

Iifanelo

"It's Your Right"



Volume 23

The South African Human Rights Commission Newsletter

01 - 31 August 2014

Wathinta abafazi, wathinta imbokodo!



SAHRC commemorates Women's Day

More in this issue:

SAHRC goes all out to
celebrate Mandela Day



**SAHRC releases
three main findings**

Women's Day?

The 1956 Women's March, Pretoria, 9 August

'Strijdom, you have tampered with the women, You have struck a rock.' So runs the song composed to mark this historic occasion

9th August Union Buildings © Baileys Archives

By the middle of 1956 plans had been laid for the Pretoria march and the FSAW had written to request that JG Strijdom, the current prime minister, meet with their leaders so they could present their point of view. The request was refused.

The ANC then sent Helen Joseph and Bertha Mashaba on a tour of the main urban areas, accompanied by Robert Resha of the ANC and Norman Levy of the Congress of Democrats (COD). The plan was to consult with local leaders who would then make arrangements to send delegates to the mass gathering in August.

The Women's March was a spectacular success. Women from all parts of the country arrived in Pretoria, some from as far afield as Cape Town and Port Elizabeth. They then flocked to the Union Buildings in a determined yet orderly manner. Estimates of the number of women delegates ranged from 10 000 to 20 000, with FSAW claiming that it was the biggest demonstration yet held. They filled the entire amphitheatre in the bow of the graceful Herbert Baker building.

SAhistory.org

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Despite legislative change, there is still high levels of inequality, Govender

The South African Human Rights Commission Deputy Chairperson, Pregs Govender, is concerned about levels of inequality in the country. Speaking at the Public Interest Law Gathering at Wits on Improving Collaboration Between Civil Society & Chapter Nine Institutions, Govender stated that “apartheid’s spatial geography has kept inequality alive. Poverty remains in these geographic areas”

Govender narrated how the SAHRC is sometimes at the centre of political war when making findings especially from complaints lodged by political parties. “When we made finding against the DA led City of Cape Town over unenclosed toilets, the City did not respond to the recommendations and the complainants who included the ANC Youth League in the Western Cape took the matter to court to force the City to implement the SAHRC recommendations. During the period we were labelled as biased towards the ANC.” she said.

However, after the finding got more attention, the DA in the Free State lodged a similar complaint of unenclosed toilets against the ANC led Moqhaka Municipality. In both these findings the Commission raised concern that the erection of unenclosed toilets violated the people’s Right to Dignity as enshrined in the Constitution.

Subsequent to making findings against City of Cape Town and Moqhaka, people came forward raising concern over water and sanitation challenges and the Commission embarked on nationwide hearings. Ordinary women without any formal structure representing them came to raise their concern and frustrations to the Commission over lack of water and sanitation. “The commission invited DPME, Department of Water Affairs to hearings to answer to the people on how they are



SAHRC Deputy Chairperson Pregs Govender speaking at the Public Interest Law Gathering

planning to sort out challenges regarding access to Water and Sanitation. Following the hearings the Commission launched the report and handed it to the Department of Water Affairs and the Chair of Portfolio committee on Housing for implementation.

Following Govender’s presentation she was asked on how civil society could help to put more pressure for Commission’s recommendations to be implemented. Govender responded by citing how pressure from civil society in the City of Cape Town unenclosed toilet finding and action to take the matter to court assisted in speeding the implementation. “The ANC Youth League in the Western Cape and civil society groups like SJC lobbied in the case and they took the matter to the high court. Civil society can assist the Commission by putting more pressure in the media.

On the questions of collaboration between Chapter 9 institutions and civil

society Govender indicated that there is a structure called Forum for Institutions Supporting Democracy which is created to look at how these institutions should support each other to put more pressure on Government to implement findings, work on collaborative advocacy projects, investigations etc however, the structure does not include civil society.

Other organisations that presented in the session included the commission for Gender and Equality; and Sonke Gender Justice.



SAHRC concerned about lack of transformation in SA Universities

The South African Human Rights Commission (SAHRC) remains deeply concerned about the lack of transformation taking place in South African society 20 years into its democratic dispensation. Even more concerning is the spike in racist incidents at institutions of higher learning in the country.

It is for this reason that the SAHRC decided to host a National Hearing focusing on transformation at universities in South Africa. The first phase was held on 31st July and 1st August 2014. Second phase is earmarked for early September.

Achieving substantive transformation at institutions of higher learning is not only a human rights issue, but more importantly, these institutions are central to the development of our country's knowledge economy.

In 2001, the SAHRC released a report into initiation practices at educational institutions in South Africa. This followed the death of a student at Stellenbosch University arising out of an initiation programme in 2001. The SAHRC was tasked with investigating the prevalence of initiation practices at these institutions and to provide recommendations as to how such practices were to be regulated and harm to students avoided.

The SAHRC's report concluded that such initiation practices violate the rights of students to, inter alia, dignity, equality, freedom from violence, cruel and inhumane punishment, and enjoyment of culture and use of language.

The report recommended that the State deal with the prevalence of

such practices through regulations in terms of the Schools Act and the Higher Education Act.

In addition, it recommended the use of the National Education Plan to provide a framework to transform an institution and its culture. With specific reference to orientation programmes, the recommendations highlighted the dignified way in which these were to be conducted in the future and set out the ideal goals such programmes are meant to strive towards achieving. Finally, the report condemned initiation programmes and recommended that they be abolished.

Noting that this year marks 20 years celebrating South Africa's democracy, the SAHRC is of the view that it is an opportune time to assess the progress made and to understand the challenges identified in respect to implementing the recommendations contained in our 2001 report. The more recent decision to embark on this process was spurred by a complaint received in 2012 from the Higher Education Transformation Network (HETN) regarding the death of a student, Mr Thabang Mokhoang, who is alleged to have died during an orientation programme at the North West University (NWU). Amongst other aspects, the SAHRC was requested by the DHET to determine what role discrimination may have played in Mr Makhoang's death.

Whilst the Commission has elected to allow other bodies seized with the criminal and civil aspects of this incident to complete their work, the Commission has seen the need to review more broadly the underlying and systemic factors that enable discrimination to persist in

Universities around the country.

It is acknowledged that complaints relating to racism and other discriminations are not isolated to the NWU in particular. As recently as February 2014, and at the University of the Free State (UFS), it was alleged that two white students drove over a black student as he was walking on the pavement and later beat him. The case is currently before the courts.

This reported incident follows the so-called "Reitz 4" racist video saga, which occurred at the same institution, the UFS in 2008, wherein the SAHRC played a significant role in contributing towards the reconciliation process between the parties involved.

