

**south african
human
rights
commission**



HUMAN RIGHTS ADVOCACY AND COMMUNICATION UNIT

1 APRIL 2016 – 31 MARCH 2017

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EXECUTIVE SUMMARY

WHAT IS OUR CONSTITUTIONAL MANDATE?

The mandate of the Commission is to strengthen constitutional democracy. We do this through:



OUR STRATEGY

The Commission's advocacy and communications work endeavours to **promote awareness** of human rights and contribute to the development of a **sustainable human rights culture** in South Africa. It also serves to promote the Commission's activities and enhance human rights understanding through comprehensive communications and media relations:



ADVOCACY

A range of approaches, tools and methods to **educate** on human rights, **change attitudes** and **behaviour**, **inform policies**, using specific messages targeted at specific audiences.



COMMUNICATIONS

Production and dissemination of messages that seek to **convey specific human rights processes and concepts**; disseminated through an array of media, to a diverse audience



MEDIA

Approaches, tools and methods employed to disseminate human rights advocacy messaging across **multiple platforms**, in **diverse formats**, through **various channels**, to an **array of stakeholders**

OUR GUIDING PRINCIPLES

In 2016/7 the Commission's advocacy and communications unit endeavoured to:



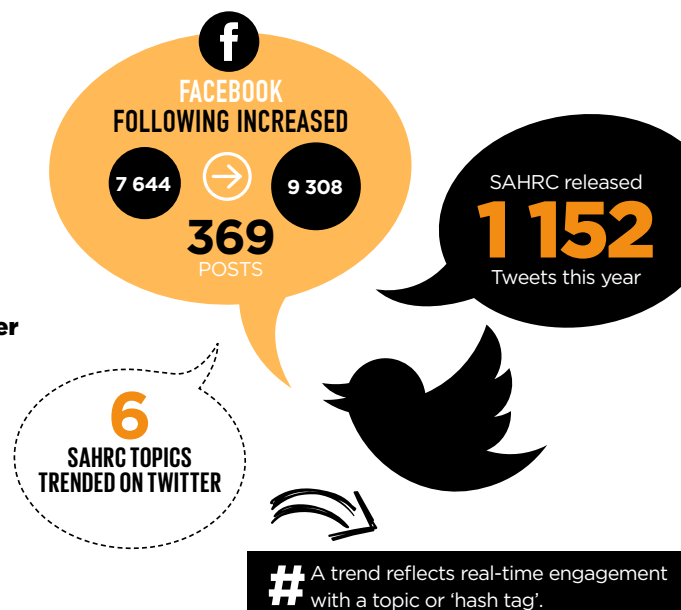
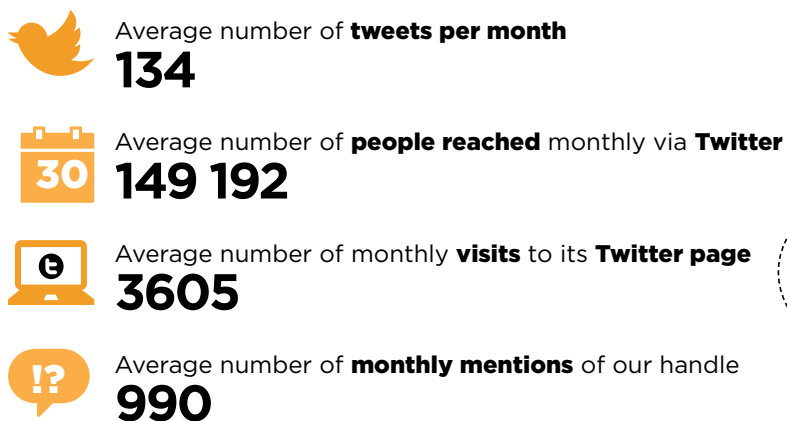
VISIBILITY

During the period under review the SAHRC has significantly expanded our reach through media engagements and activities:

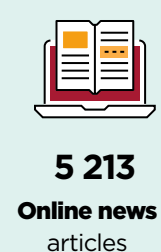
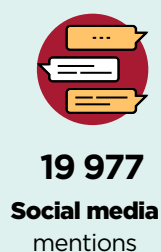
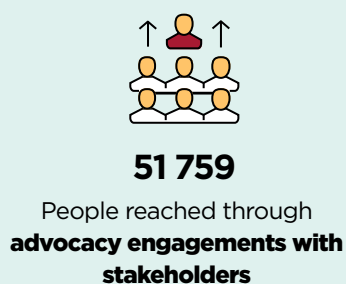
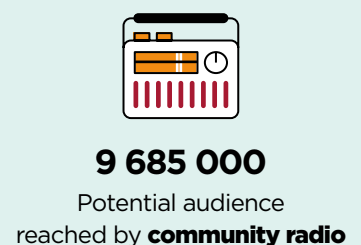
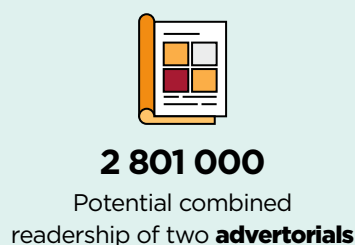


REACH

During 2016/7 the Commission has substantially expanded its reach and visibility through utilizing social media platforms like Facebook and Twitter:



KEY METRICS



RURAL

OUTREACH

We intensified our outreach activities and conducted **47 “outreach clinics”, 484 collaborative educational activities, and ‘train the trainer’ workshops reaching 531 people.** Activities were aimed to reach out to **marginalised communities** in remote **rural** and **peri-urban** communities, never before visited by the SAHRC:

ZANDSPRUIT KLIPSPRINGER TSENG VILLAGES
KABOKWENI VINGERKRAAL ZITHOBENI
EMTHANJENI **NOMAKHOI** CHOSENG
EBILANYONI MAHLUNGULU
LETHLAKANE MATIMATOLO SLANGSPRUIT EDUMBE MGOME
OGIES **SENWABARWANA**
GIYANI RETHABISENG

NORTH WEST

Public outreach engagements	
Choseng and Tseng villages	135
Lethlakane, Swartruggens and Rustenburg	216
TOT capacity building workshops	
Rustenburg	32
Community Radio Competition Entries	
Rustenburg: Bonajala FM	
Zeerust: Kopanong FM	
Rustenburg: Radio Mafisa	
Mafikeng: Ratlou FM	
Taung: Vaaltar FM	3 rd place

NORTHERN CAPE

Public outreach engagements	
eMthanjeni and De Aar	100
Nomakhoe and Springbok	100
TOT capacity building workshops	
Pampierstad	19
Community Radio Competition Entries	
Upington: Radio Riverside	7 th place

LIMPOPO

Public outreach engagements	
Giyani	200
Senwabarwana	200
Vingerkraal and Klipspringer	180
TOT capacity building workshops	
Mohlaletse, Fetakgomo	20
Mmela Clinic & Conrad Disability Centre, Tubatse	100
Community Radio Competition Entries	
Polokwane: Energy FM	
Moletji: Mohodi FM	1 st place
Turfloop: Radio Turf Campus Radio	

GAUTENG

Public outreach engagements	
Zandspruit and Cosmo City	164
eKangala, Rethabiseng and Zithobeni	235
Tariton and Magaliesburg	137
TOT capacity building workshops	
Thokoza, Ekurhuleni	14
Soshanguve	25
Dube, Soweto	25
Community Radio Competition Entries	
Pretoria: Gay Radio	
Edenvale: Radio Veritas	5 th place
Braamfontein: Voice of Wits Campus Radio	

MPUMALANGA

Public outreach engagements	
Kabokweni and Louisville	149
Ogies and Springs Valley	100
Bushbuckridge and Barberton	62
Dullstroom	62
TOT capacity building workshops	
Embalenhle, Secunda	10
Mhluzi, Middelburg	12
White River & Tonga	26
Community Radio Competition Entries	
EKangala: Kangala Community Radio	4 th place

KWAZULU-NATAL

Public outreach engagements	
Eshowe, Matimatolo and Mgone	456
Mahlungulu and Manguzi	174
Edumbe, Ebilanyoni and Slangspruit	291
Pietermaritzburg and Elandskop	250
TOT capacity building workshops	
Ulundi & Durban	69
Community Radio Competition Entries	
Inanda: Inanda FM	2 nd
Ladysmith: Nqubeko FM	

FREE STATE

Public outreach engagements	
Cornelia, Vrede and Memel	257
Jacobsdal, Koffiefontein and Petrusberg	167
Zastron, Wepener, Rouxville and Van Standerer	310
TOT capacity building workshops	
Zastron	40
Bethlehem	38
Community Radio Competition Entries	
Bloemfontein: Motheo FM	6 th place

WESTERN CAPE

Public outreach engagements	
Lamberts Bay	76
Bedadodorp	76
TOT capacity building workshops	
Phillipi	10
Robertson	10
Cape Town	15

EASTERN CAPE

















Public outreach engagements	
Louterwater and Jansenville	39
Fish River, Rosemead, Middleburg and Cradock	39
Graaf Reinet	30
Mt Fletcher	35
TOT capacity building workshops	
Lusikisiki & Flagstaff	60
Uitenhage	18
Community Radio Competition Entries	
Barkly East: Ekhephini Community Radio	8 th place

Number of stakeholders reached Winner scores

KEY PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS



PERFORMANCE INDICATOR: ANNUAL PERFORMANCE PLAN 2016/2017:
Completion of Advocacy & Communications Report

