

July 2017[View this email in your browser](#)

COMMISSIONERS' ACTIVITIES

Commissioner Mohamed Ameerma receives the prestigious 2017 Robert G. Storey International Award for Leadership

South African Human Rights Commissioner, Advocate Mohamed Shafie Ameerma, has been awarded the Robert G. Storey International Award for Leadership in Dallas, Texas. The Commission is proud of Commissioner Ameerma's achievement in receiving this award in recognition of his dedication and commitment to human rights. It is an excellent testimony for the Commission, highlighting the fact that some of the Commissioners of the SAHRC are internationally recognised for their work in human rights.

Commissioner Ameerma is the first South African and African to receive the prestigious international award. [Read more](#)



Commissioner Mohammed Ameerma receiving the 2017 Robert G. Storey International Award

Commissioner Mohamed Ameerma participates at an international housing committee

Commissioner Mohamed Ameerma participated at the Global Network of Cities, Local and Regional Governments (UCLG) in Ottawa from 8-9 June 2017. The meeting aimed at renewing its commitment to drive forward "The Shift" to housing as a human right.

The meeting organized by the UN Special Rapporteur on Adequate Housing, Leilani Farha discussed the next steps of "The Shift", a global campaign for the right to housing launched with the support of UCLG at the Habitat III Summit in Quito in October 2016.



Commissioner Mohamed Ameerma participating at the Global Network of Cities, Local and Regional Governments meeting on the right to housing. Pic: UCLG

16 April & Guardian June 23 to 29 2017

Comment & Analysis

Refugees have an equal right to healthcare



The health department recognises this but not everyone, including asylum seekers, knows this

REFUGEES
Bonang Majoza

The 2015 World Refugee Day. There are about 65.6 million forcibly displaced people, and 22.5 million international refugees, the recent report by the United Nations High Commissioner for Refugees states. South Africa is host to a refugee population from many parts of the African continent and beyond. They are fleeing persecution, civil conflict and wars that threaten life and limb. Refugees and asylum seekers here face a number of problems and access to healthcare is arguably one of the most pressing. Under international human rights laws such as the 1951 Refugee Convention, and its accompanying protocol, refugees and asylum seekers are entitled to adequate, accessible, timely and efficient healthcare. This is echoed by another international human rights instrument, the Universal Declaration of Human Rights. The International Covenant on Economic, Social and Cultural Rights establishes the right of everyone to the highest attainable standard of health, possible. South Africans, like all other

international instruments. The principles in these international treaties are embodied in the Constitution. Section 27 says "everyone one has the right to access to healthcare". The provision requires that healthcare services be provided to people on the basis of non-discrimination and in keeping with equality. This notion was reiterated by the courts in *Minister of Health v Grootboom* and *Minister of Health v Van Rooyen* and in the matter of *Makhande and Another vs Minister of Social Development and Others*. According to the Constitutional Court, the word "everyone" in this section "cannot be construed as referring only to citizens". And the legislature intended to limit healthcare rights to citizens, it would have worded the section accordingly, as it did with political rights contained in sections 19 and 20. This Constitution at obligation is given effect to in section 27(1) of the Refugees Act, which says a refugee is entitled to the same basic health services and basic education that the citizens of the republic receive. As with many facets of South African law, the realisation of the right of refugees to healthcare is left to the constitutional provisions.



On the margins: Residents sit at a camp for people displaced by xenophobic violence outside Johannesburg in April 2015 waiting in line to get a food voucher for dinner. Photo: Gustav Butex

South Africans. The Constitution provides for adequate healthcare for the indigent, mandating the state to actualise this right through publicly funded healthcare for the poor. In spite of this clear directive from the Constitution, many inhabitants of rural areas and residents of urban and peri-urban townships, including refugees and asylum seekers, continue to struggle to access adequate healthcare. Refugees and asylum seekers face a peculiar disadvantage in accessing healthcare. This is partly owing to their lack of social and cultural capital, including language, familiarity with local bureaucracy and the requisite social cues, manners and behavioural patterns that locals of similar social locations possess. This is compounded by xenophobic and discrimination. Refugees and asylum seekers are often denied access to healthcare because of their nationality. In cases where they were treated, refugees and asylum seekers were often charged international fees, according to a report by Human Rights Watch. This is despite the fact that the law provides for refugees and asylum seekers to be treated in

the same manner as South Africans. The department of health has tried to correct the structural barriers arising out of the lack of awareness of some healthcare facilities as to the rights of refugees and asylum seekers. It issued administrative guidelines instructing healthcare practitioners of the legal obligation to provide services to refugees and asylum seekers, in keeping with their rights under the Constitution and the Refugees Act. The directive says that asylum seekers and refugees – with or without permits – are entitled to basic healthcare, are exempted from paying for administrative treatment charges, irrespective of the site or level of institution where these services are rendered, and should be charged medical fees in accordance with their financial means. No withholding the actions of the department of health, some structural barriers persist. One such barrier is the intersection of poverty, the status of refugees and asylum seekers as displaced persons and gender, which places refugees and asylum