The SAHRC is aware that various interventions have been implemented regarding initiation practices and incidents of racial discrimination at universities with varying degrees of success. Accordingly, the SAHRC is interested to learn what lessons can be learnt from a sample of universities around the country as to the steps that have been taken by universities to deal with complaints of discrimination, in its various forms, since the SAHRC's 2001 Report.

The scope of this hearing will address challenges, progress and best practices of transformation at the levels of academic, non-academic staff and student body. This multi-level enquiry will enable the Commission to achieve a holistic approach to its recommendations for future institutional transformation. The Hearings are the first of a se-

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Transformation at universities still a major challenge

ries of information-gathering mechanisms that will solicit data from a variety of stakeholders including the Department of Higher Education and Training, Vice Chancellors, Student Representatives, and organisations representing both academic and non-academic staff.

The process will also not be limited to Hearings alone, but will employ various methods of information gathering, in order to ensure that the process is as inclusive as possible.

The Hearing Panel is led by the SAHRC's Chairperson, Adv. ML Mushwana, supported by an additional Commissioner and an external advisor.

The SAHRC hopes that the findings and recommendations emanating from this Hearing process will provide Parliament and policy-makers with the necessary insight required to improve both government and institutional frameworks, and ensure that structural and systemic impediments to the effective implementation of transformation are addressed.

At the end of the process, the Commission will issue a Report with findings and recommendations that will be made public. Due to its Constitutional mandate, the SAHRC is in a position to monitor the effective incorporation of its recommendation in future policies.

Twenty-years into the country's democratic dispensation, the SAHRC remains deeply concerned about the lack of transformation taking place in South African society.

For the 2013/2014 financial year, roughly 45% of its complaints concerning the right to equality were race related.

Pf

SAHRC finds no fault in “women murder” complaint

The South African Human Rights Commission has found no violations in the complaint by musician Steve Hofmeyr, the Freedom Front Plus, and others over statements made arising from a research report on the murder of women in South Africa.

The Commission received about 23 complaints following a research report calling on several academics participating in the research to apologise for their statements regarding femicide in South Africa. The complainant to the Commission was that the academics in question had made statements indicating that South African women had a greater chance of being murdered by their lovers or partners than a black man and that the comments were tantamount to hate speech.

In the articles, journalist Nechama Brodie and researcher Lisa Vetten, both employed by the website Africa Check, and Professor Naeema Abrahams of the Medical Research Council (MRC), quoted a study published by MRC of female homicide in South Africa which provided statistics indicating that the majority of white South African women killed in 2009 and 1999 were killed by their intimate partners.

“A White woman has a better chance of being murdered by her lover or partner than by an unknown Black man. We should not overlook the real problem,” wrote Ms Brodie in a newspaper on the 29th June 2013. “Claims that white women are likely to be murdered by “unknown black males” amount to racial scare-mongering. The vast majority of women who are murdered in South Africa die at the hands of their husbands,



boyfriends and lovers,” added Ms Vetten on July 17th, 2013.

The Commission considered relevant legislation, jurisprudence of the Courts, the context of the comments, the specific statement complained of, the methodology regarding independence of the content of the research and the contextual background thereof, and was unable to classify the type of speech complained of as hate speech or comment which warrants restraint or censure.

The Commission therefore finds that the statement that white women are more likely to be killed by their intimate partners in South Africa does not constitute hate speech and racial discrimination but is protected expression in terms of the Constitution and South African law.

The Commission views the comments by Professor Naeema Abrahams, Ms Nechama Brodie and Ms Lisa Vetten as falling in line with Section 16 of the Constitution which provides for Freedom of Expression, and in particular, Section 16(1)(a) for freedom of the press and other media, (b) freedom to receive or impart information or ideas and more especially (d) academic freedom and freedom of scientific research of the Constitution. Pf

SAHRC is concerned about the arrest of peaceful healthcare protestors

The South African Human Rights Commission (SAHRC) wishes to express its concern at the arrest of peaceful protestors staging a sit-in at the Free State Health Department's Head Office on Thursday, 10 July 2014. We have been advised that most of the protestors are women health care workers expressing dissatisfaction

with the state of health care in the province and the alleged dismissal of about 3000 community health workers.

The Commission has on various occasions including its report into healthcare in South Africa, socio-economic rights reports, as well as its findings on violations of the

right to access healthcare, expressed grave concern about the state of public healthcare facilities across South Africa.

We will therefore continue to monitor the situation in the Free State and engage directly with provincial and national government officials on this matter. **Pf**

SAHRC calls on Government to act on initiates' death



Initiation death are on a rise in South Africa Pic by Timeslive

The South African Human Rights Commission (SAHRC) would like to express its deepest concern at the continued deaths of the initiates at the circumcision schools across the country. Several initiates have reportedly died in the Eastern Cape and across the country the number is expected to rise as more schools receive initiates with the inland schools in recess.

We commend the Commission

for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL) who informed the SAHRC that there is an ongoing engagement with the Presidency to bring to end the ever increasing death of the initiates.

According to the CRL Report of June 2014, this cultural practice has so far claimed about 486 lives in the past seven (7) years. While as a human rights institution we respect the observance of all cultures, we can-

not accept and tolerate a cultural practice that leads to the death of children and the youths. Of all of the guarantees enshrined within our Constitution, the right to life is the most fundamental.

The SAHRC partnered with the CRL in convening public hearings on initiation schools in 2010. A number of recommendations were made on how these processes, particularly ritual circumcision, could be made safer.

The Commission intends to enquire further into the progress of the uptake of these recommendations and what further guidance is required in order to properly control these traditional and cultural practices.

The SAHRC therefore calls upon the Presidency and the CRL to do everything possible to bring to an end this endemic carnage without delay.

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Rights and responsibilities regarding initiation

Initiation Practice

What is male initiation?

*Male initiation in South Africa refers to a cultural practice that marks the transformation of young men to adulthood.

*The cultural practice of male initiation involves circumcision.

*Male initiation prepares young men to be responsible men in society.

What should you know about male initiation?

*You should be healthy and fit before undergoing the cultural practice of male initiation.

*All young male initiates must consult their local healthcare centre beforehand.

* All initiates should involve their elders before undergoing the cultural practice of initiation.

* Initiation schools that meet all the requirements of health and safety must be registered with the relevant authorities.

What are your rights and responsibilities regarding male initiation?

It is your right to:

* receive health education, good quality healthcare and counselling

* adequate supervision by an adult or care-giver you trust

* an approved traditional surgeon/ healthcare practitioner to perform the circumcision

* clean hygienic equipment

* demand the registration certificate of a prospective initiation school.

