

Happy  
Valentines

# Fanelo

"It's Your Right"

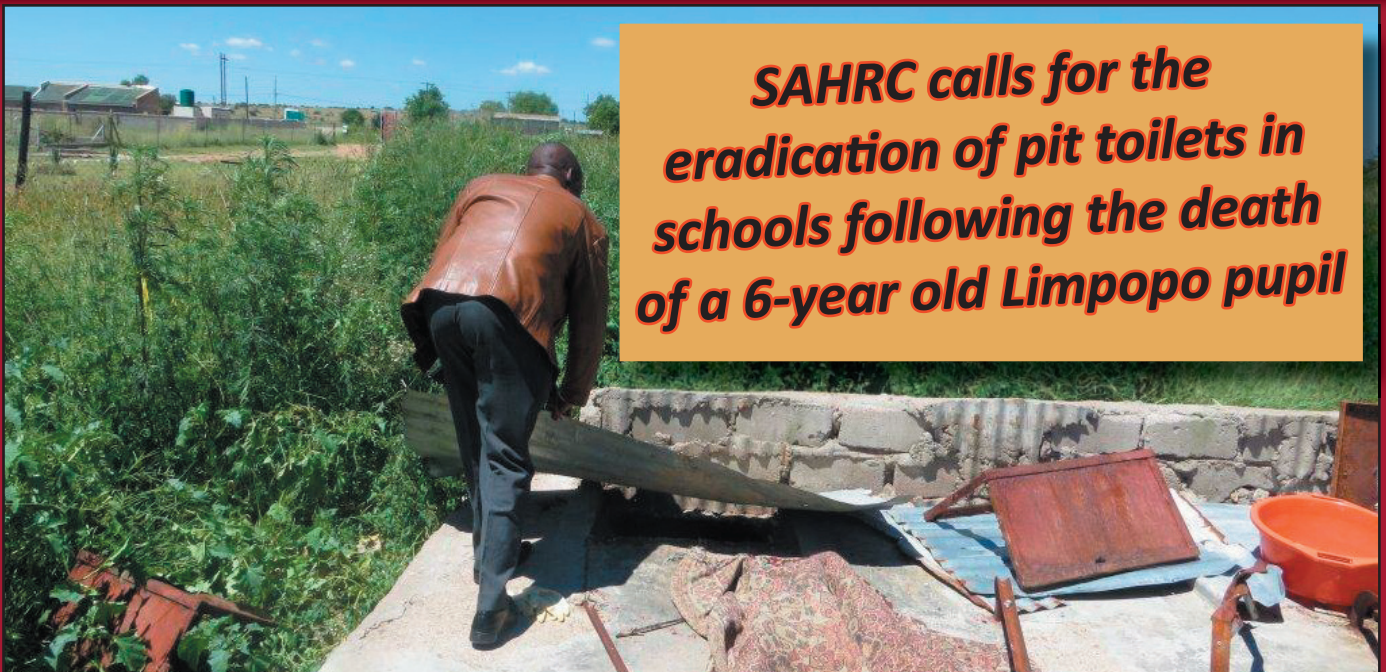


Volume 17

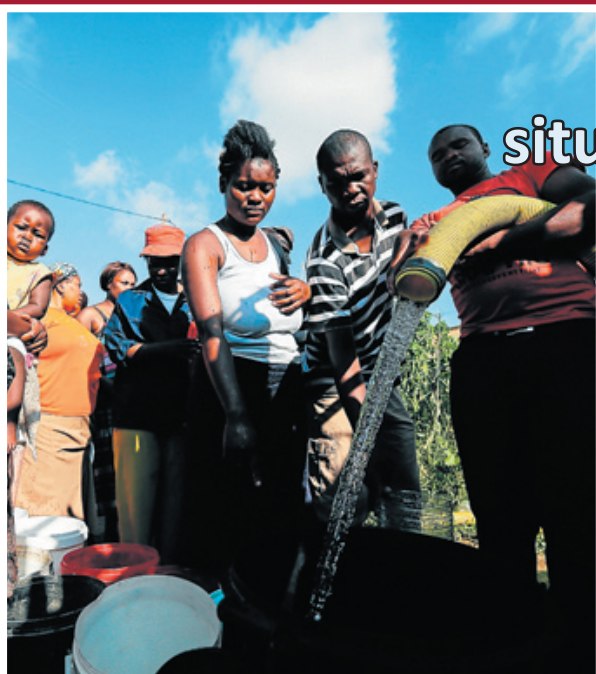
Transforming Society. Securing Rights. Restoring Dignity  
The South African Human Rights Commission Newsletter

01 - 28 February 2014

## Access to water and sanitation still a dream to many in South Africa



**SAHRC calls for the  
eradication of pit toilets in  
schools following the death  
of a 6-year old Limpopo pupil**



**SAHRC investigates the  
situation in Mothutlung, Brits**



### International Mother Tongue Day, 21 February

The day was established in 1999 by the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the day has been celebrated across the globe since February 2000.

So what's it all about? Well, International Mother Language Day aims to promote linguistic and cultural diversity, as well as multilingualism.


If like me you've forgotten most of your high school French, German or Spanish, then now's your time to brush up your skills! Speaking another language is a really useful skill to have, even if it's just for a short holiday abroad.


On the day, the International Symposium on Translation and Cultural Mediation will be held to discuss preserving and developing our heritage and spreading awareness of our mother tongues in order to encourage diversity and even inspire us to take up learning a new language!


Learn more about how to get that tongue wagging and spread the word of your mother tongue!