seeking women at a greater disadvantage in accessing healthcare. There have been instances when non-national women, despite their immigration status, are denied access to reproductive healthcare. A usage example is that of a Zimbabwean left to give birth unassisted at Rahima Moosa Mother and Child Hospital two years ago. She lost her baby. It is the recognition of the peculiarity of the situation of refugees, and the need to fashion an equal and cohesive society, that necessitated the constitutional provision that grants refugees and asylum seekers the right to basic necessities for a decent life, such as the right to adequate healthcare. This right is limited only by resource constraints. By obliging the state to give the same standard of healthcare to refugees and asylum seekers as it does to South Africans, the Constitution is envisaging a society free from inequality, discrimination and xenophobia.

Bonang Majoza chairs the South African Human Rights Council

School zoning still reflects apartheid era

ANDREW H. GALIM
The process of school zoning is still reflective of the apartheid era. This is an opportunity to speak about the impact of admission policies on social transformation.



Parents without identity papers or permit numbers are usually excluded from accessing their rights to basic education. In the public sector, however, as a general matter, parents continue to be a bar to the public education system, which is intended to ensure application fees, thereby excluding people from poor socio-economic backgrounds. Parents with housing or health barriers are often excluded from the mainstream education system because of their inability to pay for the cost of school fees, as well as the reasonable cost of public transport to the school of their children. All public, regardless of specific characteristics, behavioural records or ability to pay, have a fundamental right to receive a basic education.

The South African Schools Act (SASA) provides for the right to admission to the school of a child, based on the best interests of the child. The act also provides for the right to admission to the school of a child, based on the best interests of the child. The act also provides for the right to admission to the school of a child, based on the best interests of the child. The act also provides for the right to admission to the school of a child, based on the best interests of the child.

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Refugees have an equal right to healthcare

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South Africa is host to a refugee population from many parts of the African continent and beyond. They are fleeing persecution, civil conflict and wars that threaten life and limb. Refugees and asylum seekers here face a number of problems and access to healthcare is arguably one of the most pressing. [Read more](#)



The South African Jewish Board of Deputies logo. Picture: Facebook

Congress of South African Trade Union



Cosatu slams motion of no-confidence

3 years ago

Human Rights Commission to police: Stop using excessive force

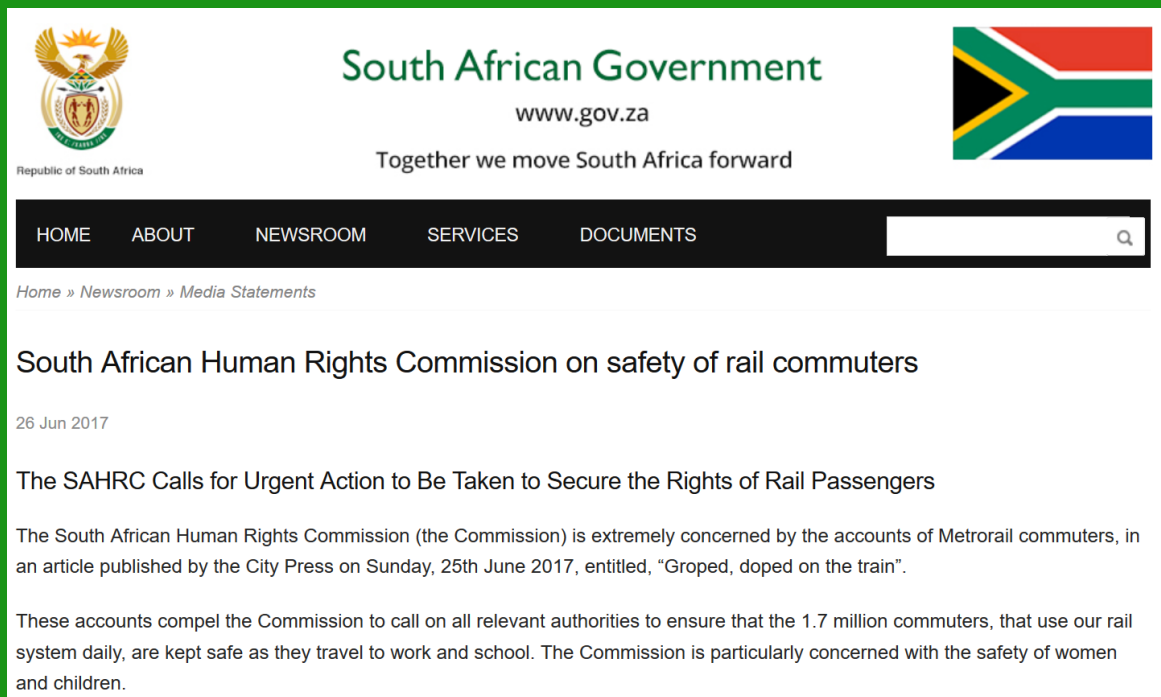
The South African Human Rights Commission is calling on the Police Minister to ensure that officers don't use excessive force during student protests. The Commission released its Civil and Political Rights Report for 2016/2017 in Johannesburg.