It is your responsibility to:

* communicate any problems you may have to your parents, care giver, healthcare worker, social worker, friend, etc.

* report any illegal or unregistered initiation

Source: gov-zas



Ms Vivienne Basson apologises for racist Facebook postings



The SAHRC has received and accepted an unconditional apology by Ms Vivienne Basson who was accused of discrimination on the basis of race and culture following her post of Facebook earlier this year. The apology was received during a conciliation meeting with Ms Basson recently.

The Commission was alerted in April 2014 through the media to comments made by Ms Basson on social media platform Facebook.

The comment included words that appeared discriminatory on the basis of race, culture and ethnic or social origin: "Effing k****r taxi. And once again I vote for the death penalty. These savages don't (sic) deserve to live...they can rot in hell."

Even though the respondent published an apology for the "unnecessary and hurtful remarks" following an outrage from the public, the Commission decided to pursue this matter further with Ms Basson in the interest of fully understanding the contextual background of the comments, her intent and to address the matter more fully in terms of our Constitutional mandate – which is to ensure that the rights contained in the Bill of Rights are not violated and that appropriate redress is provided where rights have been violated.

During the investigation Ms Basson expressly took responsibility for the comments and the language she used in the post on

Facebook, and she indicated her acceptance that this had been wrong.

Ms Basson expressed sincere remorse for the hurt caused by her utterances, and, despite the actions she already took, she again indicated and reiterated her unequivocal repudiation of her comment, and further, confirmed that she had removed same from her social media profile.

The Commission subsequently recommended that Ms Basson tenders an official unconditional apology to the Commission, and through the Commission to all members of society.

Ms Basson has written an apology, saying:

"I (Ms Basson) hereby tender my summary and unequivocal apology to the public, the Commission and the individuals who were adversely affected and/or hurt or offended by the comments made by myself on Facebook in the manner described in this agreement. I therefore truly and genuinely apologise for making such statements. I accept the recommendations of the Commission herein and undertake from this date onwards to refrain from, by word and deed, conducting myself in a manner associated with hate and hurtful speech or racism in the form complained about."

The Commission recommends that the members of the public accept this apology and deems this matter henceforth resolved.



SAHRC finds against City of Cape Town over temporary sanitation



Deputy Chairperson, Pregs Govender with members of the Commission during water and sanitation inspecting in Khayelitsha


The problem with Mshengu

The chemical toilets were provided by Mshengu Services. Between 2010 and 2013, the city paid Mshengu over R100-million to install and maintain the bright blue chemical toilets around informal settlements. The company was contracted in June 2010, and since then myriad problems have been reported.

The toilets are not fastened to the ground, and can easily topple in windy conditions. Residents in Khayelitsha have been forced to defecate in bushes in instances where the portable toilets have fallen over.

Although there is meant to be a ratio of five families to one toilet, the SJC report concluded that an average of 17 families are expected to share one portable toilet. Informal settlers have said in the past that the state of uncleanliness in these facilities is unbearable, with the smell forcing people to turn to the bushes on hot days.

According to the SAHRC, Mshengu toilets are the “primary sanitation facility” for 93.4% of residents in informal settlements.

“The problem with the Mshengu is that they are only cleaned once a week, and there are many people living in our area, so they get full very quickly,” said Nthuthuzelo Vika, a 25-year-old resident in Khayelitsha who has used the chemical toilets for four years. 

This article appeared on the Dailyvox www.dailyvox.co.za

The South African Human Rights Commission (SAHRC) has found that the City of Cape Town’s use of temporary chemical toilets as an on-going means of ablution is racially discriminatory against black African people. RA’EESA PATHER reports.

“The [City] violated the right to basic sanitation of the residents of the informal settlements where chemical toilets were deployed on a long-term basis,” it said in its findings, adding “This violation indirectly unfairly discriminates against persons of the specified racial group.”

The Social Justice Coalition (SJC), a Chapter Nine institution working primarily in Khayelitsha, which requested the SAHRC investigate the matter, described the finding as a “big victory”.

Axolile Notywala, a member of the SJC, said the report showed that black people are not treated the same as the city’s non-black residents.

“People living in informal settlements

are treated as visitors, are not treated the same as people who live in formal areas, as people who live in rich areas across the city,” Notywala said.

“We’ve been saying that the City doesn’t have a plan for access to basic sanitation services. It provides services on an ad hoc basis,” he added.

The SJC prompted the investigation after it conducted a week-long audit on non-flush toilets in four settlements in Cape Town. Fieldworkers audited 256 toilets and interviewed residents about their experiences and found that half the toilets were in an “unusable condition”, 170 toilets were damaged and, according to residents, a third of the toilets had not been cleaned in the week prior to the audit.

It later filed a complaint against the City of Cape Town, accusing the city of violating people’s rights to dignity, privacy, basic sanitation, and a healthy environment.

De Lille's attack on SAHRC shameful

Serious question: Has Cape Town Mayor Patricia de Lille taken leave of her senses? Writing in her newsletter last week, she launched a scurrilous attack on the South African Human Rights Commission, suggesting that the commission's recent report on sanitation in the City of Cape Town was part of the ANC's 2016 local government election campaign.