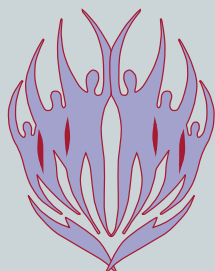
Source: [nationalawarenessday.org](http://nationalawarenessday.org).

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"Our work has shown that sanitation  
does improve health - simple achiev-  
able interventions reduce for example  
diarrhoeal disease by 391 million cases  
per year." WHO. 2007



## Editor's Note



Kayum Ahmed  
CEO, Editor in Chief

At the start of every executive committee (EXCO) meeting, we start by discussing a poem or interesting and thought provoking piece of writing. At the start of 2014, EXCO considered the following little story:

One day while walking through the wilderness a man stumbled upon a vicious tiger. He ran but soon came to the edge of a high cliff. Desperate to save himself, he climbed down a vine and dangled over the fatal precipice. As he hung there, two mice appeared from a hole in the cliff and began gnawing on the vine. Suddenly, he noticed on the vine a plump wild strawberry. He plucked it and popped it in his mouth. It was incredibly delicious!

The meeting discussed the story from two perspectives: firstly, our individual and collective ability to appreciate the delicious strawberry in the midst of very difficult or trying circumstances.

Secondly, who or what represents the strawberry in our respective lives? In other words, are there any individuals, activities or things that we turn to during challenging circumstances?

For some members of EXCO, their children and partners represented their strawberries. For others, sleeping and studying were the things that allowed them to deal with their daily challenges.

As we begin the year, it is inevitable that we are going to be faced with significant challenges both at work and in our personal lives. We may not be faced with vicious tigers, but during these difficult times, it is important that we remember and appreciate our strawberry. *Pf*



### New Free State Office

The SAHRC's Free State Office has relocated to 18 Kellner Street, Bloemfontein.

## ERADICATE ALL PIT TOILETS

### SAHRC calls for the eradication of pit toilets in schools following the death of a 6-year old Limpopo pupil



**Limpopo Provincial Manager, Victor Mavhidula inspects the half demolished toilets structure where a grade 0 pupil, Michael Komape died**

The South African Human Rights Commission has learnt with great shock and disappointment of the death of a six-year-old boy who fell into a pit toilet at Mahlodumela Primary School in Chebeng, Moletji outside Polokwane.

It is believed the young Grade 0 pupil, Michael Komape, was discovered in a pit toilet near his classroom several hours after he disappeared.

The Commission visited the school on Wednesday 22 January 2014 and spoke to the teachers and education department officials.

The Commission has decided to launch an own initiative investigation around this matter and the overall lack of sanitation in many other schools across the province.

The Commission is aware that there are many other schools in the province that still use pit toilets which pose a threat to learners.

The Commission has in the past

raised many concerns with government regarding the state of sanitation, in particular around schools still using pit toilets, especially in the rural areas across the country.

The Commission conducted national hearings around lack of water and sanitation in 2013, against the background of serious service delivery breakdown in several parts of the country and a perceived lack of government accountability.

It is concerning that despite commitments during the hearings by the government, and in particular, the Department of Performance Monitoring and Evaluation in The Presidency to develop a proactive strategy to effectively deal with the sanitation and water backlog throughout the country, we still have children dying because of insufficient sanitation infrastructure.

Census 2011 showed that while access to water and sanitation is improving in the country, this development is not enjoyed by all provinces and districts, particularly rural areas.

The result is that millions of SA's poorest citizens remain without access to proper adequate sanitation and clean drinking water.

According to the report entitled The Quality of Sanitation in South Africa, presented to Parliament in 2012, there are 1.4 million households, or about 11% of the population, who have no sanitation facilities or services. The same report says government will need R44.5bn to resolve the sanitation crisis.

The Commission calls on the government to ensure funds are made available to deal with the sanitation problem and for the Department of Basic Education to move with necessary speed to ensure that all pit toilets in schools are eradicated.

We are encouraged by the Department's commitment, as contained in its document of Regulations Relating To Minimum Uniform Norms And Standards For Public School Infrastructure, published in November 2013, that "all schools that do not have access to any form of power supply, water supply or sanitation must be prioritised and provided with the above within a period of three years from the date of publication of the regulations."

The Commission, however, would like to call on the Department to devise temporary sanitation measures that will be used by the pupils while the long-term plans contained in the Regulations are rolled out.

We support the investigation by the Department following this latest incident and hope that it will work to ensure that officials found guilty of negligence are brought to book.

**Pf**

# SAHRC investigates the situation in Mothutlung, Brits



**Mothutlung residents including children walk long distances to fetch water. Pic: Gallo images**

The South African Human Rights Commission (SAHRC) would like to express its concern at the continued use of force by the police following the killing of at least three people allegedly by the police during a protest over lack of water in Mothutlung, Brits in the North West province.

The SAHRC visited the area on Tuesday with the view of launching an investigation. The SAHRC has decided to launch an own initiative investigation into the causes of the protest in relation to the provision of water.

The SAHRC understands that the protests started on Sunday when the community took to the streets to express their anger over water shortages in the area, which they say has been going on for over three months.

The protests degenerated into violence that led to the reported

deaths of three people in what residents described as police brutality.

During the visit, the SAHRC held meetings with the Madibeng Local Municipality and community representatives.

The SAHRC noted the concerns of the residents, and will be following up on the promises made by the Municipality, which include that water will urgently be restored.

The situation remains tense and the SAHRC calls for restraint from both the residents, who have the right to protest, and law enforcers who are acting in pursuance of their mandate in terms of section 205 of the Constitution to keep public order.

The SAHRC condemns the situation in Mothutlung, particularly the unnecessary deaths of three people.