KEY PERFORMANCE INDICATOR	RESULTS	TARGET EXCEEDED BY
 Public Outreach Engagements 1 per province <i>4 240 people reached</i>	Targeted: 27 Achieved: 47	20 engagements
 Educational material on human rights in accessible formats <i>✓ Deaf awareness video ✓ Housing Fact Sheets x2 ✓ Anti-racism pledge ✓ TOT manual</i>	Targeted: 4 Achieved: 5	1 material
 Stakeholder Engagements 4 per province <i>Provinces displayed great commitment to increasing the visibility and reach of the Commission.</i>	Targeted: 36 Achieved: 48	12 engagements
 Media Statements <i>Communications sub-unit improved response times in releasing statements</i>	Targeted: 22 Achieved: 93	71 statements
 Opinion Pieces on human rights	Targeted: 14 Achieved: 16	2 opinion pieces
 Advocacy Messages on Facebook	Targeted: 22 Achieved: 423	401 messages
 Advocacy Messages on Twitter <i>Commission greatly improved its engagement via Twitter</i>	Targeted: 22 Achieved: 1048	1026 messages
 Development of Advocacy and Communications Strategy Document	Targeted: 1 Achieved: 1	
 Monthly Internal Newsletter <i>Additional newsletters produced for notable milestones</i>	Targeted: 12 Achieved: 15	3 newsletters
 Constitution of Section 11 Committee on Communications, Branding and Marketing	Targeted: 1 Achieved: 1	
 Media Industry Engagements SANEF & CTPC	Targeted: 2 Achieved: 2	
 Advertorials	Targeted: 2 Achieved: 2	

The South African Human Rights Commission (the Commission) is established by the Constitution of the Republic of South Africa of 1996 as an independent institution with a mandate to:

- Promote respect for human rights and to harness a culture of human rights.
- Protect the development and attainment of human rights.
- Monitor and assess the observance of human rights for all South Africans.

A solid legislative framework reinforces the Commission's operations and obligations to function as a vanguard responsible for protecting, promoting, and monitoring a vibrant atmosphere within which our constitutional democracy may be wholly realised. This is aptly provided for in the *South African Human Rights Commission Act 40* of 2013, the *Promotion of Equality and Prevention of Unfair Discrimination Act 4* of 2000 (PEPUDA), the *Promotion of Access to Information Act 2* of 2000 (PAIA), the *Promotion of Administrative Justice Act 3* of 2000 (PAJA), as well as the United Nations (UN) Principles Relating to the Status of National Human Rights Institutions (commonly referred to as the Paris Principles).

The Commission's 2014 -2017 Strategic Plan guides the promotional mandate of the Advocacy and Communications Unit (Advocomm) as recorded under Strategic Objective 3, which is to enhance and deepen the understanding of human rights and promote a human rights culture through advocacy and communications activities. Operationally, this promotional mandate primarily resides within Advocomm, with the bulk of implementation actions undertaken by the provincial offices located in the nine provinces of the country.

Since its inauguration in October 1995, the Commission has invested deeply in promoting human rights knowledge and literacy in society. The Commission continually strives to expand its existing reach by refining its outreach strategies to improve sensitisation and empowerment of vulnerable groups and communities.

The UN Declaration on Human Rights Education and Training¹ provides for the right to know, seek, and provide information about all human rights and fundamental freedoms. This makes human rights education and knowledge of rights essential for the promotion of universal respect for, and observance of, all other rights. In South Africa, it is critical that communities have the knowledge and information about their rights to secure recourse and, thereby, address prevailing conditions of poverty and inequality.

¹ <https://documents-dds-ny-un.org/doc>

CHAPTER 01

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION MANDATE



WHAT?



Does the South African Human Rights Commission do?

The South African Human Rights Commission's "job" or mandate is derived from Section 184 of the Constitution (1996).

The SAHRC's main job is to strengthen constitutional democracy.

It does this through:

PROTECTION

The SAHRC has powers to **investigate**, and to report on, the observance of human rights, and to take steps to **secure appropriate** redress where human rights have been violated.

The **Legal Services Unit** is responsible for the protection mandate.

1

2

3

PROMOTION

The SAHRC is responsible for **promoting respect** for human rights and for **promoting a culture of** human rights.

The **Advocacy and Communications Unit** is responsible for the promotions mandate.

MONITOR

The Commission is mandated by the Constitution to conduct **research**, and to **monitor** and assess the observance of human rights in the Republic.

The **Research Unit** is responsible for the monitoring function of the mandate.

For more on the work of the SAHRC visit: www.sahrc.org.za



CHAPTER 02

ADVOCOMM



Human rights advocacy traverses the interventions of both the Advocacy sub-unit and the Communications sub-unit. The Advocacy sub-unit utilises a range of approaches, tools, and methods to educate on human rights, using specific messages targeted at specific audiences. The Communications sub-unit seeks to communicate human rights concepts and processes through an array of media to a diverse audience.

The Commission's advocacy interventions are mainly informed by a process of analysis of the statistics of the complaints it receives, topical issues that are in the public domain (such as the media), independent research reports (in terms of the extent, prevalence, and intensity), as well as the type of requests it receives from various stakeholders. The Commission's communications interventions are informed by media engagements on human rights abuses, the promotion of the work of the Commission, how to raise the profile of the institution, and how to uphold the public image and integrity of the Commission.

The role of the unit is to promote human rights, thereby ensuring greater protection of human rights through various advocacy and communications interventions. The unit utilises human rights education methodologies such as training workshops, seminars, roundtable and focus group discussions, conferences, focus public campaigns, presentations, community outreach, and educational publications in conducting stakeholder engagements. This is complemented by the dissemination of information using electronic, print, and social media platforms, various media conduits (such as press statements, press briefings, mainstream and community radio), as well as the branding and marketing of the institution.

Advocomm is responsible for driving the achievement of the following key strategic outcomes:

- a. Intensifying advocacy as well as public and community outreach
- b. Broadening the reach of the Commission
- c. Strengthening key stakeholder relationships
- d. Improving perceptions of the Commission
- e. Increasing the visibility of the Commission through advocacy, communications, and media coverage
- f. Improving staff awareness of Commission activities and human rights
- g. Increasing public awareness of human rights



Advocacy



Advocacy

A range of approaches, tools and methods to educate on human rights, change attitudes and behaviour, inform policies, using specific messages targeted at specific audiences.



Communications



Communications

Production and dissemination of messages that seek to convey specific human rights processes and concepts that satisfy the SAHRC's strategic goals; disseminated through an array of media, to a diverse audience.



Media



Media

Approaches, tools and methods employed to disseminate human rights advocacy messaging across multiple platforms, in diverse formats, and through various channels, to a diverse array of stakeholders.

The AdvoComm Team

Strategic Focus: Promoting and Educating on Human Rights



**Head of Advocacy & Communication
SAHRC Spokesperson**



Admin Assistant



Communications Co-ordinator



Advocacy Co-ordinator



**External
Communications**



**Internal
Communications**



**Advocacy
Specialist**

Contact us on: info@sahrc.org.za

CHAPTER 03

REPORT OBJECTIVES AND OVERVIEW



This Annual Advocacy and Communications Report is intended as a consolidated report on the Commission's activities with respect to advocacy, communications, and the promotion of its mandate.

The objectives of the Annual Advocacy and Communications Report are to reflect on the key activities undertaken by the Commission in the implementation of its promotional mandate from April 2016 to March 2017, to provide a synthesis of critical and pertinent issues that emanate from the Commission's multi-level activities and initiatives, and to serve as a cumulative, analytical narrative record of the Commission's educational advocacy and communications work.

The contents of the report are informed by the provincial and national event reports, the monthly communications reports, and any other business unit's advocacy-related reports that the unit may utilise in line with a work plan for the report. The format of this report will comprise of an introduction of the focussed areas of work around rights contained in the bill of rights. The Commission does, however, acknowledge that its advocacy and communications work has given particular attention to socioeconomic rights in response to needs noted through its monitoring and complaints of alleged rights violations submitted to it. An outline of the **key strategic stakeholders** engaged by the Commission during the 2016 – 2017 financial year is also provided, together with an analysis of **significant media interventions and coverage** of the work of the Commission as well as human rights in South Africa. For ease of reference, an outline of the **key activities** undertaken by the Commission at national and provincial level in fulfilment of its constitutional mandate to monitor and educate on human rights is presented, and some insights are provided into the Commission's **monitoring and evaluation** efforts. The report ultimately seeks to evaluate and document the Commission's **visibility, reach, and impact** through its advocacy and communications activities.

CHAPTER 04

COLLABORATIVE STAKEHOLDER ENGAGEMENTS



The Commission is acutely aware of its broad mandate as well as the limitations on its geographical reach. It also readily acknowledges that it must forge partnerships with a broad range of both state and non-state actors in fulfilling its mandate. The Commission thus supports, collaborates, and partners with other role players in creating and enhancing society's understanding of human rights through awareness programmes. The Advocomm Unit engages a range of entities that advance human rights, including government departments and agencies; international, regional, and local organisations; civil society that encompasses non-governmental, community, and faith-based organisations; other institutions supporting democracy, traditional, and community leaders; academia; the private sector; and social justice activists. The latter are key strategic partners as their work complements and reinforces the Commission's educational mandate.

Stakeholder engagements provide the Commission with opportunities to strengthen relationships with key stakeholders and to collaborate with stakeholders in the context of limited resources, thereby multiplying reach and impact despite its operational environment. In the course of such engagements, stakeholders also derive benefits by expanding their visibility, resource base, and networks.

It is noted that the advocacy and communications work of the Commission, although determined through careful planning, is not limited to planned activities. During the reporting period, the Commission conducted a range of collaborative stakeholder engagements which, although unplanned, lent support to the advocacy and communications work being undertaken by stakeholders. These interventions by their sheer statistical magnitude vastly widen the reach for human rights awareness.