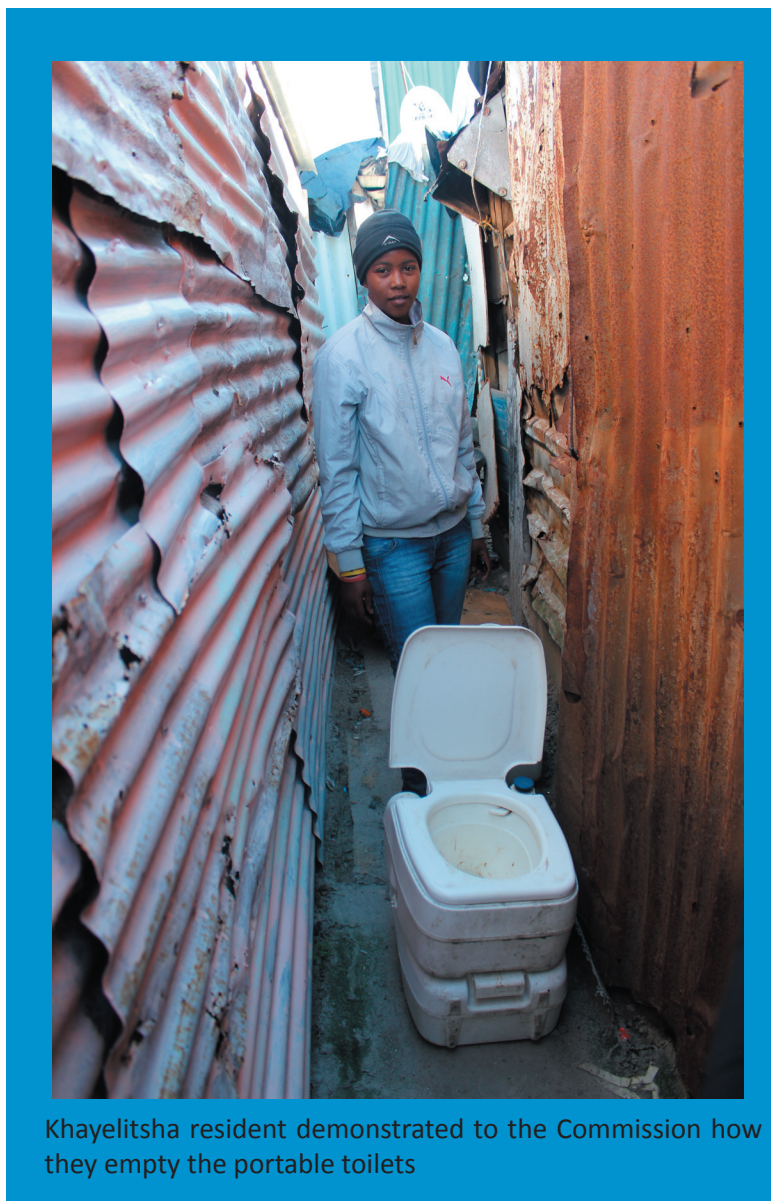
This is a serious allegation to make against a Chapter 9 institution, so must either be that she's right - or, and this the more likely of the two, she's lost touch with good judgement and is being willfully obtuse.

The report in question criticises Cape Town's basic sanitation programme. It says the city's provision of chemical toilets in informal settlements on a long-term basis and its application of emergency guidelines to determine the sufficiency of sanitation in non-emergency situations (i.e. in informal settlements) was inadequate, unreasonable and a violation of the rights of those residents.

The report also said because the city's actions disproportionately affect residents in the "black/African" demographic, they constitute an indirect form of institutionalised unfair discrimination on the basis of race.

No big surprise

Little in the report will surprise anyone acquainted with the SAHRC's prior work on sanitation, or sanitation issues in general. Nor will the report likely surprise residents of the city's informal settlements, many of whom complain that the city is impervious to their plight



Khayelitsha resident demonstrated to the Commission how they empty the portable toilets

and acts in an imperious, unilateral manner.

The Social Justice Coalition, the Khayelitsha-based activist organisation that brought the complaint to the commission, certainly expected the findings.

This alone should have given de Lille pause before she sloppily suggested the commission had, as party to some politically aligned ploy, singled out Cape Town. The truth is that the commission was respond-

ing to a complaint about the city brought to it by an organisation based in the city. But, instead of being rational, de Lille decided to make remarks that undermine public trust in the SAHRC and impugn the integrity of Pregs Govender, the deputy commissioner who signed off on the report.

The mayor surely realised she was not offering a fair and considered response when she accused the commission of "playing the race

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Sanitation: ANC vs DA and other illusions

card". The term is shorthand used by those who'd rather not see racial discrimination to describe the actions of those who point out racial discrimination.

So, she essentially attacked the commission for doing its job of investigating and reporting on racial and other forms of discrimination, institutionalised or not, without fear or favour.

ANC vs DA and other illusions

In her response, de Lille was at pains to play up that Cape Town by most official metrics, and unlike many ANC-run municipalities, had the highest levels of access to sanitation. But there are a few things wrong with this.

Firstly, it is of no comfort to the city's residents who are without adequate sanitation to be told that people elsewhere have adequate sanitation. It doesn't help either for them to be told that many more people in ANC-run municipalities are also without.

To offer this in mitigation is nothing but PR directed to the DA faithful to keep them numb to the fact that their beloved party is also objectively not meeting its obligation to provide services to those who need them. And for de Lille to expect a pat on the back from the commission for this is immature.

Secondly, what the official metrics tell us is limited, as evidenced by the de Lille's reply, which counted portable flush toilets (PFTs) as adequate. Many residents have rejected PFTs, calling them glorified



Nomvuyiseko Mapasa of the Western Cape Office inspecting toilets in Kayelitsha

versions of the bucket system.

They offer no privacy, are prone to leaks and their cleanliness is dependent on an erratic servicing schedule offered by contractors hired by the city. These toilets appear not to have been included in the SJC's complaint, so the commission only dealt with them at a cursory level.

Nonetheless, they too are a type of chemical toilet, subject to similar issues as those the SAHRC said infringe the rights of residents in informal settlements to equality and dignity.

The city's said before that PFTs are temporary. However, in Khayelitsha alone, they are in 8 600 homes (and growing), according to de Lille. And from how she celebrates their roll out and counts them as adequate, it's clear that the reality is that the city is using this short-term, emergency solution as a permanent fix.

Back to the drawing board

The commission's recommendations direct the city to develop, within six months, new norms and standards for basic sanitation and a new emergency housing programme that incorporates human rights principles.

And contrary to de Lille's claim of being singled out, the commission also recommended, based on this complaint, several changes to national policy that will have effects throughout the country - yes, in ANC-run municipalities, too.

You'd think then that de Lille should be proud that Cape Town served as the basis of recommendations to improve national sanitation policy.

You'd think, but you'd be wrong, though mercifully not as wrong as de Lille was for her unseemly attack on the SAHRC.

This article by TO Molefe appeared on News24





“ICC advocates for increased recognition of national human rights institutions in New York”

“ICC advocates for increased recognition of national human rights institutions in New York”

General Assembly, New York. Image courtesy of <http://www.unfoundation.org/what-we-do/issues/united-nations/the-general-assembly.html>

The Chairperson, Adv Mabelde Lourence Mushwana led an ICC delegation to New York from 9 to 13 June 2013. The ICC primarily advocates for the rights of national human rights institutions (NHRIs) in Geneva which is the human rights capital. In recent years, there has been an increased recognition of the role that NHRIs can play in the promotion and protection of human rights by the General Assembly in New York. The GA has passed several resolu-



tions that speak to this role with the most recent being adopted in December 2013. This resolution calls for the support for NHRI participation in UN system-wide processes and is the culmination of many years of ICC advocacy at the UN in New York. As a direct result of the adoption of this

resolution, The ICC Chairperson together with the ICC Secretary, Regional Network Chairs and Regional Coordinators from Africa, Americas, Asia-Pacific and Europe and ICC staff members held a series of meetings with State representatives in the effort to build support for NHRIs through the creation of a network of “Friends of NHRIs”. The Friends of NHRIs would work closely with the ICC and NHRIs to ensure continued support for NHRIs especially in the GA and New York UN human rights processes in general.