The SAHRC supports and welcomes the investigation launched by the Independent Police Investigative Di-


rectorate. We hope that the IPID will move with necessary speed and accuracy to establish the cause of the deaths and to ensure that those responsible are brought to book.

It is disappointing that the SAPS top management seem not to have heeded the recommendations of the SAHRC following its investigation into the death of Ficksburg activist, Andries Tatane in 2012, during a similar service delivery protest relating to water shortages.

In the Tatane Report, the SAHRC found that the SAPS used a degree of force that was disproportionate; that members of the SAPS were not properly equipped and trained to quell the riot and failed to devise a plan; and that the SAPS failed to ensure that adequate numbers of police officials were deployed.

The SAHRC recommended, among others, that the SAPS improve training of police officers in managing gatherings to ensure that future protests result in peaceful and non-violent outcome; that a training manual for the Public Riot Unit be developed. The SAHRC was willing to help the SAPS in this regard. It was also recommended that the SAPS actively engage in communication with communities where there are popular protests like in Mothutlung.

We believe that loss of life could have been avoided in Mothutlung had the SAPS moved with necessary speed to implement some of these recommendations.

It is also worth noting that a few weeks ago the SAHRC issued a report on the failure of the Madibeng Local Municipality, which also covers Mothutlung, to deliver water services to the people. 



## SAHRC finds against several Government entities for violating public's right to water and sanitation

### Overview

The South African Human Rights Commission has found against various local municipalities and a provincial department of education for not providing access to the constitutional rights to water and sanitation.

Despite several commitments the Commission received from Government to develop a proactive strategy to address the lack of clean drinking water and adequate sanitation, there are poor communities who still do not experience these fundamental human rights. In a 2011 complaint, the Commission ruled that the Presidency's Department of Performance Monitoring and Evaluation (DPME) provide a report on the status of the right to sanitation and the plan to effect the rights to water and sanitation. DPME's report revealed that an estimated 16 million poor people do not have access to adequate sanitation, and 3.5 million poor people do not have access to clean drinking water. The impact on all other rights, including health, education and safety and security (especially for women and girls) is devastating.

The DPME and other departments participated in the Commission's public hearings across all provinces. They heard the numerous problems that poor communities experience. In the Commission's Legal hearing with director generals from departments such as Water Affairs, the Commission raised the problem of Government only responding when communi-



**In 2011, the SAHRC held countywide hearings on Water and Sanitation where the public came in their numbers to voice their frustration over lack of water and sanitation.**

ties protest. A proactive strategy would ensure immediate short term solutions linked to longer term sustainable solutions.

Deputy Chair Pregs Govender noted that "Given the ongoing complaints on water and sanitation being dealt with by the Commission, such a proactive strategy has clearly not been put into place. We therefore call on government to fulfill its commitments,. We call on the relevant government authorities to provide a temporary water supply to affected communities during this festive period while a longer term plan for ensuring access to water is developed. This will help to honour Madiba's memory by advancing his vision of a just and equal society".

### Details of the Findings

In the five complaints received, the Commission found that these entities violated the residents' right to dignity by neglecting or failing to take reasonable steps to provide residents with sufficient clean water, and adequate sanitation.

The Commission received complaints from residents, and individuals who felt that their respective local municipalities and the North West Provincial Department of Education violated their rights by not providing them with adequate access to water and sanitation as enshrined in the constitution.

The five complaints that the Commission recently dealt with in line



From page 06

## SAHRC finds against government over lack of water and sanitation

with its Constitutional mandate to investigate human rights violations, are:

### Madibeng Local Municipality

Complaint received from residents of Klipgat C, an area falling under Madibeng Local Municipality, who alleged that the community had been without water supply for a period of five weeks and the municipality failed to address the problem despite being made aware of it.

### Setsoto Local Municipality

The Commission launched an own initiative investigation after observing suspected rights violations. The Commission dispatched investigators to conduct an inspection in Mantwabeng Senekal regarding allegations of undignified sanitation and poor workmanship in the building of toilets for residents. During the investigation, residents complained that the water supplied is unclean and not suitable for human consumption. They were forced to boil the water first before using it.

### Matjhabeng Local Municipality

The Commission was alerted to service delivery protests through the media and proceeded to dispatch investigators for detailed information. The broadcast highlighted the plight of residents in relation to service delivery in Phomolong including lack of access to water and sanitation.

### Emalahleni Local Municipality

Residents lodged a complaint with

the Commission alleging that the Emalahleni Municipality violated their rights by failing and or neglecting to provide them with adequate, clean and safe water supply. The complainants alleged that residents had no access to water for six days or longer.

### North West Department of Education

The complaint lodged alleges that the North West Department of Education failed to provide access to sanitation at Polonia Primary School in Makaw Village in Garankuwa. As a result the pupils at the school were subjected to unhygienic and unsafe conditions on a daily basis.

### Findings

In all these complaints the Commission found that the respective municipalities and the Department of Education violated the right to dignity, right to clean drinking water and adequate sanitation.

In addition the Commission found that these entities failed to adequately conceptualize, plan and implement their projects, which resulted in the residents being forced to use underdeveloped service infrastructure.

### Recommendations

The Commission has recommended that the four municipalities put interim measures in place for the provision of adequate, uninterrupted water services to the residents before 25 December 2013.

In addition, the government needs to provide a framework through which meaningful and ongoing consultation with the residents will be undertaken. Government is

required to provide the Commission with reports in relation to the progressive realisation of the right to water and sanitation services in these areas. These findings have been communicated to the parties, who have 45 days to appeal these findings.