5 Approaches to Advocacy

You have to know your rights, to claim your rights



1

Reaching out to the public

Public Outreach Clinics are conducted through door-to-door visits, pamphlet distribution, and general information sessions in remote areas, in order to educate people on human rights, on government's obligations on these rights, and to empower people to assert their rights.



2

Reaching out to other organisations

Through partnerships, meetings, roundtables, and other gatherings with civil society, faith-based groups, international organisations, and others with a specific focus - ethnic and social origin, disability, gender, etc - in order to educate and advocate on how human rights are interdependent and interconnected.



3

Sharing human rights knowledge

The Commission conducts training workshops to train individuals with a keen interest in human rights and social justice to act as human rights champions in their communities, to build human rights knowledge in remote areas for individuals who can use the information to educate others.



4

Recognising human rights globally

The SAHRC recognises and commemorates a range of nationally and internationally recognised human rights days, such as International day of Older Persons and International day of Persons with Disabilities, etc. Human Rights days are utilised for advocacy activities related to the human right being commemorated, but are also ideal to partner with stakeholders on specific global human rights.



5

Developing material on human rights

The Commission develops a range of informative materials, including fact sheets, pamphlets, and digital products on human rights in accessible formats based on complaint statistics, issues in the media, independent research reports, and requests from stakeholders. These are used to educate and in advocacy outreach programmes and other promotional work of the Commission.

Provincial collaborative stakeholder engagements

During the 2016 – 2017 financial year, the Commission (through Advocomm) participated in 484 collaborative educational activities in all nine provinces, reaching approximately 51 759 people across the country.

Table 1: Total non-APP collaborative educational activities

MONTH	ACTIVITY	NUMBER OF PEOPLE REACHED
March 2017	60	6 983
February 2017	24	1 348
January 2016	15	1 486
December 2016	32	6 174
November 2016	49	4 694
October 2016	39	3 485
September 2016	36	4 544
August 2016	45	5 430
July 2016	38	2 703
June 2016	66	5 645
May 2016	46	5 497
April 2016	34	3 770
Total	484	51 759

Some of the notable collaborative activities included partnering with government departments in commemorating key human rights calendar days as a means of taking human rights messages and services directly to communities. The Commission participated in the provincial preparatory planning meetings and on the day, showcased its work through exhibitions, provided advice to queries, and registered complaints on human rights violations in the following instances:



Commemoration of **World AIDS Day** on 1 December, 2016, with the Department of Health (DoH) and the Department of Social Development (DSD) as well as various district and local municipalities across all nine provinces.



Commemoration of the historic **20 years of the Constitution of the Republic** with the Department of Justice and Constitutional Development at Sharpeville on 10 December, 2016.



Participation in various events organized by a wide range of stakeholders, such as the Department of Justice, the DSD, the Commission for Gender Equality, and civil society organisations to mark the **16 Days of Activism of No Violence Against Women and Children**, which runs from 25 November, 2016 to 10 December, 2016. This period is earmarked to raise awareness in society as active participants in the fight to eradicate violence against women and children abuse and expand accountability beyond the justice, crime prevention, and security cluster to include all government clusters and provinces.

Advocomm's annual target for Public Outreach Engagements included three Public Outreach Engagements (POE) and four Stakeholder Engagements (SE) per province, respectively. The activities included presentations, public information sessions, site visits, planning meetings and commemorative calendar events by other stakeholders, and covered a vast range of human rights issues and topics.

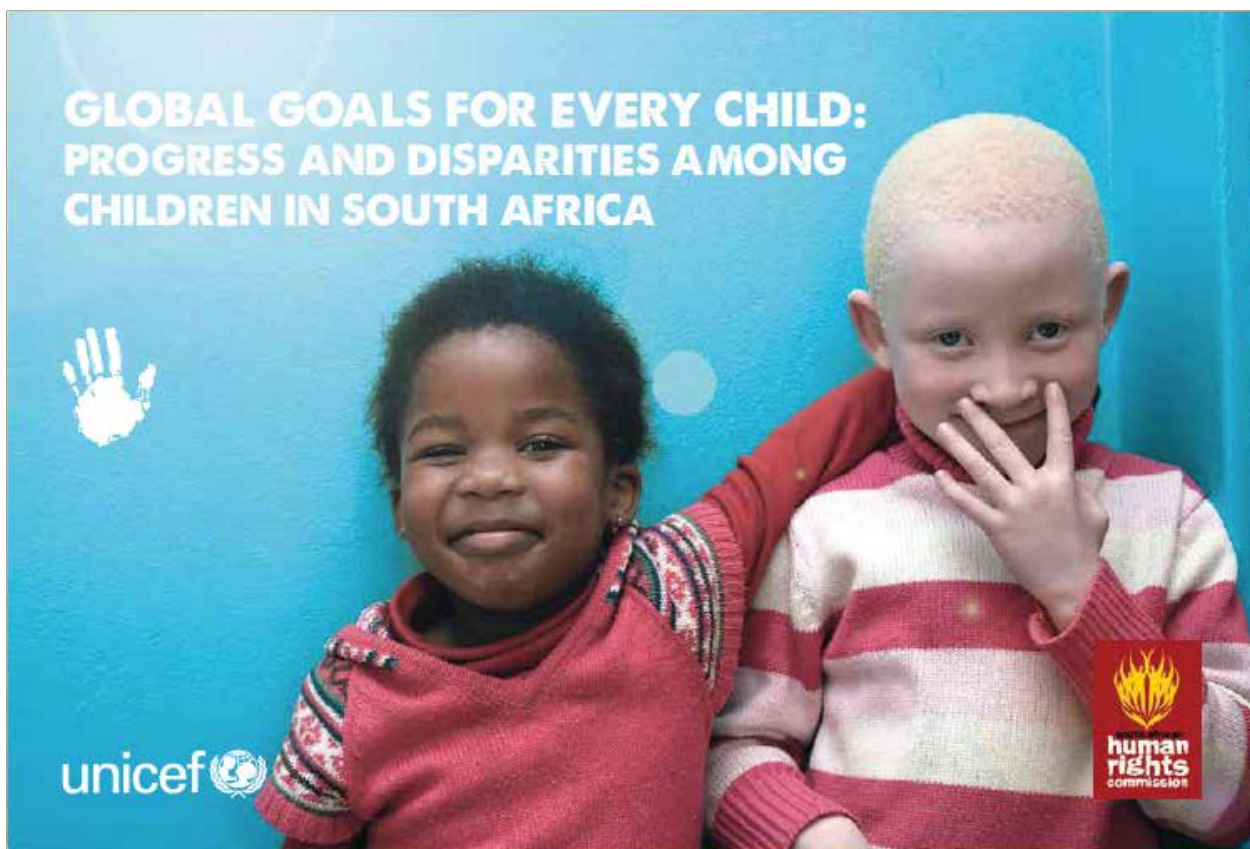
The Commission's collaborative stakeholder engagements, particularly those focusing on vulnerable groups and the systemic issues that impact them, is intended to raise awareness of these adverse impacts as part of its constitutional mandate to monitor and protect the attainment of human rights of these groups. The Commission is heartened by the Department of Justice's launch of sexual offences courts at Morebeng Magistrates Court in Soekmekaar. This marks a significant step in addressing the pressing issue of sexual offences and gender-based violence, and in addressing access to justice for victims of such offences. However, due to the high levels of gender-based violence and sexual offences in South Africa, the Commission would encourage the Department of Justice to ensure a broader roll-out and establishment of such courts.

2016 was a challenging academic year for institutions of higher learning as students embarked on protests under the #FeesMustFall movement whereby students voiced their frustrations at the cost of higher education fees. This led to the arrests and injuries of many students and forced some universities to postpone their final end-of-year examinations. The Commission recognises that access to affordable, quality higher education remains a challenge for thousands of South African households, particularly those who were previously disadvantaged, and thus participated in various public discussions with students, parents, and role players in the higher education sector in an effort to find solutions to the crisis. In December 2016, the Commission released its Report On Transformation at Public Universities In South Africa.

A noteworthy mechanism employed by the Commission in strengthening stakeholder relations and carrying out its promotional mandate that is progressively gaining credibility is the use of the Forum for Institutions Supporting Democracy (FISD). Provincial Chapter 9 to 10 bodies² meet regularly to strategically plan, implement activities, and support each other in undertaking their respective mandates. This mechanism has been successfully employed in public outreach engagements and the Commission will continue along this path for the rest of the financial year. The Commission's provincial offices supported the Good Governance Week initiated by the Public Protector of South Africa between October 4 to 8, 2016 through the FISD collaboration system. The provincial FISD reinforces the ideal of strengthening and enhancing working relationships, maximises the pooling of scarce resources, and promotes the sharing of knowledge and best practices among bodies with a common purpose.

National office collaborative stakeholder engagements

In 2016 – 2017, the Commission (through Advocomm) collaborated with an array of stakeholders including, the United Nations Children's Fund (UNICEF), the Department of Justice, and the Office of the United Nations High Commissioner for Human Rights (OHCHR).



² The founding members are the Auditor General, Commission for Gender Equality, Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, Electoral Commission of SA, Financial and Fiscal Commission, Independent Communications Authority of SA, Pan South African Language Board, Public Protector, Public Service Commission and South African Human Rights Commission.

The Commission partnered with UNICEF on the launch of the children's rights report, titled "Global Goals for Every Child: Progress and Disparities Among Children in South Africa." The launch garnered extensive media coverage and consequently generated high visibility of the Commission's mandate on children's rights. The launch strategy provided an opportunity for advocacy messaging coupled with current, credible research and statistics on children's rights.

The Commission and the Department of Justice and Constitutional Development commemorated International Human Rights Day on 10 December, 2016 by celebrating 20 Years of the Constitution in Sharpeville. The Gauteng Provincial office set up an information booth to provide advocacy support and information at the event.

