

# Fanelo

"It's Your Right"

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



Volume 29

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## Ready to protect your rights

SAHRC staff resolve to work harder towards building a better institution



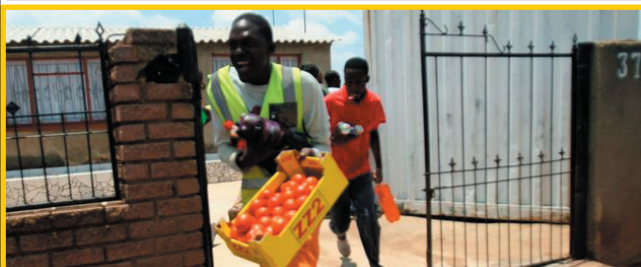
The winner - Mukundi



Adios message from CEO, Kayum Ahmed



Xenophobia: Government must act quickly on tensions



Twitter: @SAHRCCommission  
Facebook: SA Human Rights Commission

## International Mother Language Day 21 February

Announced by UNESCO in 1999, International Mother Language Day celebrates cultural diversity and commemorates the “language martyr” students of 1952 Bangladesh. These students are honored by the encouragement of multiculturalism and the promotion of protective measures for endangered languages. It’s hard to imagine the challenges faced by students who have been ordered to learn in a foreign language, as without linguistic inclusion, there is no equal access to education. Current International Mother Language Day events include multicultural festivals which promote the hearing of all voices, and display social cohesion, cultural awareness, and tolerance. The unique nuances and subtleties of linguistic communication which connect individuals to culture and personal identity are valued and encouraged.

In the words of Nelson Mandela, “If you talk to a man in a language he understands, that goes to his head. If you talk to him in his language, that goes to his heart.”

*Pfanelo* is a publication of the South African Human Rights Commission  
Private Bag X2700, Houghton  
Johannesburg 2041  
Tel: (011) 877 3600 • Fax: (011) 643 6472  
www.sahrc.org.za / info@sahrc.org.za



Editor in Chief: Kayum Ahmed, CEO

### Editorial Team:

Siyasanga Giyose, Head of Strategic Support and Governance  
Isaac Mangena, Head of Communications  
Mthokozisi Mbambo, Strategy and Performance Specialist  
Wisani Baloyi, Communications Officer (Internal)  
Alucia Sekgathume, Communications Officer (External)  
Sizakele Ntoyi, Legal Secretary  
Zamile Mbanjwa, Admin Assistant

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## CONTRIBUTORS

- Kayum Ahmed, CEO
- Lindiwe Khumalo, COO
- Eric Mokonyama, Mpumalanga Provincial Manager
- Mthokozisi Mbambo, Strategy and Performance Specialist
- Vivian John-Langba, Research Associate, ICC
- Juddy Hollenbach, PA to the CEO
- Dineo Phushuli, Records Clerk
- Lerick Muthaphuli, Receptionist
- Zamile Mbanjwa, Admin Assistant SS&G



# From the CEOs desk: A Fond Farewell



the Commission. I realize now that more attention should have been paid to the well-being and happiness of colleagues and that this has been one of my failures as Chief Executive. My obsession with improving our institutional performance unfortunately resulted in my neglect of staff happiness.

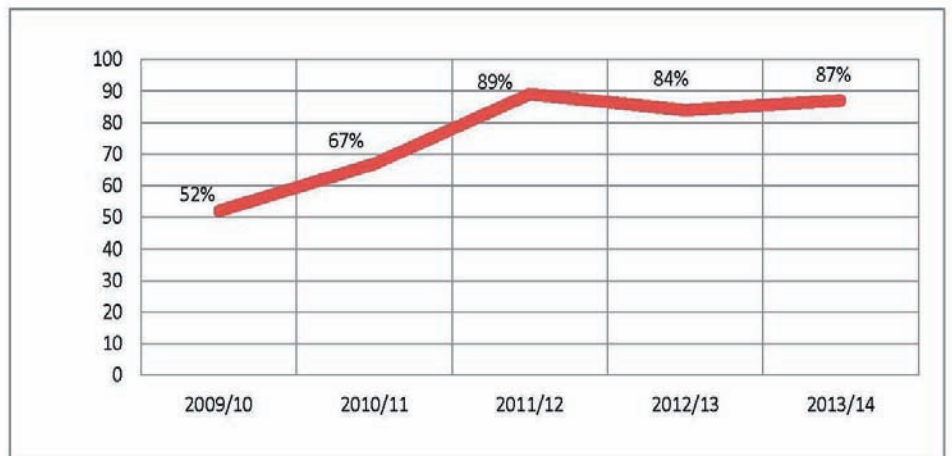
During the strategic planning session a colleague asked whether I would do it all over again. Without hesitating, I said, "Absolutely!" I would certainly take the difficult path of rethinking the mandate, effectiveness and structure of the organization. At the same time, I am acutely aware of the many mistakes I made during this process and would change my approach if I could go back in time.

Reflecting on these mistakes but also our collective success, I presented an overview of our performance in a recent presentation to senior managers:

As I arrived at the strategic planning session, I felt a little nervous. It was the first time in the twenty year history of the Commission that all staff had been brought together to participate in a strategic planning exercise. We had some difficult issues to confront and I was anxious about how the process would unfold.

I sat in my car outside the reception area looking at my colleagues warmly greeting each other, laughing, happy to be at work on a Sunday! My anxiety quickly turned into relief. And as I interacted with colleagues, relief turned into excitement. Many colleagues, some of whom had been at the Commission for 12 and 17 years, thanked me for bringing everyone together.