The Commission remains deeply committed to ensuring that people who are poor access their rights to water and sanitation in the country. Since 2009, the Commission has investigated, made findings and ensured action on complaints related to the lack of access to water and sanitation, beginning with its rulings in the unenclosed toilets complaints in Makhaza and Rammulotsi, where the Commission found that both municipalities had violated the right of people to dignity, privacy and clean environment. We are at the end of 2013 – it is time that Government ensure that people who are poor experience their constitutional rights. **Pf**

## Did you know?

- In 2012 DPME reported that approximately 11% of households (Formal–no services and Informal–no services) still have to be provided with sanitation services (these households have never had a government supported sanitation intervention).

Findings and recommendations are available on SAHRC website: [www.sahrc.org.za](http://www.sahrc.org.za)

From page 05

## SAHRC investigates the situation in Mothutlung, Brits

This follows a complaint received in March 2013 from residents of Klipgat C, who alleged that the community had been without a water supply for five weeks and the municipality failed to address the problem despite being made aware of it.

The SAHRC found that Madibeng Municipality failed in its duty to provide residents with their Constitutional right to have access to water and sanitation.

We recommended that the Municipality put interim measures in place, that should be linked to the long term provision of water.

Over the past few months the SAHRC has received, investigated and made shocking findings on many similar complaints countrywide relating to lack of access to water and sanitation.

These findings were made despite commitments by the Department of Performance Monitoring and Evaluation (DPME) in The Presidency to develop a proactive strategy to effectively deal with water and sanitation throughout the country. The DPME's commitment to address the water and sanitation challenges was made during the SAHRC public hearings. A report capturing the findings from these hearings will be released before the end of March 2014.

It is deeply concerning that we have many poor people across the country who are still deprived access to adequate water and sanitation.

The SAHRC hopes that the government of the North West Province, and the Madibeng Local Municipality in particular, will move quickly to resolve the issues presented by the community.

The SAHRC will follow up on the promises by the Madibeng Local Municipality that water will be restored by Thursday the 16th of January 2014 after repairs to the water pipes would have been completed.

Furthermore, that a long-term solution to the water shortage in the form of a reservoir would be completed by the end of January 2014. *Pf*

### Did you know?

Hartbeespoort, Rooikoppies, Vaalkop and Klipvoor Dams are located in the Madibeng Municipality.

Mothutlung area has been without running water for three three years.

## SAHRC's Water and Sanitation facts

The facts provided here are from a large Commission report, which will be made available to government and the public once responses on the findings are received from the relevant government departments.

### 1. Findings

#### 1.1. Is water viewed as a commodity or human right?

- Evidence shows that water is viewed as a commodity rather than a human right, which means that people of limited financial means will not always have access to water, which in turn, exacerbates poverty.

#### 1.2. Access to Water and Sanitation

- Some households lack access to any infrastructure in terms of water and sanitation and have to use alternate methods for sanitation or to gain access to water.
- Many households have access to infrastructure that was either never functional or was functional but has since broke or has not been maintained.
- Many households still use buckets and fields to meet their sanitation needs
- Water and waste water treatment plants are in a dire state of disrepair.

#### 1.3. Quality

- Water and sanitation infrastructure in communities is in poor condition due to poor original workmanship and a lack of maintenance. *Pf*



# SAHRC expresses grave concern at the state of public health facilities in Mpumalanga



**Patients wait for hours before they access their right to health in hospitals. Pic: Timeslive**

The South African Human Rights Commission has completed its investigation into the state of hospitals in the Mpumalanga Province. The SAHRC found that several hospitals in Mpumalanga are in a critical state resulting in the violation of the public's right to access health care services.

The latest findings in Mpumalanga are reflective of systemic challenges across the public health care sector that require urgent intervention. In 2008 the Commission released a report of an intensive nation-wide investigation into health care services in SA.

We believe that if Government had responded to that report in a proactive fashion we would not be making this finding today. We therefore call upon both the Mpumalanga health authorities as well as the national Minister of Health to urgently deal with the Commission's recommendations.

## Details of the Finding

The Commission completed this finding after conducting a thor-

ough investigation over the course of 2013 in Mpumalanga following a complaint about the state of public health care in the province. The complainant alleged that the Provincial Department for Health in the province had failed in its duty to provide adequate health care services to communities in the province.

It was specifically alleged that a number of provincial hospitals suffered from critical shortages of doctors, nurses and other professional personnel. It was further alleged that a number of hospitals did not have adequate infrastructure, doctors and facilities to serve communities in the province.

The SAHRC's investigation covered a sample of the three main hospitals in Mpumalanga, namely Rob Ferreira Hospital, Matibidi Hospital and Bernice Samuel Hospital.

The main finding of this investigation was that the situation in the three hospitals has impacted negatively on the government's ability to discharge its constitutional obligation to provide health services

to members of the public.

The SAHRC locates these findings in the context of its previous 2007/2008 investigation, findings and recommendations.

In that Report, the SAHRC found a wide range of systemic, nationwide shortcomings in the public health care system and recommended to the national Department of Health, amongst others, that government must:

- a) Conduct skills audits of senior management and implement appropriate interventions such as training and awareness campaigns to capacitate senior staff;
- b) Install appropriate infrastructure for the public health care system to function optimally; and
- c) Provide funding to public health facilities, particularly in rural areas of the country.

The findings of the present investigation, as well as statistical and anecdotal evidence from other provinces, indicate that the systemic challenges remain in the provision of public health care both nationally and within the provinces, including Mpumalanga Province.

Following this investigation, the SAHRC recommends that the Department of Health must formulate and submit no later than 31 March 2014 a well-coordinated programme. This must, within clearly stipulated timeframes, address the infrastructural, administrative and other challenges that undermine the right to health care in all Mpumalanga public hospitals.