The Commission partnered with the Southern Africa Regional Office of the OHCHR on a community radio awards initiative held during National Human Rights Month, March 2017 to mark Human Rights day, under the theme "Stand up for someone's rights³." This intervention again demonstrated the strength of pooling resources and credibility to draw community media into human rights centred communications.

The Commission at the request of the Department of International Relations and Co-operation (DIRCO) contributed to the African Union's concept note on an initiative to promote human rights clubs in secondary and high schools.

Media stakeholder engagements

In line with the responsibility for managing relations with the media as a key stakeholder, the Commission convened a range of engagements with media bodies during the reporting period.

Provincial media engagements

During the reporting period the Commission's nine provincial offices each held media engagements with provincial media. These engagements were intended to cement relationships already established with local and community media, to inform the media about the mandate and provincial activities of the Commission, and to explore further collaborative efforts.

South African National Editors' Forum

The interventions at community or local level were expanded at the national level through a meeting with the South African National Editors' Forum (SANEF) and a meeting with the Cape Town Press Club⁴.

The timing of the engagement was opportune as it took place at the beginning of the second month in office of the newly appointed Board of Commissioners. The engagement afforded the Commission an opportunity to introduce the new Commissioners to senior editors and journalists, to outline highlights of its accomplishments in the 2015 – 2016 year, and to solicit input and feedback from senior editors on the work of the Commission and how best to improve communication with the media.

³ For a detailed report on the SAHRC/OHCHR Community Radio Competition see "National community radio competition and award ceremony" below.

⁴ Reggy Moalusi, Editor of the Daily Sun and Secretary General SANEF; Editor of The Star and Sunday Independent; Sheldon Marais, Eyewitness News; Rapule Tabane, City Press; and Thandeka Gqubule-Mbeki, SABC.

The intended outcomes of the engagement with SANEF were to:

1. Deepen human rights awareness in newsrooms.
2. Encourage media to utilise the Commission's canon of human rights material published on its website to deepen media understanding of the Commission's work and of human rights in South Africa.
3. Facilitate the provision of "exclusives" to selected editors and media houses in order to promote its successes and impacts.
4. Encourage media to maintain human rights on the media agenda throughout the year and not only during Human Rights Month.



Cape Town Press Club

A similar intervention to that conducted with SANEF was conducted through a meeting convened with the Cape Town Press Club. The engagement was attended by the Chairperson of the Commission and two Commissioners based in the Western Cape Provincial Office and members of the Cape Town Press Club.

Discussions during this engagement included an introduction of the new Chairperson of the Commission and Commissioners to the members of the Cape Town press corps, as well as highlights of the Commission's activities during 2016 – 2017 which includes key achievements and planned activities for Human Rights Month. The Press Club also engaged the Commission on topical media issues. As with SANEF, the Cape Town Press Club expressed the need for ongoing year-long engagements with the Commission regarding human rights matters in the media.

Section 11 Committee on Communications, Marketing, and Branding

Within its legislative mandate, the Commission has the power to establish expert advisory committees that have a particular focal point. The committee name derives from the section of the *South African Human Rights Commission Act, No. 40* of 2013, and provides for the Commission to establish advisory committees that bring together experts on specific focus areas. During the reporting period the Commission constituted a Section 11 Committee on Communications, Marketing, and Branding.

The objective of convening such a meeting of experts was to allow the Commission to engage with independent technical experts working in the media industry and to solicit their views about advancing “brand SAHRC⁵.”

The Section 11 Committee served as a consultative forum of experts that could enable the Commission to:

1. More effectively utilise both traditional and social media to manage the reputation of the Commission and to elevate the profile and work of the Commission.
2. Solicit increased engagement with Commission staff in the social media space in order to promote and share the work of the Commission.
3. Reposition the Commission as the lead institution for human rights.
4. Effectively communicate and capitalise on the successes of the Commission.
5. Effectively communicate the Commission's messages, especially on critical matters, in a more timeous manner.
6. Discuss strategies to raise the profile of the Commission, so that the public understands who we are, what we do, and why we do it.
7. Solicit guidance and input from external experts on strategies to cement the Commission's role as an institution independent of government where people can direct their expectations and dissatisfactions regarding human rights.
8. Explore strategies to mitigate the public perception of the Commission as a “toothless bulldog” and to correct misplaced, negative perceptions and media reporting on the Commission.
9. Discuss ways in which to uphold the public image and integrity of the Commission.

⁵ The Section 11 Committee included external experts Karima Brown, a journalist and independent political analyst, and Patricia Nakell, a journalist and the Chief of the Africa Service Unit at UNICEF.

The key findings and action items resulting from the Section 11 Committee meeting are listed below:

1. The Commission needs to be proactive when it comes to media engagement.
2. Media statements need to be short and simple without jargon, legalese, or confusing concepts.
3. Media statements should be drafted and released quickly, taking steps to remove unnecessary editorial steps that delay finalization, while noting that speed is of the essence.
4. Embed multi-media aspects into its news items, such as pictures, videos, and sound.
5. Create strong and personal relationships with journalists.
6. Conduct one-on-one meetings with editors and journalists in their newsrooms.
7. Explore partnerships with mobile providers for free access to human rights websites.
8. Produce media statements to emphasise the Commission's position and/or feeling regarding issues of public interest.
9. Use headlines of media statements to drive media and public discussion on the issue to set the tone.
10. Keep highlighting the dignity issue on the media agenda.
11. Consider approaching appropriate "human rights ambassadors" to tap into pop culture and sports culture in order to further understanding of human rights.
12. Execute branding and promotional work through campaigns that involve action on the ground.

The Commission intends to implement the proposals incrementally over future financial years.



Other notable media stakeholder engagements

During 2016 – 2017, the Commission also participated in advocacy and communications stakeholder events, including:



The YouTube Summit for Social Change (Nairobi, Kenya, February 2017) This afforded the Commission an opportunity to make significant links with advocacy organisations and other key stakeholders on the African continent, and an opportunity to engage with other institutions using digital technology for social transformation.



The Google Inaugural Africa Internet Academy hosted by Google in partnership with the LINK Center (Learning Information Networking Knowledge, University of Witwatersrand) in Cape Town November 2016. In September 2016 NGOs, researchers, civil society, advocacy groups, and content creators convened in Cape Town to build a knowledge community around innovative approaches to understanding online tolerance and respect. Digital technology and web-based advocacy form two key thrusts of the Commission's communications strategy, and this event provided an opportunity for exposure to best practices to online engagement with prejudice and hate.



The Reporting Race Conference convened by the Institute for the Advancement of Journalism (IAJ) and the High Commission of Canada.



Advocomm HoP, Gail Smith, at the Youtube Summit for Social Change, Nairobi, Kenya

Study tours

During the reporting period, the Commission hosted five study visits by a range of national, regional, and international institutions.

During 2016 – 2017, the Commission hosted study tours by:

- a. A delegation of Sri Lankan Parliamentarians (August 2016)
- b. The Zambian Human Rights Commission (July 2016)
- c. The Mozambican Human Rights Commission (July 2016)
- d. A delegation from Morehouse College, USA (June 2016)
- e. A delegation of African jurists hosted by the Centre for Human Rights (19 May 2016)

These study tours allowed the Commission to engage with a diverse array of international scholars, jurists, legislators, and other stakeholders the best practice of international human rights.

Among the recurring themes of enquiry raised during study tours to the Commission was how South Africa's constitutional democracy founded on equality, dignity, and human rights is living up to its transformatory aspirations. International guests to the Commission invariably raise questions about the relationship between inequality, socioeconomic rights education and assertion, as well as the Commission's advocacy and education programmes.



Commissioner Ameermia interacting with one of the students from Morehouse College

Dispatches

THE SUNDAY
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Put children's interests first

Protecting the right to education is a priority for SA

SOUTH Africa is among the countries that have the highest number of protests in the world – an estimated 13 500 a year, according to the police.

Most protests proceed uneventfully, but some have an effect on the realisation or enjoyment of other human rights.

The most recent and widely publicised example was the protest in Vuwani in Limpopo, where 29 schools were burned down and 102 schools were affected, with at least 32 000 pupils being unable to go to school for months.

The costs have run to the millions.

As a developing country, South Africa can ill afford to interrupt schooling.

The right to protest and the right to a basic education are guaranteed by a range of international human rights treaties South Africa has signed.

The country's constitution and laws also protect these two rights. Over the past five years, the South African Human Rights Commission has observed cases in which protests have affected the right to a basic education.

There is no indication that this problem is being addressed effectively.

If anything, the interruptions are growing in number and intensity.

The actions of protesters range from the blockading of roads to threats of violence to pupils and teachers and the damaging of infrastructure, including setting school buildings alight.

In most cases, the reasons for the protests have nothing to do with basic education, yet education becomes the target.

Concerned about this growing trend, the commission convened a national investigative hearing on these matters in June.

The parameters were the effects of protest-related action on education.

Critical questions framed by the probe sought to establish why protesters resorted to targeting schools to draw attention to their causes.

The commission also questioned the adequacy of measures that government departments have adopted in trying to address the challenges faced by the education sector.

Expert panelists indicated the need for collective responses to the concerns about the effects on education, ranging from the individual to the community, traditional leadership and government departments.

In particular, they highlighted the need to recognise that the right to education was fundamental to efforts to reduce poverty and inequality and achieve transformation and development.

The constitution guarantees the right to protest "peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions".

This remains an important right in any democracy. But in the exercising of this right, other rights must be respected.

Significantly, our constitution places a premium on the protection and promotion of the rights of children, requiring that in all matters concerning a child the best interests of the child should take precedence.