Despite the warmth and happiness that engulfed me, I recognized that one of the reasons that necessitated the strategic planning meeting was the low levels of staff morale at

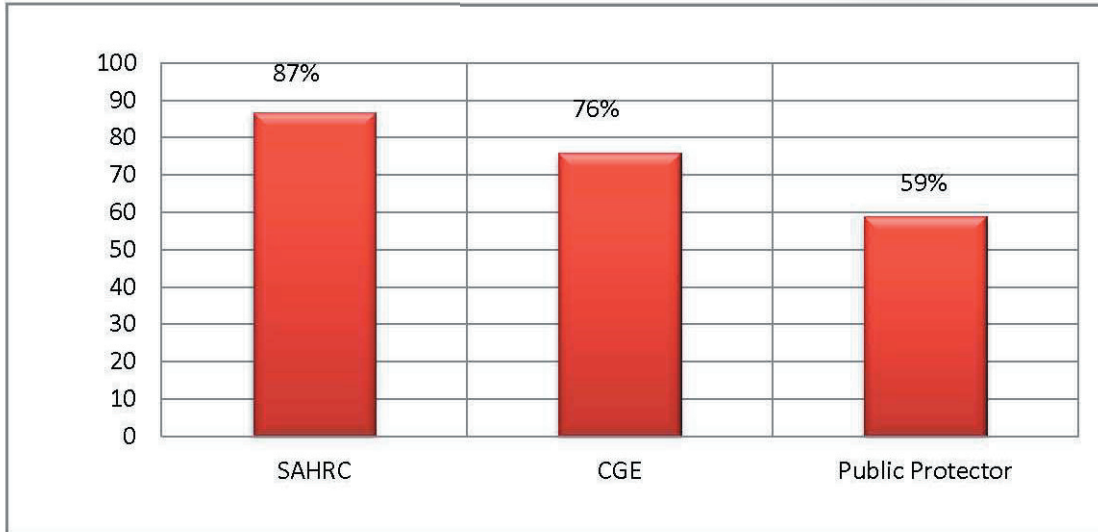


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*From page 03*

It is evident that we are doing well. We have so much to be proud of as an institution but often forget to acknowledge our successes. Compared to the performance levels of fellow Chapter 9 institutions, the Commission has consistently maintained performance levels of above 80% for the past three financial years:

“When Commissioners first appointed me as Chief Executive at the (tender) age of 34, I only realized a little while later that I was the youngest CEO ever appointed to a Chapter 9 institution.”



From 2010 to 2014, we spent significant resources on legal services to ensure that one of the key pillars of our mandate was given effect to. At the end of the 2010/11 financial year, the Commission had achieved a 16% case finalization rate. By the end of 2013/14, our finalization rate was sitting at 93%. This again is a remarkable achievement and is reflective of the commitment and dedication of colleagues and the strategic vision set by Commissioners.

Our excellent performance levels were of course marred by one qualified audit during the 2010-2015 period. My failure to take the necessary preventative steps to avoid the qualification is another significant mistake that I take full responsibility for. However, the ability of the Corporate Services team to rally together to achieve a clean audit in the following year must be commended.

My experience has been that whenever we faced a difficult period at the Commission, colleagues have always been willing to work together, to put in the extra effort, and to give of themselves. I feel privileged to have worked alongside some of the most talented and remarkable colleagues – people I have learnt so much from during my time at the Commission.


When Commissioners first appointed me as Chief Executive at the (tender) age of 34, I only realized a little while later that I was the youngest CEO ever appointed to a Chapter 9 institution. The trust placed in me by Commissioners is something that I will always be thankful for. And despite the occasional difference of opinion during my tenure as Chief Executive, Commissioners were always willing to engage to find solutions.

Finally, many folks have asked: “So what’s next?” My wife, Farzana,

and I will be flying to Cairo in March and plan to travel across the continent all the way down to Cape Town for about three months. I then hope to start a PhD in human rights education in the United States if I am accepted into one of the post-graduate programmes. Ultimately,

my aim is to remain involved in the human rights space and to return to South Africa to use whatever knowledge and skills I have gained to continue advocating for human rights.

A few people have also asked what will happen to the Best Dressed Award that’s currently sitting on my desk. While it’s going to be really hard to be separated from the trophy which I now take to every meeting, I’m going to leave it behind for the next person who is able to bring sexy back to the Commission. It’s not going to be easy. Mpho and Pandelis have already started their campaign to take the award next year and Commissioner Ameermia keeps on visiting my office to look at the trophy.

While the award was really fun to receive, I will always remember the atmosphere of that wonderful evening together with all of you. You will always remain a part of me wherever I go. 



## Judy Hollenbach reflections on Kayum



I am casting these words on paper with happy, though sad emotions. Happy, because I know I can write essays about my experiences with and knowledge learnt from Kayum; and sad, because I have to say, (not farewell), “until we meet again”.

In 2010 when I was appointed as Kayum’s PA, Kayum had only been in the Commission for 5 months, and I had lost my husband 4 months prior. We had to learn each other’s “ways” and Kayum had to bear with my roller coast emotions. (I must say the chocolates worked the best!) Although my gut feel was very positive, I was also wondering how this young man was going to cope with all the requirements and trends in the Commission. He had to compete with previous CEO’s like Comm. Mokate and others, and THEN Kayum went heads on into a restructuring process. Needless to say, he was working towards the end result and was always in charge; no matter what stumble blocks he had to deal with, his goal was to make the Commission an even better place. He would never pass the blame to anyone else if

things weren’t going according to expectations, but take the responsibility on his own shoulders. He would then attempt to solve the problem as amicable and subtle as possible. Kayum always realised and accepted that it was a learning curve for him and that one cannot win ALL the challenges; there sometimes have to be stumble blocks on your road to success to make the victory and/or experience sweeter and cast in stone; and very important is the fact that there will often be wounds from past experiences, however, it was important not to leave the “wounded” behind.

I had great confidence in Kayum. There were all kinds of small gossip and questions asked about our new, young CEO; which he approached hands on and met most of the expectations of our curious colleagues; and at the same time put some of the fears and questions asked to rest. Although Kayum is a very pleasant and considerate young man, who would always gladly pay complements if, a colleague, even in the slightest way, deserved it; he would not hesitate to address a problem or discrepancy with any colleague when necessary. No one would be favoured! (Not even me; and a spelling mistake which slipped through would be the cherry on the cake)

I valued this quality in Kayum, as he would not gossip behind one’s back, but address the matter directly. Professionalism and honesty in the workplace is very important to him, as much as he is a go getter and I know that he will still be climbing the ladder of success even when using a walking stick to do so. He participates in all possible and valuable studies, especially in the Human Rights field, presentations, interviews; and address-

ing students to encourage them to build on their studies, careers and future. These interactions are very valuable to our students and young professionals, as it comes from a young professional who is living the advice that he preaches to the fullest.