The ICC also held a side event during the 7th Session of the Conference of State Parties to the Convention on the Rights of Persons with Disabilities (CRPD). The side event titled “Actions Speak Louder than Words: Transforming Words into Action-National Human Rights Institutions and the CRPD was held on 10 June 2014. Commissioner Bokantla Malatji, who is tasked with advancing the promotion and protection of the rights of persons with disabilities attended the side event and shared the Commission’s experiences with monitoring the implementation of the CRPD in South Africa. The side event was also aimed at raising awareness of the role that NHRIs can play in UN human rights mechanisms based in New York.

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“Transforming Society, Securing Rights, Restoring Dignity”

This article appeared
on Unfoundation

In the Seat

with Nobesuthu Cekiso
Personal Assistant to Commissioner Ameerma



Call Centre Certificate, Computer Literacy and Certificate in Office Administration with Rosebank College. I also completed Diploma in Logistics and Supply Chain Management with Intec College in 2013.

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

The ten years that I have worked at the Commission in different programmes means a lot to me. I have learnt a lot from working with different people. I had to study and understand their characters. As a PA to Commissioner Ameerma I believe that I am at the right position at the right time where society at large needs people that can stand up for the truth and protect the rights of vulnerable people in our Country.

Tell us about Nobesuthu in a nutshell?

Nobesuthu Cekiso is a friendly, loving and caring person. I am a mother of five children, four girls and one boy Yanga, Asiphe, Chwayita, Qhamani and Milani. In addition to my children I take care of my brother's son Lukhona. I describe myself as a strong courageous and independent woman who does not fear any challenge in life.

Where were you born and how was it for you growing up?

I was born in the Eastern Cape, in a small village called Hota at Cala. I am a first born from four children. I was raised by my grandmother who has taught me a lot about life. Her name was Nozolile Cekiso, who passed away during the month of August in 2007. I grew up from a disadvantaged family, but that did not hold me to dream big about my future. My grandfather was a Head

Man (uSibonda) who had a lot of sheep, despite the house hold duties of being a girl, I was also a shepherd taking care of the sheep. I used to be treasurer of my Grandmother, who would always go with me when she goes to make grocery for the family. I was able to save her money by selling sweets and fish bread at school. I remember when the school was going on tour, I had managed to pay fees out of the profit that I made from the stuff that I was selling.

The teachings that I have gained from my grandparents are the ones that keep me going.

Educational background?

I attended Primary School at Hota J.SS and completed Matric at Mathanzima S.SS. Due to financial constrain, and lack of understanding the importance of education by my grandparents, Matric was the highest level according to them. I had to come to Johannesburg to look for employment. I have managed to do

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

First thing I do before I start my work is to Pray and thank God for protecting me on the road while I was coming to work and ask God to guide me and give me wisdom to handle all the work that requires my attention for the day.

Day outside office?

I participate in Church activities as a member of Women's Manyano who believes in God. I am a good advisor and motivational speaker to those that lose hope in life more especial the Youth. I also attend Community meetings and participate in youth Development Programmes.

What motivates and inspires you?

I believe that every individual was created for purpose and the creator deposited different gifts and talents to all of us. I get motivated when I

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"Transforming Society, Securing Rights, Restoring Dignity"

From page 21



helped someone in need without expecting any reward from my effort. I know that my reward will come from Heaven. I respect people the same way that I would also like to be respected. Women of Mzantsi, we should love one another and stand firm and not be shaken as we are the pillars of our homes and society in general.

Favourite activities?

I like singing gospel, listening to music and reading inspiring books .

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

I like to be hands on, I don't like failure. I like peace, happiness and joy wherever I go. I like to laugh. My grandmother taught me that is should always smile and laugh to avoid stress.

Tell us more.....

I am a person that likes to see everyone happy despite the challenges that we sometimes face in life. **Pf**

Did you know that Nobesuthu?

- * Attends Bethesda Methodist Church and is a lead singer (not on idols)
- * Is Politically conscious and heads Nehawu at the SAHRC
- * She is known by her peers as Nobs
- * Used to be a PA to head of Audit

SAHRC staff and Commissioners extend their sincere condolences to Nobesuthu and her family following the passing of her father. He will be buried on 16 August 2014.

Why Business and Human Rights?

SAHRC's focus area for 2014/15 Financial year

The theme of business and human rights has been adopted as a key focus area for 2014-5 to examine the linkage between business and human rights.

Business and Human Rights will help the Commission to establish a common understanding, dissect and agree on a clear conceptual framework wherein to operate from and in engagement with the various key role-players.

The Commission has monitored the increasing number of service delivery protests and strikes across the country and saw a need to engage the extent of business and human rights.

During these protests, questions were asked around the living conditions of majority of the people, and the role business is playing in adhering to human rights as enshrined in the Constitution.

The critical link between the private sector's ultimate pursuit for financial gain and the aspirations of workers, families and communities to live a life of dignity, which entails the full realisation of the rights contained in the Constitution, is ev-

ident throughout our commercial sector and business sphere.

As a National Human Rights Institution established to observe the realisation of human rights for all South Africans, the Commission is best placed to ask critical questions around the role of business in observing human rights.

The theme of Business and Human Rights encompasses a wide spectrum of intersecting issues, interests and rights; and a blanket approach cannot be adopted when addressing these. Therefore, it is imperative to establish a common understanding, dissect and agree on a clear conceptual framework wherein to operate from and in engagement with the various key role-players.

HuRA will coordinate and facilitate a process of consultation and discussion with its stakeholders in the provinces in the form of brainstorming sessions. The purpose of these would be to gauge preliminary levels of awareness using the key guidelines that emanated from the aforementioned Business and Human Rights roundtable discussion.

Dates for Business and Human Rights Roundtable

Date	Office
6 August	Polokwane
14 August	Johannesburg
15 August	Nelspruit
10 September	Cape Town
17 September	Bloemfontein
18 September	Durban
26 September	Port Elizabeth
26 September	Upington

Opinion: My dedication to women



**Kebothale Motseothata,
Visiting student**

In the very beginning, God understood that Adam needed the nature of a woman for his essence to flourish. And so, Eve was created for Adam. She was created to complement the nature of Adam's existence, and to represent and co-create with him. Without the necessity of Eve's feminine nature in God's will, humankind ceases to exist. This is due to the fact that the very nature of the universe's beauty is etched in the strength of a woman.