Protesters should be considerate of children's rights and their best interests.

The hearing homed in on the need to protect the right to education.

It explored the effect on the right

Protests that target schools have taught us that we all have a role to play in safeguarding children's rights, writes **Lindiwe Mokate**



OBJECT LESSON: The SA Human Rights Commission believes a sense of community ownership of schools is central to ensuring protesters do not disrupt schooling, the writer says.

PICTURE: CHESTER MAKANA

“
PROTESTERS NEED
TO BE MINDFUL
OF THE EFFECTS OF
THEIR ACTIONS

The commission recommended that a national public protest response team be established to

to engage diverse stakeholders, including government departments.

While the hearings helped to clarify the roles and obligations of state actors as well as the responsibility of private actors, they placed education at the centre.

They raised awareness of the problems caused by interference with basic education.

What emerged during the hearings was that a co-ordinated response had been lacking in instances where protests threatened the right to basic education.

The need for a co-ordinated response, with information sharing and early warnings, was also identified as critical to averting adverse effects on schools.

ensure greater co-operation among departments.

It also recommended that the response team be replicated at provincial and, in some cases, local government levels.

The commission envisages a faster and more effective reaction in instances where interference with basic education seems a possibility or has occurred.

Departments such as the SAPS and that for basic education are required to report back to the commission within six months on the progress made in complying with some of its recommendations.

Recording the effects on learning and the cost to the fiscus, the commission emphasised the need

for protesters to be mindful of the effects of their actions, particularly if they affected basic education directly.

The commission emphasised that greater awareness and creating a sense of collective ownership of schools were prerequisites for the protection and promotion of the rights of pupils.

After all, education is intended for the advancement of the individual and society as a whole.

Beyond the state's authority, we all have a responsibility to ensure that it is protected from disruption.

■ Mokate serves on the South African Human Rights Commission.

Investment in African thought is long overdue

IHAVE just come across an amazing passage in the Preface to Chris Saunders and Robin Derricourt's book, *Beyond the Cape Frontier* (1974).

It's an amazing passage because it captures many of the issues I have been raising in this column and other platforms over the past few years.

I was particularly thrilled to find it because it comes from two white historians, one of whom I know and hold in the highest regard, Chris Saunders.

At least they should not be accused of lowering academic standards for making the arguments that I and many others have been making.

Suffice to say what they said back then is regarded as common sense everywhere else in the world except our own institutions.

This is what they wrote: "The absence of black academic writing on South African history is to the severe detriment of South African academic life in general.

The reason for it may be in part the general social situation, and especially the shortage of teachers and texts of quality in the schools and the absence of a significant and positive African studies element in the syllabus.

Knowledge in the humanities is too often seen as data necessary to pass an examination, or to obtain a degree, and a degree as a route to a job, often in examination-oriented teaching, which makes the attitude self-perpetuating."

Forty years after these scholars made this observation, very little has changed about the content of the educational system in this country, and the manner in which it is taught.

Two examples will suffice: Shortly after the publication of my biography of Steve Biko, I contacted the National Education Department to see if they would be interested in making it available to high school students.

There was not as much as an acknowledgement of my e-mails. Around the same period, I was giving a talk somewhere in Joburg when a white schoolteacher from one of the elite private schools came up to tell me she had prescribed the book for her matric class.

Just one of the endless ironies of South African life.

A couple of years ago, I invited the distinguished Harvard academics, Jean and John Comaroff, as guest lecturers to my second-year social theory class.

They were taken aback by the way our classrooms are still arranged. The professor stands in front of the group while the students spiritedly take notes from his or her PowerPoint presentation.

This formula leaves no room for critical engagement between professor and student. Our students have become so dependent on PowerPoint that they will reserve the unkind remarks for the professor who does not use the application.

However, the reorganisation of material goes beyond PowerPoint presentation to a structural flaw in the system.

There are few things I find as galling as a sociology curriculum that comprises the same material I was taught when I entered first year in 1983 – the same old passages from Karl Marx, Emile Durkheim and Max Weber, ad nauseam.

To be sure, there is much value to be had from these writers but a student studying sociology in South Africa must know what African people themselves have said about social change.

It's just not possible to call yourself a sociologist in South Africa if you don't know anything about S.E.K. Mkhay, Phyllis Ntantala, Steve Biko and so many others.

In their preface, Saunders and Derricourt argue that black people



Xolela Mangcu

may have avoided writing about controversial topics because of the political situation.

This was indeed partly the case. As Es'kia Mphahlele put it, "there was little non-fiction whose intention was to sharpen our political consciousness".

The heavy hand of censorship from the proprietor's office set to that.

Those among us who listened to the people's exhortations in speech and song caught the mood and recorded it in our fiction.

We did not apply our minds at all to theoretical questions of cultural identity... polemical writings did not, as a result, seem necessary, even as a desperately necessary mode of expression.

The result is that there has been no systematic attention to non-fiction in black writing since the late 19th and early 20th century.

I still don't understand why this prior history of non-fiction writing is ignored and there is instead a tendency to focus on the Drum writers as the be-all and end-all of black intellectual thought.

In their preface, Saunders and Derricourt pinned their hopes on the emerging Black Consciousness movement for a revival of historical writing: "It may be in time the emerging black consciousness movement will produce a new interest in the past among Africans."

"This potential has yet to be fulfilled, to date the new thinking sparked off by this movement has been concentrated mainly in the fields of theory and the arts."

It is ardently hoped that before long essays on the history of the Transkei and Ciskei will come from the pens of black historians."

Sadly, this potential still remains unrealised, despite the amount of resources that are actually in black hands in this country.

We have a government we entrust with our taxes. Instead of doing anything to promote black intellectual empowerment, they continue to subsidise mainly white university departments.

I also often wonder what it is that our billionaires really do with their money if they cannot endow black think tanks or fund chairs in university departments with the stipulation that such chairs will be taken up by black professors?

What is worth mentioning is that two years before Saunders and Derricourt's book was published, Steve Biko published an article in *Black Viewpoint*, but he also cautioned against black dependence on white people for their intellectual agenda: "The real moral of the story can only be that we blacks must on our own develop those agencies that we need, and not look up to unsympathetic and often hostile quarters to offer these to us."

Our conundrum is indeed that there is an active hostility to the development of an African intellectual agenda in our universities but no one to pick up the slack in either the government or the black business world.

Investment in African thought – whether by the government or private individuals – is the sine qua non for the release and stimulation of the African imagination in South Africa.

■ Mangcu is professor of sociology at UCT and a Harry Oppenheimer Fellow at Harvard University.

HEADS UP

IN MY view, (Nongcobo) Jiba was steadfast to do everything in her power to ensure charges against Richard Mdluli were permanently withdrawn. This was despite the prima facie evidence against Mdluli. This displayed ulterior motives, and thus offended against the rule of law and the constitution. – North Gauteng High Court Judge Francis Legodi in a damning judgment ruling that Deputy Director of National Prosecutions, Nongcobo Jiba, and (NPA) head of the Specialised Commercial Crimes Unit, Lawrence Mwebe, be struck off the roll of advocates as they are not "fit" and "proper to hold office".



SENZO (Meyiwa) tells me in my dreams what happened on the day of his death and who killed him. I am still waiting for him to tell me what he wants me to do. – Sam Meyiwa, the father of the murdered Bafana Bafana and Orlando Pirates captain.



THERE is a tendency in this country to insinuate that everyone who defends someone in a powerful position is captured. I want to place it on record that I'm doing this purely out of principle – to defend a woman who is being unfairly targeted. I would have done the same if it was Maria Ramos who was under siege. – Joburg city councillor Leanne Williams who has reportedly launched a 'Stand off Dudu Myeni' campaign.



I WAS at Livingstone Hospital yesterday morning to see how he was doing and I was informed by his doctors that he had died. – Lawyer Michelle Bilagaut who was representing alleged hit-man Szweczekhe Vumazonke in the murder trial of Christopher Panayiotou. Panayiotou is accused of hiring Vumazonke to kill his wife, Jayde. Vumazonke slipped into a coma, while awaiting trial, in St Albans Prison outside Port Elizabeth in the Eastern Cape. It is suspected that he was poisoned.



CHAPTER 05

EXTERNAL COMMUNICATIONS MEDIA AND COMMUNICATIONS



The Communications sub-unit utilises a range of approaches in seeking to raise its profile and to position the Commission as a leading human rights institution. These include media engagements via interviews, queries, media statements, press briefings, social media postings, and advertorials.

In the 2016–2017 financial year, the Commission released 93 media statements, conducted at least 596 media queries or interviews, published 16 opinion pieces, and 2 advertorials. During the period, the Commission was mentioned in 5 213 online news articles and in 19 977 social media posts.



Media coverage on or about the Commission (2016– 2017)

Table 2: Consolidated list of top news stories and/or issues on human rights for 2016 –2017⁶

HUMAN RIGHTS ISSUE/ NEWS STORY	TOTAL Q1-4
Online hate	304
Equality regarding race	255
Right to education and/or protest action	115
SAHRC investigations and public expressions of concern	101
Xenophobia	81
Homophobia	80
Right to health care/ disability/Esidimeni	79
Nkandla judgment: implications for the SAHRC and Chapter 9s	74
Hate crimes and/or hate speech	69
Appointment of the SAHRC Commissioners	48

⁶ Compiled from the top five stories each month from April 2016 to March 2017 on human rights or the Commission published online. Data compiled by MeltWater Media Monitoring.

The communications activities by the Commission are informed by the need to:

1. Promote visibility by raising the profile of the Commission, so that the public understands who we are, what we do, and why we do it.
2. Strengthen credibility by cementing its role as an institution independent of government where people can direct their expectations and dissatisfactions to achieve substantive rights realisation
3. Manage risk which could arise in the context of misplaced or inaccurate perceptions around the powers of the Commission or through reporting.
4. Uphold the public image and integrity of the Commission.

