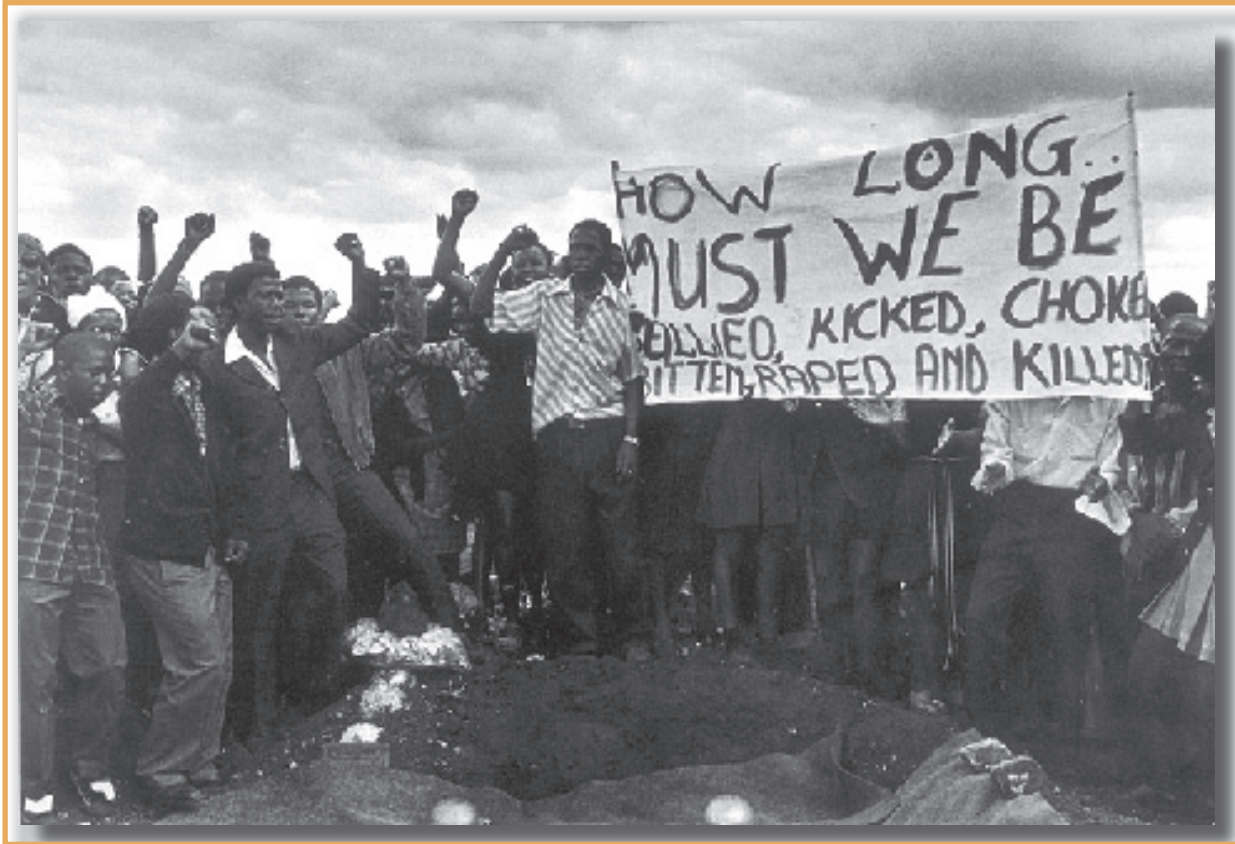
The youth of Katlehong woke up to a new reality when they walked into

the doors of the South African Human Rights Commission. The Art Exhibition provided and canvas for understanding of human rights to the youth of Katlehong in all its multi-faceted and multi-layered interrelatedness. From the installation of a chess board with chess pieces that are all the same (as opposed to the usual pieces of King, Queen, etc) to an installation of the National flag which fades in colour; the art exhibition presented a unique opportunity for learning what human rights mean to South Africa.

As a young person who is privileged to work at the Human Rights Commission, I reflect on what it would mean to be a new member of Parliament, or a youth from Katlehong experiencing an art exhibition for the very first time, or to be a young person struggling against poor service delivery, or to be a young mine worker at Marikana having to decide whether go to work or stay away. What sets me and my peers within the Human Rights Commission apart is my exposure to understanding human rights. This essentially is what inspired this article.