The exciting travel and events which Kayum had planned for him and Farzana before he starts his full time studies would not be done by anyone who does not have great courage and love for life and the future; AND with a wonderful wife to support and accompany him.

Kayum, from the bottom of my heart; and I am sure from all colleagues as well; I will surely miss you stacks; I cannot imagine this office without you, it will be very difficult for me; However, I will treasure the good memories and I wish u and Farzana great success with all future endeavours. I will follow all the International and National news if my Whatsapp and Face book do not work; even if my grandchildren have to read it to me! Last, but not least; thank you for bringing Sexy back to the Commission and winning the award for best dressed employee, well done!

“Kayum, from the bottom of my heart; and I am sure from all colleagues as well; I will surely miss you stacks”

Pf

## Fans' 'racist' posts on FB land singer in court



The Equality Court in Cape Town will hear argument in April on whether Afrikaans singer, Sunette Bridges, was aware of allegedly racist and hateful remarks being posted on her Facebook page.

Judge Siraj Desai on Tuesday directed that he would hear the matter between Bridges and the SA Human Rights Commission (SAHRC) on April 20.

Both parties would approach him on March 2 to inform him which witnesses they intended calling.

Desai had heard argument over whether he had the jurisdiction to hear the matter and whether Bridges could be held liable for third party comments on the internet.

Paul Kruger, for Bridges, argued that his client never saw the remarks in question, and it was impossible to moderate her pages around the clock.

He agreed that certain remarks on the pages were racist and offensive. He said his client regularly deleted content off her pages but that it was impossible to be aware of everything.

"What she says in her papers is that she denies any liability and she will state her case in court."

Anton Katz, for the SAHRC, submitted that the responsibility lay with Bridges to moderate what was on

her pages and that she had not formally distanced herself from the comments people had posted.

"Stand up. Be counted. That is what responsibility means," Katz said.

Desai conceded he was not very familiar with how Facebook worked, especially when it came to privacy settings, and creating and deleting posts. He directed that Katz produce expert evidence at the hearing on the social networking site.

Kruger had said that one could not merely assume that his client was the creator and moderator of a number of pages under the name of Sunette Bridges.

He also said the SAHRC had not produced any evidence to prove that the bundles of Facebook pages it had printed out indeed originated from her Facebook pages.

"They are trying to hold Ms Bridges responsible for things and we don't know what measures they took to ensure it was Ms Bridges."

The SAHRC has accused Bridges of hosting apparently racial commentary on her Facebook page which constitutes hate speech in terms of the Promotion of Equality and Prevention of Unfair Discrimination Act of 2000.

It felt the commentary created an environment in which racist and hateful attitudes were allowed to

flourish.

Bridges is the daughter of the late Afrikaans singer Bles Bridges.

According to Katz, she had two Facebook pages, one under her personal name and one titled "Sunette Bridges News Page", which focused on issues of concern to the conservative white Afrikaans community.

The court was referred to a few remarks left in response to a post on the Sunette Bridges news page about farm attacks in Kwazulu-Natal.

Katz referred to a man who commented he was a supporter of Nazi dictator Adolf Hitler.

The man commented: "Suid Afrika het 'n Hitler nodig maak hulle vrek!!!" (South Africa needs a Hitler, kill them.)

A woman on the same post commented: "Skiet die (goed) vrek – hulle is nie barbारे nie, want barbारे is mense!!!!!" (Shoot the things dead – They are not barbarians because barbarians are people.)

The SAHRC wanted Bridges to post an unconditional apology on her Facebook pages and remove the hate speech and harassment it had identified.



Sapa



# Our children are colour-blind: Curro parents

Pretoria - Parents whose children were racially segregated at the Curro Roodeplaat Private School in Pretoria on Monday said their children were not aware of race.

"My son doesn't know colour," said one parent, Ntombi Khumalo.

"I want it to stay that way. He must just see kids as kids."

She claimed her child, in Grade 1, had not told her he was in a class with black children only, while another class mostly consisted of white children.

She had heard the matter from other concerned parents.

"It was not always like this," Khumalo said, adding that she had two children in the school.

"When my child was here last year in Grade R, they were integrated."

She was unsure what had brought about the change.

Two weeks ago, a group of black parents signed a petition against the school, claiming they were unhappy that their children were in one class, and white children in another.

Last week, regional manager at Curro Holdings, Andre Pollard, denied the school was racially segregating its pupils.

"It is not because we would like to segregate the whites, it is just because of friends. Children are able to make friends with children of their culture," he told Eyewitness News.

Education MEC Panyaza Lesufi visited the school on Monday. Addressing reporters at the school, he said what had happened could not be justified.

"Private schools are not immune to laws of this country," he said.

"As from tomorrow, no child will be discriminated against on the base of their colour. No child will be discriminated against on the base of their culture," said Lesufi.

## No compromises would be made.

"Initially, when I read the report [about the parent's complaints], I wanted to revoke the school's licence," Lesufi said.

"I have the powers to do that.

"I hate racism with passion. I'm addicted to non-racialism. I will not allow a Grade R learner to be reminded of apartheid. I will not allow any child to be reminded of where we come from."

He issued an apology on behalf of the school.

"The school embraces and accepts that they've made a mistake and they will rectify it," Lesufi said.

## Waiting for apology

Another parent, Nomfundo Zimu, said she was waiting for the school's public apology.

"The school needs to apologise to us as well as the country as a whole because this has affected a lot of people," Zimu said.

The SA Human Rights Commission (SAHRC) welcomed Monday's pro-

ceedings.

"The SAHRC welcomes the commitment made this morning by Curro's leadership and [will] continue to monitor the commitment made by the school," the Commission's Nicola Whattaker said.