Analysis of media coverage on or about the Commission (2016 –2017)

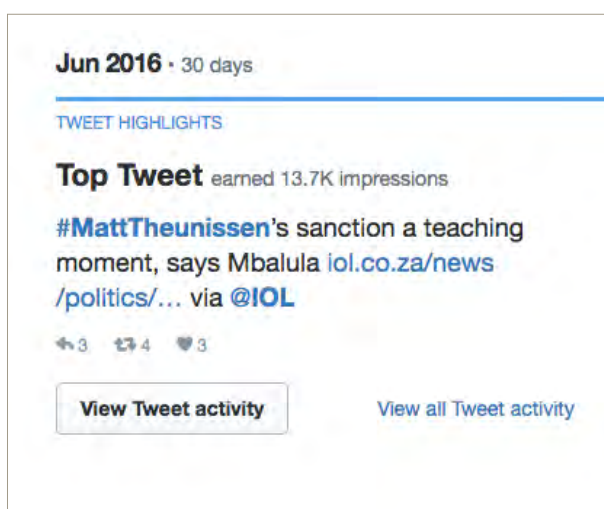
The media issues listed above do not reflect an exhaustive list of all the stories published on these issues. It is a consolidated list of the top five stories published online each month from April 2016 to the end of March 2017 in which the Commission is reported on, or mentioned, in relation to the rights or violations of the rights mentioned.



Online hate

The issue of online hate, in the form of posts on social media platforms such as Facebook and Twitter as well as videos uploaded onto YouTube, amounted to 304 stories, which was the highest number of stories published online about human rights and the Commission in relation to online hate and racism.

The Matthew Theunissen matter accounted for the largest portion of this coverage with 112 stories or mentions. The Commission received complaints after Theunissen posted a racist objection to sports quotas introduced by the Minister of Sport, Fikile Mbalula. The high volume of reports can be attributed to the high profile and social media savvy of the Sports Minister, who engaged followers on the matter on social media following both the outburst and the finalisation of the Commission's case against Theunissen. The Commission's statement on the finalisation of the matter and Theunissen's apology and interviews with the media also contributed to the wide coverage.



Other matters related to online hate that drove media coverage included various racist rants on social media, the Commission's Investigative Hearing on Racism and Social Media and reports of government's attempts to curb and clamp down on online racism, as well as general news reports about the phenomenon of online racism in South Africa. The Commission's Investigative Hearing on Racism and Social Media received extensive coverage across all media: broadcast, print, and online (55). The Commission's media statement and an opinion piece (titled "Racism and Social Media") published in the *Sunday Independent* the weekend before the hearing also contributed substantially to the high coverage.

Equality regarding race

Stories about inequality related to race accounted for the second largest amount of online reports at 255. The highest number of reports were about Judge Mabel Jansen's leaked emails expressing racist sentiments, followed by reports on Andre Slade (the resort owner who expressed discriminatory remarks about black people), reports on the Pretoria Girls High School matter relating to alleged unfair school rules and allegations of racism related to hair, and other stories about racism and equality in South Africa. Other reports relate to complaints lodged with the Commission against President Zuma, general reports on racism (which often cite the Commission), and reports of an Eastern Cape teacher who returned to teach after being barred from doing so for racism.

Right to basic education and/or impact of protest Action on education

During the reporting period, there were 115 reports on the Commission and the right to basic education as well as the impact of protest action on the right to education. The coverage was driven by the service delivery protests that erupted during the year and the Commission's interventions on securing children's rights to access education in the context of protests. The Commission's National Investigative Hearing into the Impact of of Protest- Related Actions on the Right to a Basic Education was reported on extensively, along with the final report, and media reports on this account for much of the media reporting on this matter throughout the financial year. These reports reflected positively on the Commission's speedy reaction to a matter of national significance and showed clear action by the Commission in line with its constitutional mandate to monitor and protect the right to basic education and to educate the public on the responsibilities that arise from the right to protest.



SAHRC investigations and public expressions of concern

During 2016 –2017, stories about the Commission as well as expressions of concern for human rights and the Commission's investigations were reported online at least 101 times. These stories related to the Vicki Momberg matter and investigations against, or instituted by, political parties and politicians.

Some of the stories listed below also reported directly on specific Commission activities:

1. National Investigative Hearing on Mining Affected Communities
2. SAHRC KwaZulu-Natal provincial visit (with a focus on disability and rights of the elderly)
3. SAHRC legal action (EAO Constitutional Court Judgement)
4. SAHRC media statement raising concerns about South Africa's withdrawal from the International Criminal Court
5. SAHRC Free State provincial office networking session

That media reports on the work of the Commission that account for the top five most reported issues are significant. It reflects increased and positive reporting by the media on the Commission's "boots on the ground" work, as well as media reporting on successful outcomes of the Commission's investigations and litigation.

Xenophobia

During the reporting period, there were 81 online reports on, or about, the Commission and xenophobia. Most of the coverage related to xenophobic attacks and to media statements released by the Commission on xenophobia. Coverage also included media reports on the delay in the Commission's finalisation of the "Zwelithini report" and reporting on the report subsequent to its release. During 2016 –2017, the Commission took unequivocal stances on xenophobia and discrimination based on social or ethnic origin, which were reflected in media statements and consequent coverage.

Homophobia

During the report period, there were 80 online reports for the year on, or about, the Commission and homophobia. Most of the media reports referred to utterances made by US Pastor Anderson, his intended visit to South Africa, and the Commission's engagement with the Minister of Home Affairs on his planned visit. Other media reports on the matter related to the Commission's Equality Court litigation in the matter of a transgendered pupil in Limpopo (the Nare matter), and on the Equality Court matter regarding Jon Qwelane. In general, the reports were positive in that they reported on action undertaken by the Commission against homophobia and strong statements against government's voting patterns at the UN. Media coverage on homophobia and the right to sexual orientation and identity was driven by the Commission's successful litigation of the Nare/transgendered matter. The issue was widely reported as a victory for LGTB equality and for the Commission's role in protecting the rights of this vulnerable community.

Right to health care and/or disability rights

Coverage of the Esidimeni tragedy amounted to the eighth highest number of stories, at 79. More than 95 patients died after being transported from the Esidimeni Life facility to various NGOs. Coverage of the Commission in relation to the matter was both negative and positive, and related to the Commission's investigation into the matter, the Commission's involvement in the Health Ombudsman's investigation and final report into the matter, and to criticism of the Commission's failure to act sooner.

The Constitutional Court's judgment on Nkandla

The Constitutional Court judgment on Nkandla received 74 online media mentions. Reporting on the judgment generated considerable mentions of the Commission in that media reporting tended to explore the impact of the judgment on Chapter 9 bodies, such as the Commission, and on the implications for South Africa's constitutional democracy and the role and responsibilities of institutions set up to support democracy, such as the Commission.

Hate speech

During the financial year, there were 46 online reports on hate speech and hate crimes mentioning the Commission and human rights. The volume of reporting was driven, in large part, by reports on the Prevention and Combatting of Hate Crimes and Hate Speech Bill, and referenced the Commission's complaints relating to online hate, as well as other complaints relating to hate speech.

Other noteworthy media stories reported online which mentioned the Commission and human rights for the 2016 –2017 financial year include:

NOTEWORTHY MEDIA STORIES	NUMBER OF REPORTS
Desecration of a mosque	28
Right to dignity (i.e. woman on the back of bakkie)	22
Visit by Canadian Minister of Justice and Attorney General to the SAHRC	21
Policing and human rights	19
Farm murders: SAHRC Report	14
Appointment of former SAHRC commissioner to the IEC	11
The Valhalla mosque	10
Painting of President Zuma by Ayanda Mabulu	8
The right to water	2

Media statements

The Commission released 79 media statements from 2016 –2017. The Commission's media statements are meant to increase visibility, express opinion, respond to issues, and inform the media about events. They are also intended to disseminate human rights advocacy messaging intended to inform the media and deepen understanding of human rights as they relate to topical issues in the public domain.

Media statements released by SAHRC 2016 –2017

Uptake of the Commission's media statements is high and is reflected in the list of top stories listed above. Media statements, which generated substantial media coverage and engagement on social media, are highlighted in red below.

Meet our new Commissioners of the South African Human Rights Commission - 2017/2018

SAHRC COMMISSIONERS 2017



PROF. BONGANI MAJOLA

Chairperson

Commissioner Bongani Majola served as Registrar of the United Nations International Criminal Tribunal of Rwanda and is the former Head of the Legal Resources Centre. Prof Majola is the former Dean of the Law Faculty at the University of Limpopo and has served as a Public Prosecutor and as a District Magistrate.

Focus Areas: Migration and Health
Province: Gauteng



ADV PRISCILLA JANA

Deputy Chairperson

Commissioner Priscilla Jana is a former Member of Parliament. Ambassador to the Netherlands, and legal representative to former President Nelson Mandela and Emeritus Archbishop Desmond Tutu, among others. Adv Jana was the Chairperson of the ad hoc Committee on the Ratification of the United Nations Convention on the Rights of the Child.

Focus Areas: Equality and Racism
Province: KwaZulu-Natal



ADV MOHAMED AMEERMIA

Commissioner Mohamed Ameerma joined the Commission in 2014. Adv Ameerma has held positions in the Limpopo Provincial Government and in the education sector.

Focus Areas: Access to Justice and Housing
Province: Northern Cape & Free State



MS ANGIE MAKWETLA

Commissioner Angie Makwetla is a social worker and social entrepreneur, and the founder of Makwetla and Associates. Ms Makwetla started the first black-owned computer training academy in South Africa.