# Madibeng: 'the place of abundant water'



By Pregs Govender,  
SAHRC Deputy-Chairperson

Hartbeespoort, Rooikoppies, Vaalkop and Klipvoor Dams are located in the Madibeng Municipality. Four dams...that should be more than enough water for everyone, to drink, wash and wallow in on scorching summer days in the North-West Province. The world's third largest chrome producer and the richest Platinum Group Metals Reserve are in Madibeng. During Apartheid and Democracy the wealthy owners of the mines, tourist companies, agribusiness and other large industries did not experience water shortages or water cuts. Yet communities who are Black and poor, living next to the dams complained to the South African Human Rights Commission (SAHRC) that they went without water for days, weeks and months.

In this area, as in most parts of the world, the wealthiest pay less per kilolitre of water than households do. They have seldom been held to account for significant wastage; for cleaning up their pollution of groundwater with dangerous chemicals or the theft that some commit. In the suburbs, the manicured lawns are well watered and swimming pools are the norm. They enjoy the full meaning of Madibeng. Here there is abundant water.

In sharp contrast, those who are

Black and poor face a daily struggle to uphold basic human dignity. There are endless queues for water. Children miss school because they have to carry containers that are more than their body weight. Illness and death from preventable water-borne disease is not uncommon. Women and girls' time and safety is particularly compromised in a country with high levels of gender-based violence.

The indivisibility and interdependence of all rights is particularly reflected in the impact of the lack of water and sanitation on health. The UN Secretary General Ban Ki Moon estimates that health budgets would be almost halved if these rights were addressed.

The poor parts of this province are rooted in Apartheid's notorious homeland, Bophuthatswana. White mines and farms sent Black workers who were too old, sick or injured 'home' to die here. Apartheid criteria for Black lackeys appointed to rule were greed, corruptibility and brutality. The job was to protect white Apartheid privilege by ruthlessly suppressing opposition. Apartheid's violence was institutionalised in brutal and dehumanising poverty and inequality that devalued human life.

Our Democratic Constitution upholds the value of every human being, enshrining the right to dignity as our birthright, linking it to socioeconomic rights like water and civil-political rights like peaceful protest. South Africa's wealth of natural and mineral resources should have enabled clean drinking water for all. No one should have had to resort to protest.

In the second week of January this year, after several significant periods without water, people protested in Mothutlung, Madibeng. They were shot at by the police, many of whom live in the same areas, struggling with the same frustrations for survival. The death toll is four. IPID

launched an investigation, which the SAHRC hopes will act powerfully to ensure that those responsible are brought to book. Police leadership is ultimately responsible for individual police action in such situations. From Marikana to Madibeng, the 'shoot to kill' statements underline a militarized police force that resuscitates Apartheid-era policing in place of the democratic vision of service.

At the Farlam Commission on Marikana, the SAHRC expert police witness, Gary White (MBE), shared his thirty years of police leadership experience in Northern Ireland. This included violent protests in which protestors carried lethal weapons. Not once did he order the use of live ammunition. In stark contrast, SA's police have used live ammunition in Ficksberg, Marikana and Madibeng, despite official records and independent studies confirming that most South African protestors are peaceful and unarmed.

The SAHRC finding on Andries Tatane, recommended that police be properly trained to manage large protests so the right to life is protected. The Commission maintains that if the police deployed to Madibeng had been properly equipped and trained, this tragedy would have been avoided.

The allegations of corruption related to tenders need to be urgently dealt with through the criminal justice system and the Public Protector. Those entrusted with the public purse cannot be involved with companies which tender for water tanks and other state services. Those companies who use massive resources to corrupt those in government should also be apprehended. Many are sceptical that this will happen, pointing to the huge numbers of poor people who go to jail and stay there, while few of wealthy criminals seem to be convicted and serve out their sentences.

Since 2009, the SAHRC has been sys-



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## Madibeng water crisis

From page 10

tematically addressing complaints about the right to water and sanitation. In the run-up to the last local government election, the SAHRC investigated and made findings firstly in Makhaza, against the DA-led City of Cape Town in the Western Cape and then against the ANC-led Moqhaka Municipality in the Free State that had both built toilets in open public spaces without enclosing them.

The Commission ruled that both municipalities had to urgently enclose these toilets in a manner that upheld dignity, privacy and clean environment. The subsequent High Court case in the Western Cape noted that 'the SAHRC investigated the complaint that led to considerable public interest and media reports' and affirmed the SAHRC finding, which the City initially disputed.

In addition to ensuring local government accountability, the Commission required a systemic response from National Government. In the SAHRC 2010 finding against the City, the Department of Human Settlements together with Water Affairs had to 'intervene' to ensure the eradication of the bucket system across South Africa. This should lead to the 'phasing out of communal toilets'. In 2011, the Minister established the Sanitation Task Team headed by Winnie Madikizela Mandela, which reached many of the same conclusions as the SAHRC hearings.

The SAHRC's 2011 Moqhaka finding ruled that the Presidency's Department for Performance, Monitoring and Evaluation (DPME) had to compile a report on the 'quality of sanitation services provided by local government across the country'. To compile its 2012 report to the Commission, the DPME brought together relevant departments, including COGTA, Human Settlements, Water and Environmental Affairs and Finance. Inter-governmental co-operation and collaboration together

with meaningful engagement with communities are critical parts of the solution.