As a young person, I am inspired by change leaders such as Tsietsi Mashinini, Nelson Mandela, Malala Yousafzai, and those who the media refer to as nameless youth. As a young person working in a human rights environment, I look to those less privileged and I see possible work for the Commission. Given our advocacy focus for 2014, I suggest that more interventions should be done with youth. I hope that those youth in parliament, in Katlehong, in Boitumelong and even in the Commission, are inspired by the words of former President Mandela, "young people are capable, when aroused, of bringing down towers of oppression and raising the banners of freedom." We are change agents only if we are human rights activists at heart.

Memories of June 16



Witness Ndala reflects on 16 June 1979



Witness Ndala
Personal Assistant to the Chief Financial Officer

I was 13 years old and I was in Grade 7 (Standard 5). We were

the first group that year 1976 to be taught in Afrikaans. Everyone was frustrated including teachers.

16th June 1976 was very cold and we were in the middle of our half year examinations. My friend came to me running and showed me a poster written "Away with Afrikaans" that belonged to her brother and the sister who were in high school and as a young person I did not understand what all this was about. , She told me that they did not sleep preparing these posters. She was so excited

and informed me that they were going on a march.

Firstly, I did not know what a march was until I saw it that day. We went to school as usual but at 09h00 pupils from high schools came to tell us to go out of our classes to protest against being taught in Afrikaans.

Police started to shoot the marchers and there was chaos all over. Most students were shot and others were arrested. Some of us managed to escape and survived.

New Cabinet Announced

President

Jacob Zuma

The Deputy President

Cyril Ramaphosa

MINISTERS

1. The Minister in the Presidency
Minister - Mr Jeff Radebe.

2. The Minister of Women in the Presidency
Minister - Susan Shabangu.

3. The Minister of Justice and Correctional Services
Minister - Michael Masutha.

4. The Minister of Public Service and Administration
Minister - Collins Chabane.

5. The Minister of Defence and Military Veterans
Minister - Nosiviwe Mapisa-Nqakula.

6. The Minister of Home Affairs
Minister - Malusi Gigaba.

7. The Minister of Environmental Affairs
Minister - Edna Molewa.

8. The Minister of State Security
Minister - David Mahlobo.

9. The Minister of Telecommunications and Postal Services
Minister - Siyabonga Cwele.

10. The Minister of Police
Minister - Nkosinathi Nhleko.

11. The Minister of Trade and Industry
Minister - Rob Davies.

12. The Minister of Finance
Minister - Nhlanhla Nene.

13. The Minister of Agriculture, Forestry and Fisheries
Minister - Senzeni Zokwana.

14. The Minister of Water and Sanitation
Minister - Nomvula Mokonyane.

15. The Minister of Basic Education
Minister - Angie Motshekga.

16. The Minister of Health
Minister - Aaron Motsoaledi.

17. The Minister of International Relations and Cooperation
Minister - Maite Nkoana-Mashabane.

18. The Minister of Rural Development and Land Reform
Minister - Gugile Nkwinti.

19. The Minister of Higher Education and Training
Minister - Bonginkosi "Blade" Nzi-
mande.

20. The Minister of Economic Development
Minister - Ebrahim Patel.

21. The Minister of Transport
Minister - Dipuo Peters.

22. The Minister of Mineral Resources
Minister - Ngoako Ramathlodi.

23. The Minister of Social Development
Minister - Bathabile Dlamini.

24. The Minister of Public Enterprises
Minister - Lyn Brown.

25. The Minister of Sport and Recreation
Minister - Fikile Mbalula.

26. The Minister of Labour
Minister - Mildred Oliphant.

27. The Minister of Arts and Culture
Minister - Nathi Mthethwa.

28. The Minister of Public Works
Minister - Thulas Nxesi.

29. The Minister of Small Business Development
Minister - Lindiwe Zulu.

30. The Minister of Energy
Minister - Tina Joemat-Peterssen.

31. The Minister of Science and Tech-

nology
Minister - Naledi Pandor.

32. The Minister of Cooperative Governance and Traditional Affairs
Minister - Pravin Gordhan.

33. The Minister of Communications
Minister - Faith Muthambi.

34. The Minister of Human Settlements
Minister - Lindiwe Sisulu.

35. The Minister of Tourism
Minister - Derek Hanekom.

Did you know

South Africa has 20 men and 15 women Ministers as well as 20 men and 16 women deputy ministers.