Focus Areas: Children's Rights
Province: North West



ADV JONAS SIBANYONI

Commissioner Sibanyoni is a former Member of Parliament and former Member of the Judicial Service Committee. Adv Sibanyoni has worked in the Presidency and served as a Member of the Amnesty Committee of the Truth and Reconciliation Commission (TRC).

Focus Areas: Rural Development and Right to Food
Province: Mpumalanga



ADV ANDRÉ GAUM

Commissioner André Gaum is a former Deputy Minister of Education and MEC for Education in Western Cape Provincial Government. Adv Gaum is a former State Prosecutor and also served as legal advisor to the Minister of Cooperative Governance and Traditional Affairs.

Focus Areas: Education
Province: Eastern Cape



ADV BOKANKATLA MALATJI

Commissioner Malatji began his second term as Commissioner of the SAHRC in 2017. Adv Malatji is a former Legal Advisor in the Department of Justice and was the first blind person to be admitted as an advocate of the Supreme Court of South Africa in 1977.

Focus Areas: Disability and Older Persons
Province: Limpopo



MR CHRIS NISSEN

Commissioner Chris Nissen is a former Deputy Speaker of the Western Cape Provincial Legislature and has served as MEC of Economic Affairs in the province. He is also a former National Co-ordinator of the Masakhane Campaign for the Department of Constitutional Development.

Focus Areas: Natural Resources, Law Enforcement and Environment
Province: Western Cape

South African Human Rights Commission: Transforming Society, Securing Rights, Restoring Dignity

MONTH	MEDIA STATEMENTS Statements marked with * below received substantial media coverage
March 2017	<ol style="list-style-type: none"> 1. Passing of Ahmed Kathrada, March 28, 2017 2. Human Rights Day, March 21, 2017* 3. Seshego Equality Court judgment regarding transgendered learner* 4. Social security a basic human right (Social Grants/South African Social Security Agency [SASSA]) March 3, 2017*
February 2017	<ol style="list-style-type: none"> 1. The SAHRC strongly urges authorities to put in place measures to prevent further xenophobic violence, February 23, 2017. 2. The SAHRC is deeply concerned about incidents of xenophobic violence in Johannesburg and Pretoria, February 20, 2017.* 3. The SAHRC to host a National Investigative Hearing on Racism and Social Media, February 14, 2017.* 4. The SAHRC responds to COSATU, February 9, 2017. 5. Update on the SAHRC's intervention on Limpopo textbooks and stationery, February 8, 2017.* 6. The SAHRC responds to statement by the Democratic Alliance on Esidimeni patient transfers, February 7, 2017.* 7. The SAHRC calls for the exercise of a greater duty of care for the protection of the rights of vulnerable people (SAHRC reaction to Esidimeni), February 2, 2017.*
January 2017	<ol style="list-style-type: none"> 1. South Africa: President Jacob Zuma meets Chairperson of the SAHRC, January 20, 2017. 2. The SAHRC considers legal action on non-delivery of textbooks, January 20, 2017. 3. Media statement: The SAHRC Commissioners meet with Western Cape Provincial Education Minister, January 17, 2017. 4. The SAHRC is concerned about number of learners unable to be accommodated in schools, January 12, 2017. 5. The newly appointed SAHRC condemns the desecration of places of worship, 10 January 10, 2017. 6. Media statement: The SAHRC welcomes the arrival of new Commissioners, January 3, 2016.
December 2016	<ol style="list-style-type: none"> 1. The SAHRC and UNICEF launch a report on children's rights, titled "Global Goals for Every Child: Progress and Disparities Among Children in South Africa", December 13, 2016.* 2. The SAHRC subpoenas the Mpumalanga MEC of the Department of Agriculture, Rural Development, Land, and Environmental Affairs, December 9, 2016. 3. The SAHRC addresses the National House of Traditional Leaders, December 9, 2016. 4. The SAHRC celebrates 20 years of the Constitution, December 20, 2016. 5. The SAHRC releases report on transformation at Public Universities in South Africa, December 9, 2016. 6. The SAHRC welcomes President Jacob Zuma's appointment of new Commissioners, December 6, 2016.
November 2016	<ol style="list-style-type: none"> 1. The SAHRC commends the government for voting in favour of the SOGI monitor at the UN, November 23, 2016. 2. Institutions supporting democracy to host and launch a provincial roadshow in the Tokologo Local Municipality, November 28, 2016. 3. The SAHRC's Limpopo Provincial Office public and stakeholder engagements in the Waterberg District Municipality, November 28, 2016. 4. The Mpumalanga Provincial Office outreach follow-up clinic, November 24, 2016. 5. The SAHRC public outreach clinic interventions, November 22, 2016. 6. The SAHRC KwaZulu-Natal Provincial Office to host outreach clinics in the Edumbe Municipality, November 22, 2016. 7. The SAHRC public outreach clinic Tarlto and Magalies Mogale City 16, November 22, 2016. 8. Racist incident in Middelburg, Mpumalanga, November 17, 2016.

	<ul style="list-style-type: none"> 9. Roundtable discussion on the budget analysis for advancing socio-economic rights, November 17, 2016.* 10. The SAHRC Western Cape Provincial Office to host information session on children's rights and poverty traps, November 17, 2016. 11. The SAHRC institutes equality court proceedings on behalf of a transgendered learner in Limpopo, November 14, 2016.* 12. The SAHRC accepts commitment to values of the Constitution after offensive social media posts, November 8, 2016. 13. The SAHRC signs conciliation agreement with Mr. Tlou Molele, November 4, 2016.* 14. The SAHRC reconvenes Hearing on the Underlying Socioeconomic Challenges of Mining Affected Communities in South Africa, November 2, 2016.*
October 2016	<ul style="list-style-type: none"> 1. The SAHRC concerned about South Africa's withdrawal from the International Criminal Court, October 22, 2016. 2. The SAHRC Eastern Cape Provincial Office to host a seminar for International Day of Older Persons, October 20, 2016. 3. The SAHRC Free State Provincial Office to host a media networking session, October 18, 2016. 4. The SAHRC calls for calm and a commitment by all stakeholders to resolve the current crisis on South African campuses, October 13, 2016. 5. The SAHRC KwaZulu-Natal Provincial Office to host community dialogue commemorating International Day of Older Persons, October 5, 2016.
September 2016	<ul style="list-style-type: none"> 1. The SAHRC engages with the DoH regarding Esidimeni, September 30, 2016 (check inconsistency with previous point). 2. Report launch: African Diaspora Forum and Others v. King Goodwill Zwelithini. 3. The SAHRC Free State Provincial Office to host public outreach clinics in the Phumelela Municipality, September 29, 2016. 4. The SAHRC KwaZulu-Natal Provincial Office to host outreach clinics in the Umvoti Municipality, September 26, 2016. 5. The SAHRC resumes the Hearing on the Underlying Socioeconomic Challenges of Mining Affected Communities in South Africa, September 25, 2016.* 6. The SAHRC hosts a four-day provincial visit in Eastern Cape, September 18, 2016. 7. The SAHRC reaction to Minister Gigaba's decision regarding Pastor Anderson, September 13, 2016.* 8. National Investigative Hearing into the Impact Of Protest-Related Actions on the Right To a Basic Education in South Africa, September 13, 2016.* 9. Joint statement by the SAHRC and the Legal Resources Centre (LRC): Constitutional Court ruling pulls the plug on unlawfully obtained emoluments attachment orders, September 13, 2016.* 10. Constitutional Court judgment regarding University of Stellenbosch Legal Aid Clinic and Others v. the Minister of Justice and Correctional Services and Others (CCT 127/15), September 12, 2016.* 11. The SAHRC hosts a Hearing on the Underlying Socioeconomic Challenges of Mining Affected Communities in South Africa, September 12, 2016.* 12. Pretoria Girls High: hair-difference, diversity, and reasonable accommodation of difference in South African schools, September 7, 2016.*

August 2016	<ol style="list-style-type: none"> 1. The SAHRC presentation to the Parliamentary Portfolio Committee on police, August 26, 2016. 2. The SAHRC Free State Provincial Office to host dialogue on racism, August 26, 2016.* 3. National Women's Day, August 8, 2016. 4. The SAHRC hosts a five-day provincial visit on disability and older persons' rights in KwaZulu-Natal, August 15, 2016.* 5. The SAHRC hosts a three-day provincial visit in the North West, ? 6. The SAHRC finalises a complaint by Die Afrikanerbond against the SABC, August 1, 2016.*
July 2016	<ol style="list-style-type: none"> 1. The SAHRC sends an urgent letter to Minister M. Gigaba, requesting a detailed report on proposed entry by Pastor Steven Anderson, August 27, 2016.* 2. The SAHRC sends a letter of concern to Honourable Minister M. E. Nkoana-Mashabane, Department of International Relations and Cooperation, as the SAHRC commemorates International Justice Day on June 17, 2016, July 17, 2016. 3. The SAHRC hosts a four-day provincial visit in the Western Cape, July 11, 2016.
June 2016	<ol style="list-style-type: none"> 1. Media statement on World Refugee Day.* 2. The SAHRC hosts a three-day provincial visit in Mpumalanga. 3. Conclusion of Hearing into the Impact of Protest-Related Actions on the Right to Basic Education in South Africa.* 4. Successful intervention of the SAHRC in the enforcement of the right to housing (Residents of Arthursstone Village v. Amashangana Tribal Authority and Others). 5. Matthew Theunissen apologises for racist remarks.* 6. National Investigative Hearing into the Impact of Protest-Related Actions on the Right to a Basic Education in South Africa.* 7. The SAHRC concerned about political killings ahead of local government polls.*
May 2016	<ol style="list-style-type: none"> 1. Delay in release of King Zwelithini report, May 4, 2016. 2. The SAHRC provincial visit to Free State Commissioner Ameerma's provincial visit to the Free State, May 18, 2016. 3. Media statement on the SAHRC's calls for unity and solidarity on Africa Day, May 25, 2016.
April 2016	<ol style="list-style-type: none"> 1. The SAHRC and APCOF host a dialogue on policing and human rights.* 2. The SAHRC is appalled by the murder of a human rights activist. 3. The SAHRC hosts a National Investigative Hearing into Human Rights Violations in Khoisan Communities.*

Website

The Commission's website (www.sahrc.org.za) is its primary entry point.. The site holds a significant depository of human rights-related material spanning the 20-year lifetime of the Commission. It is an archive of national importance. The site is also the primary source of contact information for various departments within the Commission and for members of the public and organisations seeking assistance with rights violations. The Commission's advocacy materials are also available for download on the site.