It condemned reported instances of alleged police heavy-handedness in dealing with protesters. Several institutions in KwaZulu-Natal were forced to close their doors last year due to violent student protests. [Read more](#)

South African Human Rights Commission On Safety of Rail Commuters

The SAHRC Calls for Urgent Action to Be Taken to Secure the Rights of Rail Passengers. The South African Human Rights Commission (the Commission) is extremely concerned by the accounts of Metrorail commuters, in an article published by the City Press on Sunday, 25th June 2017, entitled, "Groped, doped on the train".

These accounts compel the Commission to call on all relevant authorities to ensure that the 1.7 million commuters, that use our rail system daily, are kept safe as they travel to work and school. The Commission is particularly concerned with the safety of women and children. [Read more](#)



The screenshot shows the South African Government website header with the coat of arms, the text "South African Government www.gov.za Together we move South Africa forward", and the South African flag. Below the header is a navigation menu with "HOME", "ABOUT", "NEWSROOM", "SERVICES", and "DOCUMENTS", and a search bar. The breadcrumb trail reads "Home » Newsroom » Media Statements". The article title is "South African Human Rights Commission on safety of rail commuters", dated "26 Jun 2017". The article text repeats the information from the top of the page, stating that the SAHRC is concerned by an article in the City Press about Metrorail commuters and is calling for urgent action to ensure the safety of the 1.7 million daily commuters, particularly women and children.

SAHRC advocate for refugees, asylum seekers healthcare

The South African Human Rights Commission (SAHRC) said on Tuesday that refugees and asylum seekers should not be denied healthcare. In a statement marking the World Refugee Day, which falls on June 20, the SAHRC said refugees and asylum seekers face a peculiar disadvantage in accessing healthcare given their status as non-nationals.

"This is compounded by xenophobia and discrimination. Refugees and asylum seekers are often denied access to healthcare owing to their nationality," SAHRC Chairperson Bongani Majola said. [Read more](#)



The screenshot shows the Ghana News website header with the Ghana News logo and the text "GHANA NEWSGHANA.COM.GH". Below the header is a navigation menu with "HOME", "NEWS", "SPORTS", "BUSINESS", "ENTERTAINMENT", "EDITORS' PICK", and "MORE". The breadcrumb trail reads "Home » Health » SAHRC advocate for refugees, asylum seekers healthcare". The article title is "SAHRC advocate for refugees, asylum seekers healthcare", dated "Jun 21, 2017".

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The South African Human Rights Commission (SAHRC) said on Tuesday that refugees and asylum seekers should not be denied healthcare.

KZN cancer patients' right to healthcare has been violated: SAHRC

A damning report by the South African Human Rights Commission has found that the KwaZulu-Natal department of health has failed its cancer patients.

The 68-page SAHRC report found that "the delays in the provision of, and in some cases the denial of, oncology services to cancer patients, some of whom are destitute and in need of health care, affects them in a most fundamental way". "It poses a serious threat to the patients' lives and the enjoyment of other rights. It cannot be denied that the rights to life and human dignity, which are intertwined in our constitution are intertwined in this matter." [Read more](#)

The report is available [here](#).



MONTHLY HIGHLIGHTS

SAHRC ON TWITTER @SAHRCommission





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Ayanda Nene @Ayanda_Nene28 · Jun 23

The @SAHRCommission KZN launch its Child Friendly Space and the CF Complaints Handling Procedures, to create a child conducive environment

A collage of four photographs showcasing a child-friendly space. The largest photo shows a red sofa with yellow and blue cushions, a striped rug, and a window with a decorative grid pattern. The word "LOVE" is written vertically on the wall. Smaller photos show a play area with toys, a group of people sitting at a table, and a red door.