Meanwhile, Lesufi listed several changes that could be implemented at the school, including the introduction of African languages as a subject.

The school, which currently only has white staff, would also introduce black teachers.

COO of Curro, Andries Greyling, said there were several reasons why the school did not have black teachers. Location was one of them, he said.

Curro Roodeplaat was on the banks of the Roodeplaat Dam, on the outskirts of Pretoria.

The outcry from parents whose children attend the school on Monday prompted Lesufi to meet all principals of private schools within the next two weeks to introduce a transformation charter.

He intended to order a review of private education in the province.

If the matter went beyond Gauteng, a meeting would be scheduled with education MECs from other provinces to address the matter, Lesufi said.

He expected to receive the Gauteng private school's review, to be conducted by a single, independent person, before Youth Day on 16 June.



Source: News24

## SAHRC calls on Government to act quickly on xenophobic attacks tensions



**The recent foreign owned shop lootings in Soweto brought back painful memories of 2008 attacks. Pic - IOL**

The South African Human Rights Commission (Commission) continues to monitor the sporadic attacks on migrants and the looting of their businesses across the country. The Commission visited some of the communities affected by the attacks and held meetings with stakeholders, including the police.

We remain concerned at the attacks which have all the hallmarks of xenophobia, since only foreigners and their property seem to be targeted, save for the few nationals who were also caught in the cross-fire.

The targeted approach of these attacks on foreign shop owners irresistibly bears xenophobic undertones and only as criminality as it has been suggested in a number of statements by some Government spokespersons. Acknowledging will

enable those responsible in dealing with these challenges to do so from a correct perspective.

The attacks which started in Soweto some weeks back, highlight the bigger challenges the country is facing in its attempts in integrating non-nationals into our communities especially in informal settlements. The escalation in the number of non-nationals entering South Africa has posed various challenges and in some instances, human rights violations are reported to be perpetrated against non-nationals.

While the recent wave of attacks and lootings of properties of foreign-nationals are reported to have been sparked by the killing of a young South African, the knock-on effect in the form of retaliations aimed at other foreign nationals who were not part of the killing of

the young man became extremely disproportionate and has taken excessive efforts to stop it, and has indeed raised other collateral issues such as, the need to regulate small businesses such as spaza shops-so-called etc.

The Commission has been aware of the simmering tensions between locals and foreigners for sometime from the number of complaints we have received and dealt with. It is for this reason that the Commission convened a workshop in December 2014, alongside the UNHCR and the Johannesburg Municipality to try find ways of ensuring foreigners and locals co-exist in their communities. Report with recommendations and submissions will soon be released for the attention of relevant stakeholders dealing with matters affecting foreign nationals.

In 2008, South Africa experienced unprecedented levels of violence and discrimination against non-nationals, during which more than 60 people were killed and thousands were displaced.

Following on these tragic occurrences that took place during the 2008 violence, several recommendations were made by the Commission and government's Inter-Ministerial Committee. It is concerning that most of those recommendations have not been implemented nor acted upon by various government departments.

Due to the inability of some Government Departments to adequately implement and or to act or none at all on the 2008 recommendations, it is irresistible to believe that had they done so the current attacks and lootings of businesses

*Continues to page 09*

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From page 08

## Dealing with xenophobia would need a multi-faceted collective human rights approach in line with our international obligations towards foreign nationals.

of non-nationals would, to a certain extent have been minimised.

The Commission calls on government to move quickly to address the underlying issues that continues to negatively affect foreign nationals in the manner the country has experienced in the recent weeks.

We believe that dealing with xenophobia would need a multi-faceted, multi-dimensional and collective human rights approach based on basic human rights, in line with our international obligations towards foreign nationals.

We commend the police for their quick and timely intervention that helped to minimize the anarchy that was brewing in our townships, and call on them to further ensure the safety of the non-nationals and their property. We also call on the law enforcements agents to deal expeditiously with those police officials who were reported to have wrongfully participated in the looting of goods belonging to foreign nationals.

The Commission would further like to highlight the fact that foreign nationals who are in the country are, like citizens, entitled to every right in the Bill of Rights, except the right to vote. These include the right to security, to study, to open businesses, and to seek employment, among others. The Commission is currently engaging all the stakeholders, including organizations representing both foreign and township businesses, to help find long-lasting solution to the current challenges. **Pf**

## Soweto unrest could be linked to xenophobia: SAHRC

The South African Human Rights Commission (SAHRC) says they cannot rule out the possibility that the recent unrest in Soweto, south of Johannesburg is related to xenophobia.

Over 80 foreign-owned shops have been looted in the area this week and at least 120 people have been arrested.

It's believed the looting began after a 14-year-old boy was shot and killed allegedly by a Somali shop owner.

A foreign national was also killed in the violence.

The Commission's Chief Executive

Officer, Kayum Ahmed, says there is strong socio-economic evidence to suggest that this could be xenophobia at a local level.

"We certainly are not ruling out the idea of xenophobia given that foreign nationals are involved. Often, local South Africans would say to us that foreign nationals charge far less for basic household products than the local shop keepers are able to compete with them for. So, it seems to be on the one hand a basis for the attacks - sometimes spurred on by business people in those particular communities. At the same time, we also recognise that beyond the socio-economic issues there are also issues connected to race," says Ahmed. **Pf**



The Commission strongly condemn the ill-treatment of Non-Nationals  
Pic - EWN

## High unemployment rate contributed in looting spree



**SAHRC Chairperson, Adv Mbedle Mushwana addressing the media on looting in Soweto.**

South African Human Rights Commission (SAHRC) Chairperson Advocate Lawrence Mushwana says they are hopeful that attacks on foreign nationals that took place in Soweto are coming to an end.

Speaking on Morning Live, Mushwana said it is unacceptable that foreign national are being targeted and their shops are being looted.

Attacks on foreign-owned shops were sparked after a 14-year-old boy was killed by a Somali shopkeeper in Soweto.

Police say the number of people arrested in connection with looting of foreign owned shops in Soweto has risen to 178.