In 2012, the SAHRC organised hearings in every province across SA in areas that the DPME report identified as being amongst the poorest. In packed halls members of communities from across each province presented the reality that they live with daily. Many spoke of poor quality water and sanitation services and often about the complete lack of ba-

that the Minister use the Act's powers. Government needs to ensure proper capacity is built at every level, in all the necessary areas of competence and crucial vacant posts need to be filled. Local Government needs to have the capacity to build the necessary infrastructure, operationalise and maintain it so water flows to people's taps. Government Indigent policy is aimed at free water and other basic services for people who are poor. However, it is not national uniform policy and many



**People of Muthuthlung have been without running water for the past three years**

sic services. Many participants spoke in despair and frustration about all the legal avenues they used to try to get redress.

The SAHRC invited local, provincial and national government representatives including the DPME to the hearings to respond to community's concerns and questions with clear plans and timeframes. Tragically, in the North West province and other areas of South Africa, the problems remain, as evidenced by the recent protests and killings. Last year, the SAHRC ruled against the Madibeng Municipality, along with several others. Our press release reiterated the SAHRC call for government to go beyond reacting only when communities protest to proactively ensuring that poor communities immediately access clean drinking water linked to sustainable long term solutions.

The National Water Act enables the Minister to intervene where there are clear water emergencies at a local level. Madibeng and similar municipalities in previous homelands and informal settlements demand

complain that it is implemented in a way that undermines their dignity. The result is the poor end up paying more per kilolitre than wealthy corporations.

The structural, systemic problem of inequality and poverty that is still defined by Apartheid spatial geography calls for an urgent evaluation of policy and governance. The DPME report notes that 'key water services sector weaknesses and challenges has been attributed to a lack of adequate funding and poor revenue collection leading to financial instability; a lack of technical, management and business skills...political interference and corruption...unclear municipal powers and functions...'

This affects not just one right...many people who are poor are denied many fundamental human rights. This crisis can only be solved by true co-operative governance. The President, his Cabinet and all spheres of Government, beyond political party affiliation, must ensure that South Africa is governed in a way that upholds the rights of all.



# The power of education in shaping society



Kebothhale Motseothata,  
Visiting student

Education looks like an easy subject to write about, but it is actually quite challenging. I mean, you need to look into the fact that it is the most complex phenomenon in the entire history of existence. Education requires teaching, effective teaching that emancipates the mind it taps into. The ability for any individual to go past the limits of their subjective brain capability and delve into the unknown with the hopes of unleashing a power that is way above them. Education is the ability to engineer, architect and orchestrate the dimensions of the universe. It pushes the limits of self and inspires a whole new world of perspective. It carves the very things that enhance and propagate the ideals of human kind. Everything we do is a result of having learned something and the reality of teaching essentially breeds the idea of education as it is. The art of teaching in order to build.

Which brings me to wondering what exactly it is that is being built in this new dispensation. Are we building slaves or innovators, founders or executioners of a truly new South Africa? Are we going past the boundaries of the system we are using to

empower or are we architects of an entirely new system? If so, why is the vital tool of effective teaching eliminated? We cannot know where we are going if we do not know where we come from. The main aspects of our existence stem from history and that is the one subject many students should be learning. Understanding where we truly come from, gives us a better view of who we are and we can thereby create a universe that is greater than the boundaries created by educational systems that constantly prove to be detrimental to our way of thinking.

Our country has enough brains to develop it into a first world country in matter of a few years. We have enough brain capacity to push us beyond the limits of somebody else's blueprint of what the country ought to develop like. We have enough brains to be bigger than China and the USA. The answer to these capabilities lies in the power of education. We need new systems that are going to create masters of the universe instead of slaves to foreign phenomena. Further creations and perpetuation of economies that tax our souls and bankrupts them into thinking that becoming an engineer or accountant is the solution to freeing one from their materialistic struggles is the reason why we feel adequate, yet lacking. The fact that a degree equals being completely successful and not resourceful is the reason why our progress is in question. For many, money is the motive of learning and the only goal is to get that Degree Certificate in order to indicate that you are qualified to serve and be a slave to a system created to strengthen the economy that works against you.

We are not taught to dig deeper into our roots, instead we fall into pit toilets with the hopes of making our parents happy. The education we are receiving does not necessarily touch our hearts, yet inspires us to progress in it and complete it in order to lead a decent life and be accepted into a society that still rejects our true capabilities.

South Africa and Africa as a whole could be a country and continent that runs the entire world. We need leaders that will forget about materials and dedicate their blood and sweat into creating a powerhouse full of wise thinkers and implementers. Education is the only solution to freeing enslaved minds and healing broken resentful souls whose only mission is to conquer and sabotage the joys of innocent beings. It's the key to freedom of self and the emancipation of self limitation. Through education, a developing country can become a world class country, capable of rearranging contemporary ideals of selfish benefactors into blossoming ideals that serve both the land and its inhabitants. Through education, the mistakes of history can be corrected. This comes through teaching history in order to build a better future. Teaching history in order to correct the methods of teaching that continue to harm excellence instead of promoting it, that continue to incarcerate instead of liberating. Through education, quality teaching that truly serves the people of the land can be installed and implemented as well as directed towards creating a true revolutionary country. We are not lacking, this systems is, and until we change it, everything will remain the same.

# In the seat with Lucky Zulu

*Head of Human Resources*



## *Tell us about Lucky in a nutshell*

- I am a father of three boys. I consider myself to be a very principled person who believes in God. I was born in a rural place called Kromkrans in Mpumalanga. My family then moved to Siyabuswa when I was 5 years old, which is also in Mpumalanga, North of Pretoria. I grew up in an extended family and I was raised by my grandmother, who taught us to have respect for all people no matter what background they come from or whether or not they have something to contribute to us. She also stressed that we always have to value life as an endowment from God that needs to be handled with great prudence, as it is an irreplaceable gift.