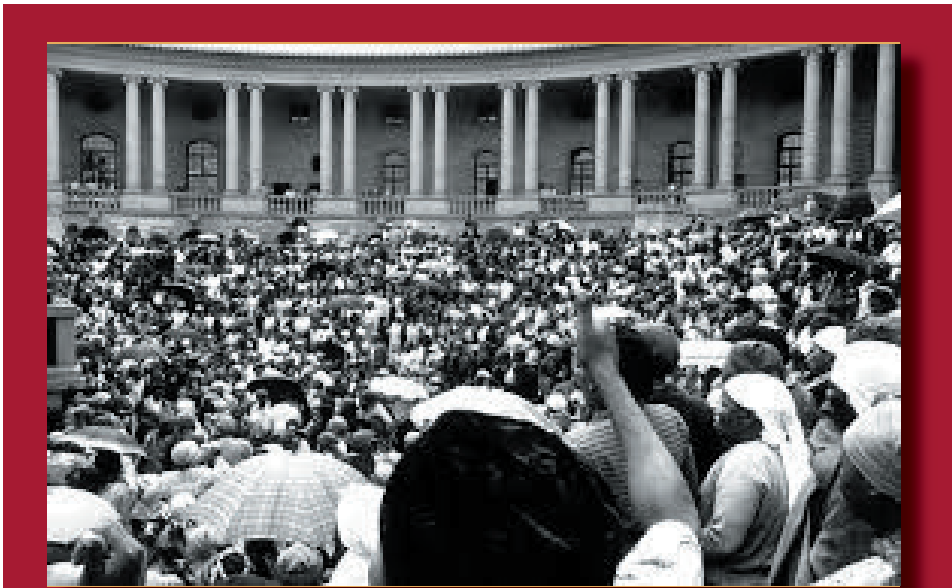
We all know of a great woman who has played a very big role in every aspect of our lives. We pay all kinds of homage to this woman. We write her songs and praise her divinity. For in all her existence, she dedicated her entire being to making our lives better. My mother was such a woman. Through her, I learnt the true nature of being a woman. And in her, I carry the strength of all the women who marched with Lillian Ngoyi, Helen Joseph, Sophia Williams and Rahima Moosa to the Union Buildings on the 9th of August 1956.

The resilient nature of these women is the very basis of our freedom. Silently they resisted a movement that threatened the emotional & psychological safety of their loved ones. For in their faith, they knew and understood that a woman was created to be protected, because in her protection, love is born. The women of August 9, 1956 understood that the unfair treatment of others had to stop, and they were determined to stop it, even if it meant marching with children on their backs.

Like the mass anti-pass demonstration, my mother's soul nurtures the very essence of my being. The ability of these outstanding women to stand firm on their word and sacrifice all kinds of judgement for the sake of peace, is the very epitome of African feminism. The soul of the Af-

rican woman is tied closely to the warmth of the sun and her soul lies in the beauty of the moon. Her nature is the unity of man with himself and the introduction of a long, fulfilling journey of self-realisation. Her rhythm dances to songs of peace and her divinity births seeds of the essence of ubuntu.

The ever transitioning new South Africa is filled with many such women. Mentally oppressed and suppressed women with brilliant ideas. Women who work hard trying to build a nation of responsible sons and daughters. Women who single handedly repair the evils of a system of separation by playing the role of being both a mother and father to their children. Those who submit their love to their men by making them understand that women now have a voice, not to destroy, but to



The women of 1956 defied the odds and marched to the Union Buildings in Pretoria to protest against pass law

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“ Transforming Society, Securing Rights, Restoring Dignity ”

Women need to be given the opportunity to create their own necessities

complement. It consists of women who go to school in order to better themselves for their family and children. Those who stay up, working hard to strike a balance between nurturing a family and liberating the world.

Women are the bearers of life. Our country and the world need to realise this. We need to be protected to avoid the of fear bringing daughters to a world filled with rape and brutality. Women need to be given the opportunity to create their own necessities. To be given the opportunity to work in the world of men as women in their own capacity. We need to be given the opportunity to introduce our feminine minds to a world of political relations without being stereotyped as angry. Women are misunderstood because the laws of this era do not cater to their emotional existence. And as a result, women judge and slam each other. Just like African solutions are needed for African problems, Women need to be given an opportunity to create solutions to problems that affect them. We cannot live in a society that is being drawn back due to the lack of educated and skilled women. Where school girls will be forced to quit school because of teenage pregnancy. We leave our dreams behind because we are not given an opportunity to incorporate our womanhood to this system.

The women of August 9th, did not risk their lives for us to be silent



The spirit of the women of 1956 continue to inspire generations

about the brutality in Palestine & around the world. We are watching women die and we are silent. Our hearts yearn to bring change, yet we are left defeated by a system that places money before human life. We are being kidnapped, raped, exploited, abused, humiliated, disrespected, discouraged and tormented and our struggles are buried in Western feminism. We scrub floors with our bare hands and are not warned about the dangers of touching tiles with cold hands. We strain our way to arthritis and as we grow older, we fear breaking our nails, so we desert our duties. We expect other women to be our domestic workers their whole lives. We aren't taught the necessities of cleaning for ourselves instead of depending on helpers too much. We forget that helpers deserve empowerment too. We have lost the humanity to introduce the idea that career women should strike a balance with their domestic workers, so that both parties

can flourish in their independence.

My mother did not teach me how to be a queen, for me to not acknowledge the necessity of women to unite in every aspect. I do not want to be educated alone, my helper too, should strive and be given an opportunity to educate herself. I do not want to walk the campus grounds alone, my fellow students should have Universities open nurseries for student mothers. The world should create an environment that makes women feel like they too, deserve to be a part of this world. A society that will not shun and shame them for their womanhood, then take every bit of their dignity and mint it into economic slavery. Life is wonderful and women need peace. The mass anti-pass demonstration was designed to liberate us. We deserve the chance to find inner peace, while contributing to make this world a better place.

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Nelson Mandela Day 2014

SAHRC staff heed the call for Nelson Mandela

The Head Office staff visited the Stretford Community Health Centre in Orange Farm, south of Johannesburg, where it handed out leaflets and spoke to the centre staff and patients about Human Rights. Subsequently we headed few kilometres to Africa Tikkun (Arekopaneng- let us meet) which is a home for children with disabilities) where we planted seedlings in the garden.

The activity managed to bring people closer to interact beyond work but on a good cause. Pfanelo is proud of the team for raising the Commission’s flag.