The attacks have now spread to other areas including Alexandra and Langlaagte.

The Alternative Information and Development Centre (AIDC) Director Brian Ashley says given our history in the county, we should be champions of anti-racism and fight-

ing xenophobia.

Ashley believes that racism and xenophobic attacks are perpetuated mainly by unemployment and inequalities.

High unemployment rate plays a major role in acts of violence

Mushwana also agrees that the high unemployment rate plays a major role in this acts of violence.

On Sunday night, police launched a man-hunt for suspects involved in the murder of two people in Langlaagte.

It's believed the two men were shot dead during a looting spree in the area.

Police have confirmed that a group of locals looted a foreign-owned spaza shop and then set another building alight.

Police spokesperson Lieutenant-General Solomon Makgale says, "When we arrived there we found a person lying [on the ground and] ... it looks like he died as a result of gunshot. We also found another body just outside the informal settlement not far from the tavern, so far no one has been arrested but police are investigating and we are monitoring the area in Langlaagte [and] Soweto."



**Residents looting foreign owned shops in Soweto. Pic: ENCA**



## MALAMULELE: Protesters should respect rights of others including children to school

**T**he South African Human Rights Commission would like to express its concern over the situation in Malamulele, Limpopo, where, as reported in some radio stations children were forced out of schools, and by those who claim to be in a struggle to force government to establish a separate municipality for Malamulele district.

Residents are demanding that government should grant them their own municipality, separate from the Thulamela Municipality which they accuse of providing better services to the Thohoyandou area and little or nothing for the residents of Malamulele.

The Commission understands and respects the rights of any individual, including the residents of Malamulele to engage in protests as and when such a need arises. Inherent in the right to protest is respect for the rights of other individuals. Children have rights to education conferred to them by the same Constitution that confers the right to protest to every individual. No right is superior to other rights and no individual therefore can claim to be exercising a right where such an action violates the rights of others. The forceful removal of children from school is a violation of a right and an offence punishable by law.

We appeal and urge all of those who are engaged in this protest for the establishment of their own



**Malamulele residents have destroyed infrastructure including schools in protest for their own municipality**

Municipality to do so without violating the rights of other individuals including damage to property.

The Commission will continue to engage the residents and government to expedite the resolution of the dispute between them before the situation causes anarchy in Malamulele and the surrounding areas.

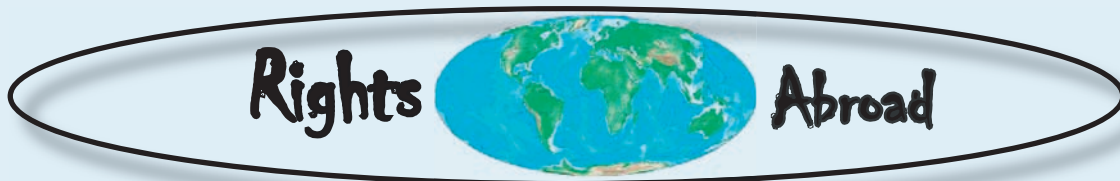
The Commission has since last year also initiated an investigation into the alleged lack of, or inadequate service delivery, which, if correct, borders on violation of socio eco-

nomic rights.

While the Commission will continue to monitor the protest and where necessary call for intervention to end violation of the rights of children or any other individual, we appeal for the respect of the rights of others.

The Commission also appeal to the authorities concerned especially COGTA to do everything possible and in their powers to end this impasse as a matter of extreme urgency.





## ICC, NHRIs submit joint statement on Sustainable Development Goals

**2015** is an important year for the advancement of human rights. The Millennium Development Goals (MDGs) are set to expire this year and discussions are currently underway to finalise the next set of development goals referred to as Sustainable Development Goals (SDGs). Despite high level advocacy, there is still limited explicit - or if so only selective - reference to human rights in the current proposal for the next development agenda. Further, while the negotiations for the SDGs are at a final stage, it has been noted that there is still a need to clarify the content of each of the goals and to highlight how they relate to existing rights. Unfortunately NHRIs still remain at the periphery of the process with few if any stakeholders taking note of the need to work with NHRIs particularly in the implementation and monitoring phase. Noting the important role of NHRIs in the for-

“While the negotiations for the SDGs are at a final stage, it has been noted that there is still a need to clarify the content of each of the goals and to highlight how they relate to existing rights.

mulation of the post-2015 development agenda, and the potential of having ‘missed opportunities’ for influencing the outcome, the ICC established a working group on SDGs led by the Deputy ICC Chairperson, Prof Alan Miller and Allan Lerberg Jørgensen from the Danish Institute for Human Rights. In addition, the ICC Chairperson, Adv Mabedle Mushwana submitted a letter and joint NHRIs statement to the UN Secretary General which set out NHRIs’ common position on the SDGs and the implementation

and monitoring framework that the agenda should take. The ICC through the Working Group also plans to develop a position paper that NHRIs can use to influence the negotiating positions of their own governments and permanent missions as the final stage of the negotiations will largely be closed inter-governmental discussions. Further information on the SDGs can be accessed from <https://sustainabledevelopment.un.org/topics/sustainabledevelopmentgoals>



### Upcoming events:

- 28th General Meeting of the ICC, 11-13 March, Geneva, Switzerland

- 28th session of the Human Rights Council, 2-27 March 2015, Geneva, Switzerland. Updated information can be sourced from <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/28RegularSession.aspx>. Important thematic sessions include: Annual interactive debate on the rights of persons with disabilities (focus on article 19, living independently and being included in the community), 10 March; Annual Full Day meeting on the rights of the child, 12 March (Towards better investment in rights of the child); Debate on the state of racial discrimination worldwide, 20 March.



## Joint statement of National Human Rights Institutions concerning the Post 2015 Development Agenda



The Millennium Development Goals (MDGs) come to an end in 2015. It is widely recognised that they have resulted in positive outcomes for a number of social goals.

However it is also recognised that the failure to integrate human rights into the MDGs meant that the goals did not advance the full range of rights, and that abstract targets were sometimes met at the expense of rights and through increasing inequality. This is despite repeated global commitments to integrate human rights in development activities, not least in the Millennium Declaration which preceded the MDGs.