Former Gauteng Premier, Nomvula Mokonyane has been appointed Minister of Water and Sanitation

SAHRC has released Water and Sanitation Report which revealed urgent need for the government to address water and sanitation in the country.

The report found among others that: government does not engage sufficiently with communities and that there is complete lack of communication and access to information.

A lack of access to adequate water and sanitation impacts on most peoples' right to education, health and environment.

A few communities complained of the environmental impacts of poor sanitation and the quality of water sources.

The report is available on www.sahrc.org.za

Don't rush Marikana probe, SAHRC cautions

Thursday, 15 May 2014 08:49

SAHRC Oral evidence before the Farlam Commission of Inquiry should not be rushed, the SA Human Rights Commission (SAHRC) said on Wednesday. The Commission is investigating the deaths of 44 persons during strike-related

violence at Lonmin's Marikana mine in August 2012, including the fatal shooting of 34 protestors by police on 16 August of that year. SAHRC spokesman Isaac Mangena made known that the SAHRC had made an application to cross examine Captain Paul Loest, the Commander of the Tactical Response team during the Marikana shooting, for two-and-half hours, but was granted only an hour. He stated that to complete the witness's evidence in one day undermined the inquiry's credibility. "Loest is a vital witness given that he was the commander of the

tactical response team line which is alleged to have killed 17 people. There are a number of vital matters on which Loest will not be cross-examined and his evidence will not be tested," Mangena said. He indicated that the SAHRC has lodged a formal complaint contending that the Marikana Inquiry was being rushed. He also expressed concern over President Zuma's decision to remove government responsibility from the scope of the Commission's investigation.

Presidential Inauguration

Commissioners Malatji and Ameerma attended the inauguration



1. From left: commissioner Nomasonto Grace Mazibuko - CGE, Sebenzile Matsebula - committee of the UN-Convention on the Rights of Persons with Disabilities, Winnie Madikizela-Mandela, Commissioner Malatji, and Mantsibile. 2. Comm Ameerma, Former speaker of the National Assembly - Frene Ginwala, Commissioner Malatji



A welcome celebration within the Commissioners' Programmes

On a cold Monday morning, the Commissioners' Programme was abuzz with energy as staff gathered to celebrate and welcome Commissioner Mohamed Ameer-mia as well as Nobesuthu Cekiso, his new Personal Assistant. The welcome was hosted by the Commissioners' Programme Planning Team; Hellen Makwana and Melina Mojapelo (whom Commissioner Ameer-mia has renamed as the National Planning Commission). The session provided an opportunity for Commissioner Ameer-mia and Nobesuthu Cekiso to get to know members of the Commissioners' Programme and to forge



great team work within the Commissioners' Programme. Amidst the laughter, eating cake; the session also required all to share a secret with Commissioner Ameer-mia and Nobesuthu Cekiso. Everyone laughed at Commissioner Ameer-mia's secret.....but this is a secret that only the Commissioners Programme will keep forever.

Commissioner Ameer-mia is the Focal Commissioner for Housing and responsible for provinces; North West and Free State. Nobesuthu brings a wealth of experience having worked in Internal Audit. We welcome them on board.

Happy Birthdays

Anelisa Bulana - 03 June (HO) Carol Ngwenyama - 05 June (MP)

Judith Cohen - 06 June (WC) Chantelle Williams - 08 June (NC)

Cindly-Lee Hangone - 08 June (WC) Rudzani Mambani - 08 June (HO)

Musa Mchunu - 09 June Thabo Mphore - 12 June (FS)

Sibongiseni Tula - 14 June (HO) Sizakele Ntoyi - 15 June (HO)

Nompumelelo Sobekwa - 20 June (HO) Nonandi Diko - 20 June (WC)

Siyasanga Giyose - 26 June (HO) Lauren O'Reilly - 22 June (GP)

Heriette Buga - 26 June (HO)

Phillip Molekoa - 29 June (GP)

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Facebook: SAhumanrightscommission

Human Rights Calendar Days

11 July - World Population Day

New Employee

Tshepang Sebulela - Research Associate Human Rights Advocacy

Promotion

Nobesuthu Cekiso - PA to Commissioner Ameerma