Head Office staff doing more than 67 minutes on Mandela Day



Nelson Mandela Day 2014



Staff members interacting with patients at the Stretford Community Health Centre in Orange Farm

Provincial Nelson Mandela Day Activities

Free State

The Free State team paid a visit to the St Nicholas Children’s Hospice at National Hospital in Bloemfontein. This hospice provides care and compassion for all children with life-threatening and life-limiting conditions. The Hospice focuses on three different types of caring: Home based care, Sunflower house and Training. The Hospice provides children with palliative care including pain and symptom management, quality of life, relief from suffering, developmental stimulation, support in the bereavement period, and dignity in death.

The Hospice accommodates children under 16 years and has approximately 42 children who stay at the hospice. The Free State Team interacted with the staff members, played with the children and handed out some of our SAHRC T-shirts and sports bottles. The entire team was humbled and touched by the sheer commitment of workers at the hospice.



Nelson Mandela Day 2014

Limpopo

The Limpopo Office visited Ga Mphahlele Seleteng Boiteko Old Age Centre where they cooked food and fed the elderly



KwaZulu Natal

On the 18th of July 2014 the KZN provincial office spent the day at the St. Martins Village, a home for the elderly, located in Sydenham area, just outside the Durban city centre.

The office gave a presentation about the Bill of Rights and the work of the SAHRC and also engaged in a robust discussion with the residents around the rights of older persons. The staff spent the remainder of the day assisting with the cleaning of the main hall and also spending quality time with the residents at the facility. Staff enjoyed the activity and giving back to the community. The event also served as good team building activity for staff.



Tribute to Seganeng Pelesa

Mother, sister, confidant, colleague- a true human rights champion

SAHRC pays tribute to Seganeng
The South African Human Rights Commission celebrates in memory of one of its most valuable employees Seganeng Pelesa after her struggle with illness. Seganeng served 14 years at the Commission and passed on holding her current position of a Payroll Officer in the SAHRC's Finance department.

She was a remarkable woman who was an employee, a mother, a sister, a daughter and will be missed and always remembered for her good deeds.

Colleagues described her as a mother to all who loved everybody and a dedicated hard worker who needed no supervision to do her work. Close friends and families also described her as tough on the outside and soft in the inside type of person who always listened attentively to their problems.

SAHRC's Commissioner Lindiwe Mokate reflected on the good times that she shared with Seganeng, "she loved music, her sense of dressing with a collection of caps and she was also a Kaizer Chiefs no 1 who could analyse the role of each player and what the team can do to improve its performance." Said Commissioner Mokate

"Seganeng was beautiful and had a beautiful body, every morning before starting with work duties she would drink a cup of warm water," said Nobantu. She further described her as a mother by nature who taught others that you don't need to be a biological parent to be



Colleagues shared their moments with Seganeng at the memorial

a mother to a child.

"I remember Mme Seganeng as a woman with a warm heart who always teased me about my relationship status and she always asked me "when are you getting married" and she once told me that I am different from other men, though she didn't give an explanation for that but I was grateful for what she saw in me", Wisani Baloyi said.

Dikeledi Mosikare described her aunt as strong woman who was a slave driver and cared so much about the future of others. "She taught me a lot and while I was still at University she always encour-

aged me to assist her with filling at the office of the former Chairperson and that was an eye opener that created a lot of work experience and opportunities for me," Said Dikeledi.

Lala Ngoxolo Sega!!

Short Obituary

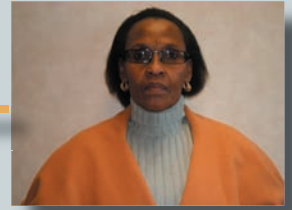
Born: 08 September 1960

Died: 17 July 2014

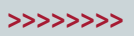
Buried: 26 July 2014

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Tribute to Seganeng Pelesa



Memorial In Pictures



Tribute to Seganeng Pelesa



Messages by staff

Nthabiseng Kwaza

We will never know what God's plan for us is in this universe and we cannot even question his decisions but to accept them.

She was our sister too, we feel the pain you are all going through....and can't help but cry with you. God knows our purpose and if we have fulfilled it, then He decides when is our time to leave this earth.

She has fulfilled hers and May her soul rest in eternal peace.

We shall forever think of her loving ways.

Northern Cape Office

Please give our sincerest condolences to Seganeng's friends and family. It was with shock and sadness that we learned that she passed away. We will always remember her as a kind, friendly and quiet person who was never too busy to help and assist us. I will always remember with fondness how she took me under her wing when I first started working at HO before we were send to our province. I knew nothing and nobody and she was one of those who befriended me, advised me, taught me and made sure I was alright. Every day.

We will miss our friend and colleague very much.

Alice Price

I am truly saddened by Seganeng's passing. She was a good friend and was always kind and considerate. She was a committed colleague in the workplace and was readily available to assist colleagues at all times. Her passing will leave a void in our lives and also in the lives of all that knew her.

My sincere thoughts and prayers are with the family and friends.

Deepest sympathy and rest in peace Mama.

Western Cape Office

The Western Cape office would be pleased if you would convey our condolences to the Family, friends and colleagues of Seganeng on their sad loss. Our thoughts and prayers are with them during this difficult time.

Adv K Zweni (Former SAHRC employee)

Passing his condolences to Ms Pelesa's family saying she will be dearly missed

Thank you message from family

The Pelesa family would like to express their deepest gratitude and appreciation for all the love, kindness and thoughtful gestures that you have bestowed upon them during the time of bereavement. The family greatly appreciates the SAHRC's unforgettable and loving tribute, that honoured her in such a sincere and heart-felt manner. Thank you. May God bless you ceaselessly.

Snippets

De Kock denied parole because victims' families not consulted

Former apartheid death squad leader Eugene de Kock, dubbed "Prime Evil" for his role in the torture and murder of anti-apartheid activists in the 1980s and early 1990s, learnt on Thursday that he will not be released on parole after 20 years in prison.

Justice Minister Michael Masutha announced his decision on De Kock's application for parole just before midday at a news conference in Pretoria.

"I am of the view that it is fair and in the interests of the victims and the broader community, that the families of the victims are afforded an opportunity to practise in the parole consideration process," he told reporters in Johannesburg.

"I have not approved parole at this stage but have directed that a further profile be re-submitted not later than 12 months from today."

Masutha said he held a meeting of the victims' families on July 4, which was arranged to confirm whether they had been consulted on the parole application.

30 days to make a decision
De Kock approached the high court in Pretoria for a decision in May. The national council for correctional services made a recommendation about De Kock's parole in November last year. The recommendation was sent to then correctional

services minister S'bu Ndebele. When he failed to act, De Kock approached the high court to force him to do so.

Judge Thokozile Masipa gave the minister 30 days to make a decision, excluding weekends and public holidays.

Masutha went through the process of how parole works.

The minister said he used the allocated time ordered by the court to peruse De Kock's profile along with the relevant reports from professionals and relevant bodies.