SAHRCCommission @SAHRCCommission · Jun 23
 SAHRC WC Office yesterday launched its Child Friendly Space in line with the Commissions' Child Friendly Complaints Handling Procedure



SAHRCCommission @SAHRCCommission · Jun 26
 The Limpopo Provincial office is located in 1st Floor, Office 102, Library Garden Square, Cnr of Schoeman and Grobler Streets, Polokwane



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SAHRCCommission @SAHRCCommission · Jun 21
 The Gauteng Office is located in the SAHRC Headquarters in 33 Hoofd Street in Braamfontein and can be reached on 011 877 3750 for complaints



SAHRCCommission @SAHRCCommission · Jun 21
 SAHRC NC Provincial Office launched its Child Friendly Space in line with the Commissions' Child Friendly Complaints Handling Procedure.



 **SA Human Rights Commission** added 5 new photos from June 22 to the album: **SAHRC's Mpumalanga Provincial Office Child Friendly Space launch.**
Published by gsmith@sahrc.org.za [?] · June 22 · 🌐 · 📷

Mpumalanga Child Friendly Launch



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CentreForHumanRights @CHR_HumanRights · Jun 19
Going on now at the @SAHRCCommission is the #IDecideIAm exhibition co-organized by the Centre to Human Rights. #RightToDecide



🗨️ 4 ❤️ 4 ✉️



Commissioner Andre Gaum on SAHRC investigation following the removal of artworks from the University of Cape Town via SABC



SAHRC launches Civil and Political Rights Report



Commissioner Chris Nissen opening Seminar to launch report on Civil and Political Rights in SA



What are Civil and Political Rights by Head of Research Fola Adeleke



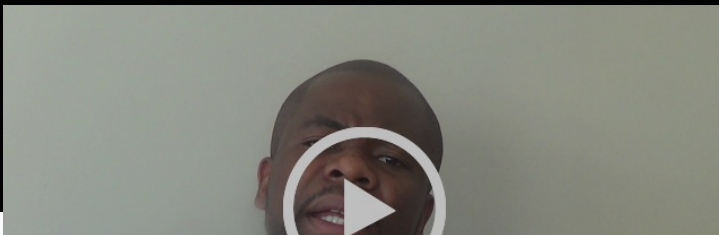
Why are Civil and Political Rights important in South Africa by Head of Research, Fola Adeleke



What is the Civil and Political Rights Report by Head of Research, Fola Adeleke



What are some of the key findings of Civil and Political Rights Report by Head of Research Fola Adeleke



Legal expert Magdaleen de Klerk on SAHRC's work the rights of children via Kyknet



SAHRC Librarian Lesedi Sojane's opening remarks at the International Albinism Awareness Day



Albinism Activist Mpho Tjope on International Albinism Awareness Day

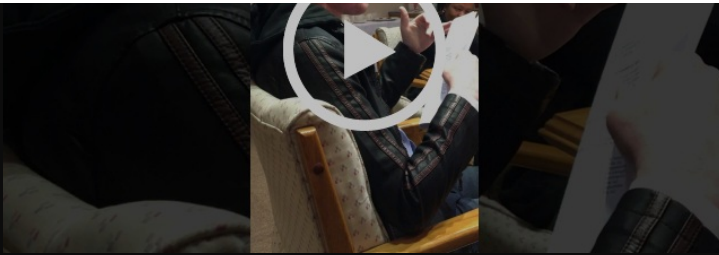


Albinism Activist Mpho Tjope on being the only one in his family with Albinism



Albinism Activist Mpho Tjope, Albinism killings increasing in Africa





HUMAN RIGHTS DAYS

Nelson Mandela Day

Nelson Mandela International Day, also known as Mandela Day, is held on July 18 each year. The day remembers Mandela's achievements in working towards conflict resolution, democracy, human rights, peace, and reconciliation.

What Do People Do?

Nelson Mandela Day not only celebrates Nelson Mandela's life, but it is also a global call to action for people to recognize their ability to have a positive effect on others around them. The day hopes to inspire people to embrace the values that Mandela shared. These values include democracy, freedom, equality, diversity, reconciliation, and respect.

Human Resources will communicate on SAHRC plans for this year's Nelson Mandela Day activities

BIRTHDAYS

Princess Magopane (HO) - 1st

Nomawethu Mhlophe (EC) & Mamello Matthews (WC) - 3rd

Witness Ndala (HO) - 6th

Sinethemba Memela & (HO) Vivian Khobela (NW) - 7th

Hilda Pule (HO) - 14th

Mpho Boikanyo (NW) - 16th

Alufheli Nefale (MP) - 18th

Alucia Sekgathume (HO) - 19th

Lindiwe Dlamini (HO) - 20th

Kate Tissington (WC) - 21st

Hlengiwe Khumalo (HO) - 24th

Gregory Paulse (HO) - 28th

Aubrey Mdazana (EC) - 30th

TALK TO US...



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Braamfontein, 2017**

Braamfontein, 2017

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