- Growing up had its own challenges, but one thing that kept us going was this continuous affirmation we would receive from her (our grandmother) that we must always

work hard to prepare ourselves to face the world with pride because we have something to contribute on earth. Our family values were anchored around respect, unity and the quest to make a difference in one's space.

## *Educational background*

- On the educational front, I completed my matric in 1993 in a local school in Siyabuswa. I did my tertiary education at University of Limpopo where I completed a Bachelor's Degree in Public Administration (Industrial Psychology). I did Honours Degree at UNISA. I have also tapped into specific skills programmes on various aspects of my field of work, which I am confident that they contributed greatly to the competencies I have mastered thus far.

- I have had an opportunity to do the Management and Leadership Development Programmes with Wits Business School. These programmes have exposed me to a more corporate environment, and have as such widened my scope of work in respect of a broader perspective of human resource and organizational behavior.

## *Your position at the Commission*

- I joined the Commission in November last year as Manager Human Resources. My position entails effective management of all HR functions or activities which are aimed at supporting the busi-

ness units of the Commission to achieve the overall organizational objectives thereof. Such activities include Recruitment and Selection, Skills Development, Performance Management, Employee Relations and other activities which are aimed at ensuring an enabling working environment in which all employees can realize their full potential in their respective fields of work. My role and that of my team in the Commission is a support role, which can be best served in an HR Strategic Partnership approach, wherein business units are fully capacitated to handle the basic HR activities with a consultative support service from the HR Unit. It is when an organization functions within this model that more strategic HR interventions can be championed for the achievement of a comprehensive strategic HR function in that organization.

- Holding this position means that a great deal of responsibility has been bestowed upon my shoulders. The employees welfare within the Commission, and even that of future employees, lies on the shoulders of the position I occupy. To me this position is not just a title, but it is more of a calling to a national duty, where one's positive response to the call is measured, not by the remuneration attached to the position or all the attention that comes with it, but by the positive impact the position ultimately has on the employees of the Commission. The position means not resting until you have influenced a positive environment when all employees



feel a sense of belonging and own up to the achievement as well as pitfalls of the organisation.

*Day to day at the Commission*

- Part of my day to day activities at the Commission include attending to employee queries regarding HR administrative or policy matters. But between attending to such queries, I conduct a lot of benchmarking exercises to determine the level at which the Commission’s policies and practices comply with best practices in various industries and labour legislation. Best practices and legislative compliance serve as frame works for an ideal working environment that takes care of its employees as the most importance resource which, when fully engaged, can make a valuable contribution towards the achievement of the mandate of the organization.

My role involves the coordination of all the HR activities which are intended to drive the Commission to such an ideal, which cannot be

achieved without the involvement and active participation of that resource itself.

*Day outside office*

- My day outside the office is spent with my family which I hold in high esteem, my wife and my three boys (13, 5 and 5 months). Other than my family, being a staunch believer in God and His Trinity (Father, Son and Holy Spirit), most my time is spent in church activities, such as services, youth programmes and other related activities that are targeted at the spiritual wellbeing of a man. I am not a socialite, hence many people of my age find me very boring. I keep myself busy with academic pursuits and try as much as possible to influence other people to follow same.


- I am motivated by seeing the development of a person in whatever manner, be it academically or career wise, particularly where I can make a contribution of any sort towards such development.

*Favourite activities*

- My favorite activities include music, especially old school and a bit classic. For a long time I have enjoyed the music of Yanni, different compilations. I also love watching movies and documentaries. My favourite actors are Denzel Washington, Kevin Spacey and Samuel L Jackson. I love wild animals.

*Tell us more....*

- I have learnt to be satisfied with whatever I have at any given time. I have learnt not to complain when things are not in my favour because I have been taught that nothing can ever happen to me unless God has commissioned it to happen or I have made a choice for it to happen to me. One of my favorite scriptures.....

Romans 8:28 “We are assured and know that all things work together and are [fitting into a plan] for good to and for those who love God and are called according to [His] design and purpose”. Apostle Paul (Amplified Version) 

HR NOTICEBOARD

POLICY TO BE WORKSHOPED	DATE	TIME	VENUE	EMPLOYEES INVITED
Code of Conduct; Disclosure of Interests and Sexual Harassment Policies	07 February 2014	10h00	Main Boardroom	All Employees
Disciplinary Code; Incapacity and Grievance Policies	TBC	10h00	Main Boardroom	All Employees





## ICC reflects on 2013 and challenges that lie ahead



"2013 was an extremely busy and challenging year for the ICC. The ICC together with the global human rights fraternity celebrated the 20th anniversary of the Vienna Declaration and Programme of Action, the ICC marked its twentieth year since its inception and Africa celebrated its first opportunity in 20 years to lead this


auspicious institution. The ICC also joined the global community to mourn the passing of Nelson Mandela and challenged itself to honour his legacy. Therefore as we step into 2014, I remain acutely aware of the challenges that lie ahead in working towards a South Africa that charts its path within the ideals that many stood for, fought for and still continue to do so today. The recently concluded conference on 'Addressing the Implementation Gaps: Improving Cooperation Between Global and Regional Human Rights Mechanisms' held at Wilton Park in the United Kingdom raised important questions around the need to remain true to those ideals and to make human rights a living reality for all. This is a challenge that we must live up to."

In January 2014, Commissioners

engaged with the ICC Strategic Plan. Of interest to Pfanelo readers, is the synergy between the ICC Strategic Goals and that of the SAHRC goals. The ICC Goals are to;

1. Develop a sustainable and well managed ICC;
2. Maintain and strengthen ICC accreditation process;
3. Build partnerships and engage external stakeholders; and
4. Enhance engagement with the United Nations and regional mechanisms.