Negotiations on the Post-2015 Development Agenda are entering their final year. A draft of the “Sustainable Development Goals” (SDGs) is now in circulation and, together with various other contributions, will form the basis for intergovernmental negotiations ahead of a Summit of Heads of State and Government at the UN General Assembly in 2015. That summit is expected to adopt a set of goals and targets to be attained by 2030, which will replace the current MDGs. The SDGs will address a

number of human development issues that in turn are human rights issues and they will have a significant impact on the environment for human rights for years to come.

Considerable efforts have been made by global civil society, The United Nations, as well as some states, to integrate human rights into the Post-2015 Development Agenda. The potential roles of National Human Rights Institutions at both the national and the international level in promoting, protecting and monitoring the realisation of human rights through the Post-2015 Development Agenda is also beginning to be discussed. Negotiations are now entering a critical phase and risks remain that opportunities to protect and promote human rights could be missed.

The UN High Commissioner for Human Rights has set out ten essential elements for the effective integration of human rights in the Post-2015 Agenda. In reference to this, the International Coordinating Committee of National Human Rights Institutions strongly encourages all actors to pursue a Post-2015 Development Agenda which:

1. Integrates human rights standards and principles into both process and substance. This means that the goals should be linked to human rights indicators – including civil, political, economic, social and cultural rights. Processes for implementation and monitoring should integrate human rights principles such as non-discrimination and empowerment of vulnerable groups; free, meaningful and active participation of those affected; and accountability of duty bearers to rights holders; all of which are key elements of a human rights-based approach to development. It should be recog-

nised that human rights are both a means and an end of sustainable development.

2. Addresses both sides of human dignity: freedom from fear and freedom from want. The Post-2015 Agenda should include civil and political rights issues such as administration of justice, political participation, freedoms of expression and association, alongside economic, social and cultural rights issues such as decent work, education, health, adequate housing, food, water and sanitation. It should also reflect obligations to prioritise the achievement of minimum essential levels of economic and social rights (including through “zero targets”), to prioritise the most marginalised, and to achieve progressively availability, accessibility, acceptability, adaptability and quality of services.

3. Is underpinned by the imperative of equality. It must advance equity (fairness of distribution of benefits and opportunities), equality (substantive equality of both opportunity and result), and non-discrimination (prohibition of distinctions that are based on impermissible grounds and that have the purpose or effect of impairing the enjoyment of rights).

4. Has a clear place for marginalised, disempowered and excluded groups. This includes women, minorities, Indigenous Peoples, migrants, older persons, children, persons with disabilities, people living in poverty, and other groups. Development should aim at removing legal, physical, social, economic, technological or political barriers faced by marginalized people.



From page 13

## Old distinctions between developed and developing countries are starting to lose their meaning

**5.** Includes commitments to end poverty. It should recognise that poverty cannot be reduced to a matter of income. It should be recognised that poverty is a human condition characterised by sustained or chronic deprivations of resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil and political, economic, social and cultural rights.

**6.** Advances a healthy environment, as an underlying determinant of human rights. It should reflect the fact that climate change is a human rights crisis – first for those on the front line, particularly the most marginalised, but ultimately for all of us.

**7.** Advances international reform to ensure human rights coherence at the international level. It should address meaningful reform, good governance and democratisation of global governance institutions, processes and policies in the political, legal, economic, social, environmental, trade and development spheres to ensure greater equity, more democratic participation, justice and accountability, and increased coherence with international human rights standards, including extraterritorial obligations. It should also advance increased coherence between development, trade, investment, intellectual property and other key policy regimes at the global and national levels with international human rights standards, including steps to enable developing countries to implement a

Post – 2015 Development Agenda based on human rights.

**8.** Is universally applicable. Old distinctions between developed and developing countries are starting to lose their meaning. The growing economic strength of emerging and middle-income countries, growing poverty and inequalities in industrialised countries as well as huge demographic changes linked to migration and ageing not to mention the many impacts of diverse globalisation all challenge the limited scope of the MDGs to “developing” countries. The Post-2015 Development Agenda must be universally applicable and grounded in universal and indivisible human rights with global goals and nationally and locally specific targets and benchmarks, where appropriate.

**9.** Includes a strong accountability

framework. It should be based on a recognition of rights-holders and duty bearers and rest on a multilayered “web of accountability” at local, national and international levels where all of those with responsibilities (including governments, international financial institutions and the private sector) are accountable. Implementation should foster a “cycle of accountability” where human rights based indicators are used to track progress, disaggregated data is collected and evidence based evaluations inform enhanced steps to deliver outcomes. People affected should be involved in monitoring and accountability and the goals should advance access to justice and remedies.

**10.** Extends to actors in the private sphere. It should reflect the respect, protect and remedy framework outlined in the UN Guiding Principles on Business and Human Rights. It should call for due diligence, adequate regulation, and the use of human rights impact assessments and seek to ensure that the private sector contributes to a Post-2015 economy built on human rights, including labour rights, and on responsible environmental stew-

## Did you know?

Correspondence should be directed to:

South African Human Rights Commission (SAHRC)  
ICC Liaison Officer Judith Cohen [jcohen@sahrc.org.za](mailto:jcohen@sahrc.org.za) & ICC  
Deputy Liaison Officer Vivian John-Langba [vjohnlangba@sahrc.org.za](mailto:vjohnlangba@sahrc.org.za) 33 Hoofd Street, Braampark Forum 3, Braamfontein, Johannesburg 20 01

Copy to: International Coordinating Committee (ICC) Katharina Rose, ICC Geneva Representative 8-14 Avenue de la Paix, CH-

1211 Geneva 10, Switzerland [k.rose.icc@gmail.com](mailto:k.rose.icc@gmail.com)



# Organisational Renewal through Strategic Planning and Team Building

Following a series of consultative strategic planning sessions, as well as organisational renewal exercises to, respectively, ensure inclusive planning and improved staff morale and satisfaction, the Commission, for the first time in its 20 years of existence, hosted an all staff planning and team building sessions during January 2015. These aspects of organisational development contribute profoundly to conducive performance and organisational environment for enhanced delivery on the institutional mandate.