"I have considered the matter and noted the various positive reports compiled ... I have noted the progress he is reported to have made," Masutha said. He said he could not discuss De Kock's profile.

Notified

De Kock had been notified of the minister's decision before the announcement.

As head of an apartheid counter-insurgency unit at Vlakplaas, a farm 20km west of Pretoria, de Kock is believed to have been responsible for more atrocities than any other man in the efforts to preserve white rule.

Arrested in 1994, the year Nelson Mandela and the ANC came to power, he was sentenced two years later to 212 years in prison on charges ranging from murder and attempted murder to kidnapping and fraud.

But at a Truth and Reconciliation Commission set up in 1995 to try to

unearth and, in some cases, forgive – crimes committed by both sides, De Kock came clean about the killing of many ANC activists.

Hands 'soaked in blood'

The information allowed police to recover the remains of victims and allowed them to receive a proper burial.

Even from behind bars in Pretoria's C-Max high security prison, De Kock has continued to cast his shadow over the post-apartheid South Africa.

In a 2007 radio interview, he accused FW de Klerk of having hands "soaked in blood" for ordering political killings. De Klerk, who won the Nobel Peace Prize jointly with Mandela, has denied the allegations.

De Kok has also expressed sorrow at his actions, fuelling a belief among some that he is remorseful – an important factor in any parole decision. **Source: Mail & Guardian**

Two years ago, he wrote to the mother of ANC lawyer Bheki Mlangeni, who was killed by a bomb in 1991, asking for her forgiveness.

UN's Navi Pillay warns of Israel Gaza 'war crimes'

The UN's top human rights official has condemned Israel's military actions in the Gaza Strip, saying that war crimes may have been committed.

Navi Pillay told an emergency de-
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Snippets

bate at the UN Human Rights Council in Geneva that Israel's military offensive had not done enough to protect civilians.

She also condemned Hamas for "indiscriminate attacks" on Israel.

Israel launched its offensive on 8 July with the declared objective of stopping rocket fire from Gaza.

"There seems to be a strong possibility that international law has been violated, in a manner that could amount to war crimes," Ms Pillay said.

However Israel, which claims the UN Human Rights Council is biased, is unlikely to co-operate with any authorised UN investigation, the BBC's Imogen Foulkes in Geneva reports.

Israel's Justice Minister, Tzipi Livni, said her country was acting according to international law.

"It is regrettable civilians are killed, but when we call on them to vacate and Hamas calls on them to stay, then that is what happens," she told Israel radio.

Ms Livni also described the UN Human Rights Council as an "anti-Israel" body. 'Heart-wrenching split'

At least 649 Palestinians and 31 Israelis have been killed in the past 15 days of fighting, officials say. A foreign worker in southern Israel was also killed by a rocket fired from Gaza on Wednesday, police said.

The UN says about 74% of those killed in Gaza are civilians, with medical clinics among the facilities hit by

air strikes.

Kyung-wah Kang, the assistant secretary-general at the UN Office for the Coordination of Humanitarian Affairs, said civilians in Gaza had no safe to place to go "as 44% of the land has been declared a 'no-go zone' by the Israeli army".

"Families are taking the heart-wrenching decision to split to different locations - mother and son to one; father and daughter to another - hoping to maximise the chance one part of the family survives."

There was heavy fighting in the town of Khan Younis in the southern Gaza Strip on Wednesday. At least five people died in an air strike in the town overnight. An Israeli soldier was also killed.

Witnesses say around 5,000 Palestinians, some waving white flags, are fleeing in a state of panic following a ground incursion by Israeli troops, the BBC's Paul Adams in Gaza reports.

A Palestinian woman whom the BBC filmed being pulled from the rubble of a Gaza blast on Sunday also died from her injuries, her doctor said. Ten of her relatives were killed in the blast.

Source: BBC

Harsh Anti-Gay Laws Overturned by Ugandan Court

The Anti-Homosexuality act was deemed unconstitutional in a ma-

ior ruling Friday.

Demonstrators rally against anti-gay legislation introduced by the Ugandan parliament in 2009. The bill was signed into law today. November 19, 2009. Flickr photo: Kaytee Riek

Demonstrators rally against anti-gay legislation introduced by the Ugandan parliament in 2009. November 19, 2009. Flickr photo: Kaytee Riek

UNITED NATIONS (TRNS) – Uganda's Constitutional Court invalidated harsh anti-gay legislation championed by the country's president on Tuesday in a move that drew a flurry of excited statements from human rights groups around the world.

The U.N. weighed in on the decision by calling the ruling a "victory for the rule of law."

According to the Anti-Homosexuality Act, those found engaging in acts of "aggravated homosexuality" could face 14 years in prison for a first offense, and life in prison for a second.

The court decision is likely to lessen the criticism faced by Uganda's former foreign minister, Sam Kutesa, who is slated to take over as the president of the U.N. General Assembly for a one-year term in September.

Kutesa was quoted in defense of the law by The Guardian, saying that Uganda "shall not accept promotion and exhibition [of homosexual behavior], because we think that is wrong for our young people and it offends our culture." Kutesa defended himself in further comments by saying he is not homophobic.

Source: Talkradionews



Street Signs Competition Winners

Pfanelo would like to congratulate colleagues who managed to identify signs below.

*Sign 01 is at Empire and Queens
Signs 02 is at Melle and Hoofd
Sign 03 is at Melle and Empire*



The winners are:

Category 03 (Only managed to spot one sign)
Nthabiseng Kwaza
Witness Ndala
Sebongile Mutlwane
Ntombenhle Ngwane

There were no winners from categories 01 and 02

Happy Birthdays

Nicole Breen (HO) - 01 August

August

Iqbal Suleman (MW) - 07 August

Ruth Diane (HO) & Makutla Mojabelo (HO) - 08 August

Rachel Ward (WC) - 09 August

Nkosana Kwaza & Naomi Webster - 15 August

Fadlah Adams (WC) - 16 August

Hamilton 'Tata' Garishe (HO) - 17 August

Khangelani Kubheka (HO) - 25 August

Vivian John Langba (WC) - 26 August

Lindiwe Dlamini (KZN) - 29 August

Michael Lefakane (HO) - 31 August

Human Rights Calendar Days

07 August - Transgender International Rights and Education day

09 August - International Day of Indigenous People

12 August - International Youth Day

23 August - International Day for the Remembrance of Slave Trade & its Abolition

How to lodge a complaint

Visit one of our offices: more info on www.sahrc.org.za
Complete the online form and send to complaints@sahrc.org.za
Twitter: SAHRCommission
Facebook: SAhumanrightscommission