Pfanelo readers should consider the ICC goals against the SAHRC Strategic Objectives; Enhancing Organizational Efficiency, Stakeholder Engagements and Compliance with International and Regional Obligations.

For more information on ICC Strategic Plan, contact the ICC Office. 

**The right to development is the measure of the respect of all other human rights. That should be our aim: a situation in which all individuals are enabled to maximize their potential, and to contribute to the evolution of society as a whole. Kofi Annan, United Nations Secretary-General**

# Human Rights Snippets

## Family of South African teacher abducted in Yemen tries to raise funds for ransom

**Published January 21, 2014**  
**Associated Press**

JOHANNESBURG – The family of a South African teacher who was abducted in Yemen last year says it is trying to raise \$3 million to pay a ransom demanded by suspected al-Qaida militants who are holding him.

The family of Pierre Korkie, kidnapped in the Yemeni city of Taiz in May, said in a statement Tuesday that friends and local businessmen in South Africa have started a fund-raising campaign to try to secure his release.

The statement says the kidnappers agreed Saturday to allow three more weeks for the ransom payment. They have previously threatened to execute Korkie.

Korkie's wife, Yolande, was abducted with him, but was released this month and returned to South Africa. A non-governmental group, Gift of the Givers, helped mediate her release.

## SAHRC to probe Limpopo schools' sanitation

2014-01-23 07:00:53.0 | Sapa |

The SA Human Rights Commission will investigate sanitation in schools across Limpopo after a Grade R pupil fell into a pit toilet and died.

"The commission has decided to launch an own-initiative investigation around this matter," spokesman Isaac Mangena said in a statement on Wednesday.

The commission was aware of many other schools in the province that still used pit toilets.

Six-year-old Michael Komape died when he fell into a pit toilet at the Mahlodimela Primary School, in Chedeng, on Monday.

Mangena said the boy's death was a shock and a disappointment.

"We call on the department of basic education to move with necessary speed to ensure that all pit toilets in schools are eradicated."

The commission suggested the use of temporary sanitation measures while long-term plans were rolled out. It hoped that officials found guilty of negligence would be brought to book.

Public interest law centre Section27 said Komape's death highlighted the unsafe conditions in which children across Limpopo were taught.

"We urge the national department of basic education and the Limpopo department of education to take urgent steps to ensure that toilets in all schools in Limpopo are sanitary and safe," spokesman Mark Heywood said in a statement.

It challenged 12 construction companies that had admitted to bid-rigging to build school toilets in Limpopo.

"It would be a small measure of recompense for these companies to immediately help in fixing the problem of school toilets."

## New Leader in CAR, Same Human Rights Crisis?


By Bryant Harris

WASHINGTON, Jan 22 2014 (IPS) - The appointment of a new transitional president, Catherine Samba-Panza, in the Central African Republic (CAR) is generating optimism in some quarters that the country's first female leader will manage to quell mounting ethnic strife.

President Samba-Panza was appointed on Monday, in the midst of inter-communal violence between Muslim Seleka and Christian militias.

"As CAR's first woman head of state since the country's independence, and with her special background in human rights work and mediation, [Samba-Panza] has a unique opportunity to advance the political transition process, bring all the parties together to end the violence, and move her country toward elections not later than February 2015," John Kerry, the U.S. secretary of state, said Tuesday.

Yet some analysts here have quickly pushed back on the idea that the appointment of the new president offers a renewed chance for peace.

"There's a predatory elite that has more or less sucked the country dry," J. Peter Pham, the director of the Africa Centre at the Atlantic Council, a Washington-based think tank, told IPS. "Unfortunately they've just elected a member of that elite to be the interim head of state." Inter Press Service 

*"Transforming Society, Securing Rights, Restoring Dignity"*

## Free State Office Right To Food Event In Pictures



## Happy Birthdays

**Makhosani Nwandzule (HO) - 03 February**    **Mpho Tsoku (HO) - 04 February**

**Shirley Gouws(NC) - 11 February**

**Joyce Moloi(HO) - 13 February**    **Pregs Govender (HO) - 15 February**

**Gabisile Khoza(MP) - 16 February**    **Mankese Thema (LIM) - 17 February**

**Kayum Ahmed (HO) - 17 February**    **Nthombenhle Ngwane (HO) - 18 February**

**Tawana Malapane (HO) - 19 February**

**Thenjiwe Dlamini (HO) - 25 February**



## How to lodge a complaint

Visit one of our offices: more info on [www.sahrc.org.za](http://www.sahrc.org.za)  
Complete the online form and send to [complaints@sahrc.org.za](mailto:complaints@sahrc.org.za)  
Twitter: SAHRCommission  
Facebook: SAhumanrightscommission

## Human Rights Calendar Day

20 February - Non-Violent Resistant Day  
21 February - International Mother Language Day

### January Appointments:

Mr. Jackson Mzila, Research Associate at PAIA in HO  
Ms. Rachel Adams, Compliance Officer at PAIA, based at the Western Cape Office.  
Ms. Ramani Moodley, Research Associate with the office of Chairperson at the Commissioners Programme.  
Ms. Zwonaka Netshifulani, Legal Consultant, Chief Operation Officer's Office.

### February Appointments:

Mr. Iqbal Suleman, Provincial Manager for the North West Office.  
Ms. Kelly Stone, Research Associate at PAIA, based at the Western Cape Office.  
Ms. Eileen Carter, Senior Legal Officer for the Limpopo Office.