On 11 to 14 January 2015 the Senior Management team of the SAHRC embarked on a final drafting of the 2015 to 2020 Strategic Plan and 2015/16 Annual Performance Plan. This process culminated in realignment of the planning cycle of the organisation with the national 5 year strategic planning cycle. The deliberations also resulted in a review of the strategic objectives of the organisation, and subsequently development of the Annual Performance Plan.

On 18 to 21 January 2015, the entire staff of the Commission as well as Commissioners, met to share the draft strategic and annual performance plan. One of the key highlights was the session where all employees got an opportunity to interact and engage directly with Commissioners, following presentations on each Commissioner's strategic focus area. This was an informative session that assisted employees across all levels of the organisation to gain a fair understanding and



insight into the focus areas and rationale behind the operations of the Commission.

Most importantly, the staff deliberated on the state of the institution, challenges and emerging alternative solutions. The discussions were structured into different groups who, respectively, dealt with organisational culture, performance management, and employee health and wellness. Recommendations from the groups were discussed at a plenary session and in-

corporated into an Organisational Renewal Plan for implementation in 2015/16.

The Awards Ceremony hosted on the evening of 20 May 2015 appeared to be the outstanding highlight of the sessions. For the first time, the Commission gave formal recognition to employees in the form of Employee Awards, with the following categories:

1. Best Employee
2. PLS LIST ALL THE CATEGO-



# Senior Managers Strategic Session





## SAHRC honours staff

“I will cherish my prize as long as am alive.

*If it was soccer, Muthaphuli would have won Ballon D’Or; Music, SAMA, Tennis would be Grand Slam, Pfanelo gives you our Best Personality and Employee of the year, Mr Commission himself, Sedzani Leric Muthaphuli.*



*Thanks Wisani once more for the congratulations witch I think are in order.*

The speech was very short as I was still shocked on winning, I mean I did not expect to win, but when everything has settled and my breath was in order I would have started by thanking all those who were nominated and voted for. To speak the honest truth I was thinking of winning anything, but winning the PERSONALITY / CONGENIALITY, I thought that was it. Someone from the nominees will win it. When my name was called for the overall winner of the Best Employee of the Year, I was shocked and at the same time very happy. Happy not because of the prize that goes with it, the prize can get lost tomorrow

but the feeling that I am the overall winner is priceless. Colleagues themselves got to nominate and vote. This shows the confidence that they have in me. To others doing front line office (Switchboard) may not be a big deal but to me it is what I enjoy because you got to talk to different people of all class and status, you assist a cabinet member or an MP and tomorrow you talk to ‘u mama’ from the village who thinks their rights were violated and to me I am happy when I am part of their problem solving. I would like to thank all the people who were involved in all these, but most of all I would love to say thank

you to the colleagues from all the provinces, many of them I had just seen for the first time .

To those colleagues who aspire to walk on the carpet one day I will say to them: being your self will take you places, many times we want to make other people happy and fail on our objectives. Do what you do with all your heart and the rest will follow in time. I have adopted the saying tomorrow never comes, that is do whatever you want to do as if there is no tomorrow because it may not come. I will cherish my prize as long as am alive.

# .....and the winners are?

## Best Unit SS&G



Strategic Support & Governance (SS&G) is like the boat whose rowers are in sync with each other and our movements are coordinated towards reaching a common goal. The Captain always keeps an eye on what's ahead. Everyone plays a crucial role in keeping the boat moving forward. We plan and reflect on a regular basis – this is our culture. We uphold a team-spirit, work ethic and we have fun together - (and that's contagious..ha ha). We have established and maintain good relations with other Business Units through our participatory approach of doing things, we are approachable, efficient and always willing to assist where we possible can.

## Best Manager



I feel honoured on this prestigious recognition by Commission staff. I consider it a significant endorsement of the effort put into the role of Chief Operations Officer within the institution and sincerely thank everyone for this great honour.

## Best dressed, Kayum Ahmed “don't hate me because I am beautiful”

“While it's going to be really hard to be separated from the trophy which I now take to every meeting, I'm going to leave it behind for the next person who is able to bring sexy back to the Commission. It's not going to be easy. Mpho and Pandelis have already started their campaign to take the award next year and Commissioner Ameermia keeps on visiting my office to look at the trophy.” Ahmed.







### **Best Provincial Manager, Eric Mokonyama.**

*Through working with the team I learnt that one of the most important leadership skills you can develop is the ability to provide inspiration to your team. If you inspire them to reach for the stars, they just might bring you back the moon.*

*The challenge of leadership is to be strong, but not rude; be kind, but not weak; be bold, but not bully; be thoughtful, but not lazy; be humble, but not timid; be proud, but not arrogant; have humor, but without folly. With this, every member of the team becomes the best team member.*

### **Best Provincial Office, Mpumalanga.**

We have used our teamwork to enable us to work together towards a common vision and to direct individual accomplishments towards organizational objectives. This approach has served to fuel our commonality to attain uncommon results. The strength of our team is each individual member and the strength of each member is the team.



## **Long Service Award Recipients**

### **5 years**

- \* Mr MJ Nhlungwana
- \* Mrs MM Mojapelo
- \* Ms MT Moemise
- \* Mr LE Mpondo
- \* Ms PP Padayachee Mewalall

### **10 years**

- \* Ms N Cekiso
- \* Ms. M Muntingh
- \* Ms SJ Gouws

### **15 years**

- \* Ms T Diane
- \* Mr R Khuvutlu
- \* Ms N Sobekwa
- \* Mr L Muthaphuli
- \* Ms N Lubelwana
- \* Ms F Dipela
- \* Ms NM Mhlope



# Strategic Planning and Team Building: built togetherness

**Game show**





# Strategic Planning and Team Building: built togetherness

Gala dinner



*“Transforming Society, Securing Rights, Restoring Dignity”*

## Reflections on the Strategic Planning Session

### Judy Hollenbach - PA to the CEO

The recent strategic planning event for all staff was such an amazing event which exceeded all expectations of colleagues. This idea was fulfilled by your perseverance and insisting that all staff should be present and participate if at all possible, by accommodating different requests by staff. This had once again convinced me that if you believe in someone or something, you would do whatever you possibly can to make it happen or to make a difference. Well done, we will never forget this event and the team building; and we have beautiful photos to remind us. We will send you pictures of the next event!

### Zukiswa Louw - Intake Officer, Northern Cape

It was informative and also an eye opener. Coming together as one umbrella under one roof. I've learnt that ubuntu means a lot. It does not matter where you come from and what kind of job you doing. We represent the Commission and we are the face of the Commission in whatever we do.

### Mokgadi Nyuswa

"Having to be in one space with all the colleagues of the Organisation was quite interesting. The team building games were just on point as it built a strong bond between us as colleagues especially because we were randomly picked and the Gala Dinner/Awards was the highlight of the whole strat plan".



## SNIPPETS

### Southern Africa: A Year of Little Rights Progress

#### SADC Should Press for Reforms in Angola, South Africa, and Zimbabwe

South Africa's inconsistent foreign policy on human rights once again came to the fore in 2014. While the country regularly supports and mediates an end to conflicts on the continent, it has proved reluctant at the United Nations Human Rights Council to protect victims' rights, and at times made decisions contrary to its human rights principles. It plays an important role in advancing the rights of lesbian, gay, bisexual and transgender (LGBT) people internationally, but has been inconsistent – for example, through its reticence to condemn publicly the introduction of anti-LGBT laws in Uganda, Nigeria, and Gambia.

The capacity and ability of South African Police Services to police riots in a rights-respecting manner raised serious concerns. In 2014, incidents of police violence were reported in Mothutlung in Brits, North West province, Relela in Kgapane, Limpopo province, and Bekkersdal in Gauteng province. Incidents of violence against foreign nationals and looting of foreign-owned shops highlighted the government's inability to counter xenophobia or address the contributing causes. **Source: Human Rights Watch**

### Zuma admonished by Gender Commission: report

*The Commission for Gender Equality has warned President Jacob Zuma to watch what he says when speaking about women, Beeld reported on Saturday.*

JOHANNESBURG - The Commission for Gender Equality has warned President Jacob Zuma to watch what he says when speaking about women, Beeld reported on Saturday.

"We admonished him to be more careful in the future," Commission Chairman Mfanozelwe Shoji was quoted as saying.

In August 2012, the Commission received a sexism complaint from the Democratic Alliance about remarks Zuma made about women on a television talk show.

Zuma was being interviewed by Dali Tambo on his show 'People of the South' broadcast on SABC3.

Speaking about his daughter Duduzile's marriage to Lonwabo Sambudla, Zuma said he was happy for her.

"I was also happy because I wouldn't want to stay with daughters who are not getting married, because that in itself is a problem in society. I know that people today think being single is nice. It's actually not right. That's a distortion," Zuma said.

"You've got to have kids. Kids are important to a woman because they actually give an extra training to a woman, to be a mother."

The Commission compiled a report relating to the complaint, but it was not made public.

The Commission requested a meeting with Zuma to explain to him why his remarks were wrong and to warn him not to insult women again.

### Relief as Zuma rejects bill amendment

President Jacob Zuma's rejection of a bill amending the Mineral and Petroleum Resources Development Act came as a relief for players in the oil and gas sector but has frustrated the Chamber of Mines.

The chamber had urged that the bill be passed into law.

Zuma referred the bill amending the law governing the mining, oil and gas sectors back to the National As-

sembly on Friday, saying it did "not pass constitutional muster".

The proposed changes to the act had sparked concerns from lawyers and companies in mining, oil and gas about the broad discretionary powers granted to the mineral resources minister. Further, the removal of time limits on the granting of mining and prospecting rights and the clauses around state ownership levels in the nascent oil and gas sector, had prompted fears they would block investment. **Source: Daily Dispatch**

## New Appointments

*Pfanelo* would like to congratulate the following colleagues on their appointments

Mr Karam Singh	Provincial Manager	Western Cape
Mr Oupa Dithejane	Compliance and Reporting Officer	Legal Services
Mr Khulusumzi Sithebe	Research Associate	Commissioners Programme
Mr Gift Mashele	Intake Officer	Gauteng Provincial Office
Mr Lesego Raphalane	HURA & Research Officer	Northern Cape Prov. Office
Mr Norllen Pitjade	HR Admin Assistant	HR - Head Office
Mr Lehlohonolo Mofubelu	Intern	Commissioners Programme
Mr Vincent Marobane	Intern	Commissioners Programme
Ms Mandisa Mcanyana	Intern	Commissioners Programme
Mr Mpho Tsimane	Intern	Commissioners Programme
Mr Thabani Mfusi	Finance Intern	Finance

## Acting Appointments

Ms. Mpho Boikanyo	Acting Provincial Manager	North West
Ms. Kisha Candasamy	Acting Head of PAIA	
Mr. Aubrey Mdazana	Acting Provincial Manager	Eastern Cape

## Resignations

Mr. Michael Lefakane	Finance Assistant	
Mr. Sthabiso Khuluse	Intern	KZN

## Happy Birthday

The following colleagues are celebrating their birthdays in February. Please join us in wishing them well.

Keneth Machevele (HO) - 2nd      Makhosani Nwandzule O3rd - (HO)

Mpho Tsoku (HO) - 04th      Shirley Gouws (NC) - 11th      Joyce Moloi (HO) - 13th

Commissioner Mohammed Ameeriah (HO) - 14th      Commissioner Pregs Govender (HO) - 15th

Gabisile Khoza (MP) - 16th

Mankese Thema (LMP) - 17th      Kayum Ahmed (HO) - 17th

Ntombenhle Ngwane (HO) - 18th      Tawana Malapane (HO) - 19th

Luyanda Bala (KZN) - 22nd      Thenjiwe Dlamini (HO) - 25th