The Commission's website was re-launched in March 2016. In the second quarter of the 2016 –2017 financial year, the Commission's website was further improved with the re-introduction of an Online Complaints Form, a Newsletter Sign Up Form, and the redesign of the Commissioner Focus Area pages. Other improvements included larger format picture galleries with captions and blurbs, as well as making the site easier and more intuitive to navigate. The Commission currently receives a significant amount of complaints via email, and the Online Complaints Form is intended to streamline the submission of complaints in order to facilitate appropriate provincial allocation and attention.

The top ten pages most visited on the Commission's website are:

1. SAHRC Opportunities – Vacancies
2. Contact the SAHRC
3. Online Complaints Form
4. Publications
5. About Us – Commissioners
6. What we do – Lodge a Complaint
7. What we do – Programmes
8. Provinces
9. Focus Area – Human Rights Law Enforcement
10. Focus Area – Children's Rights and Basic Education

The top ten locations from which the Commission's site is accessed are:

1. South Africa
2. United States
3. United Kingdom
4. India
5. Canada
6. Australia
7. Netherlands
8. Germany
9. Sweden
10. Nigeria

Social Media

Twitter

During the 2016 –2017 financial year, the Commission's Twitter following increased from 26 919 in the first quarter to 35 568 in the fourth quarter. Twitter comprises the largest volume of the Commission's engagement with the public, with a Twitter following of 35 568 compared to Facebook at 9 308.

During the 2016– 2017 financial year, the Commission's Twitter following grew by 18 percent, which is an increase of 6650 new followers. The Commission released 1152 Tweets for the year, averaging 134 tweets per month. The Commission reached an average of 149 192 people a month via Twitter, with 3605 visits to its Twitter page on average every month, and 990 mentions of our @SAHumanRightsCommission handle on average per month.

Trending hashtags for 2016 –2017

During the 2016 –2017 financial year, the Commission’s topics trended six times on Twitter. A trend reflects real-time engagement with a topic or “hashtag.” These represent a significant level of engagement with hashtags tied to the Commission’s topics and events.



#PolicingDialogue DIALOGUE ON POLICING AND HUMAN RIGHTS April 2016	#EducationHearing NATIONAL INVESTIGATIVE HEARING INTO THE IMPACT OF PROTEST- RELATED ACTIONS ON THE RIGHT TO A BASIC EDUCATION IN SOUTH AFRICA June 2016	#Zwelithini AFRICAN DIASPORA AND OTHERS VS KING ZWELITHINI REPORT LAUNCH September 2016
#MiningChallengesHearing HEARING ON THE UNDERLYING SOCIOECONOMIC CHALLENGES OF MINING AFFECTED COMMUNITIES IN SOUTH AFRICA September 2016	#SAHRC Racism NATIONAL INVESTIGATIVE HEARING ON RACISM AND SOCIAL MEDIA IN SOUTH AFRICA February 2017	#EducationProtestReport REPORT LAUNCH: NATIONAL INVESTIGATIVE HEARING INTO THE IMPACT OF PROTEST-RELATED ACTIONS ON THE RIGHT TO A BASIC EDUCATION IN SOUTH AFRICA September 2016

That these issues “trended” reflects significant public interest in human rights policing, the impact of protest action on education, xenophobia, the impact of mining on communities, and the issue of racism on social media. Trending indicates that the Commission and its interventions on these matters dominated the social conversation on Twitter during these times.

Snapshot of top tweets mentioning @SAHRC for 2016 –2017:

- Matthew Theunissen: SAHRC complaint
- Velaphi Khumalo: online racism
- Penny Sparrow
- Billy S. D. Buthelezi: Facebook post calling on all blacks who work for whites to kill them
- Human rights policing dialogue: “SAPS Committed to Protecting Human Rights, Deputy National Police Commissioner.”
- Human rights policing dialogue: “We underestimate just how the police can be politicized in our new dispensation.”
- Interviews for the SAHRC Commissioners
- Burning Schools Undermine Children’s Rights to Basic Education.
- Human Rights Watchdog Concerned About Impact of Protests on Schooling
- Equality Courts’ Best Option to Take up Racism Incidents
- The SAHRC recognizes World Press Freedom Day because media freedom is as important and fundamental as other human rights
- The SAHRC Matthew Theunissen ADR finalisation



Twitter: 2016/7 in review



@SAHRCCommission - Growth in Followers
Apr 2016 - March 2017

1 381 800 Impressions - total audience based on real audience (own followers) + followers of followers

43 260 Profile visits - total visits to SAHRC Twitter profile

35 568 Followers - total number of people who follow @SAHRCCommission on Twitter

11 874 Mentions - number of times SAHRC Twitter handle @SAHRCCommission was mentioned on Twitter for the year

6 650 New followers - speaks for itself :-)



Twitter - The Social Conversation

Trending on Twitter

A 'trend' on Twitter reflects real time engagement on human rights issues with a large audience for a sustained amount of time.

The following 6 SAHRC "hashtags" (topics) trended on Twitter, generating large amounts of engagement and dominating the social conversation for a sustained period of time:

- #PolicingDialogue** - Dialogue on Policing and Human Rights
- #EducationHearing** - National Investigative Hearing on Impact of Protest on Basic Education
- #Zwelithini** - African Diaspora and others us King Zwelithini Report launch
- #MiningChallengesHearing** - Hearing on Underlying Socioeconomic Challenges of Mining Affected Communities
- #EducationProtestReport** - Release of Report on National Investigative Hearing on Impact of Protest on Basic Education
- #SAHRC Racism** - National Investigative Hearing on Racism and Social Media in South Africa

Twitter - Reach and Exposure

Reach

SAHRC
SAHRC Twitter Followers
35 568

Exposure

Potential audience, measured in Impressions

Followers of Followers = Impressions
1 381 800

Each time a follower shares something, it is delivered to their followers.

Twitter - Why it Matters?



Audience

SAHRC's 35k Twitter followers present the single largest potential audience of almost 1.4 million people



Opinion

Allows the SAHRC to monitor opinions and public perceptions on human rights



Alerts

Enables SAHRC to remain alert to rights violations & mandatory interventions



Information

Provides insights that allow SAHRC to produce appropriate human rights information

Top 12 Human Rights Issues on Twitter - 2016/2017

Rights	People Reached "Impressions"	Rights	People Reached "Impressions"	Rights	People Reached "Impressions"
Disability Rights	18 562	The Constitution	9 673	Right to Basic Education	5 150
Online Hate	14 113	Business & Human Rights	7 447	Equality	5 009
SAHRC Mandate	12 609	National Human Rights Day	7 113	Indigenous Rights	4 941
International Human Rights Day	12 536	LGBTI Equality	7 068	Human Rights Policing	4 390

Facebook

During the 2016 –2017 financial year, the Commission’s Facebook following increased from 7 644 in the first quarter to 9 308 in the fourth quarter, with a growth of 1664 new followers. The Commission posted 369 active posts for the year.



QUARTER	FACEBOOK FOLLOWERS	NUMBER OF POSTS
Q1 totals	7 644	112
Q2 totals	8 103	107
Q3 totals	8 590	54
Q4 totals	9 308	96
Total	9 308	369

Snapshot of top Facebook posts for 2016 –2017

1. The SAHRC institutes Equality Court proceedings on behalf of a transgendered learner in Limpopo
2. Roundtable event: Budget Analysis For Advancing Socio-Economic Rights attended by the SAHRC in partnership with the Studies in Poverty and Inequality Institute (SPII), November 17, 2016
3. Awareness event on albinism under the theme “Persons with disabilities: equal participants in shaping a sustainable future”
4. The SAHRC and UNICEF launch a report on children’s rights, titled “Global Goals for Every Child: Progress and Disparities Among Children in South Africa”
5. Social media post of a woman in a cage on the back of a bakkie
6. List of new SAHRC Commissioners
7. SAHRC vacancies
8. Media statement: on the SAHRC’s deep concern regarding incidents of xenophobic violence in Johannesburg and Pretoria, February 20, 2017
9. The SAHRC hosts a National Investigative Hearing on Racism and Social Media, February 14, 2017
10. The SAHRC makes an anti- racism pledge
11. The Seshego Equality Court to hand down judgment in matter involving rights of transgendered learner which resulted in a successful intervention
12. Social security is a basic human right (SASSA/Social Grants), March 3, 2017



Social media reach 2016 –2017

The table below provides a comparison of social media engagement and coverage across Twitter and Facebook. The Commission's Facebook and Twitter following represent the potential audience for messages and information from the Commission based on the number of people who have actively "liked" or "followed" the Commission.

Each time a follower engages with a post or tweet from, or about, the Commission it is delivered to their followers too. "Impressions" represent the *overall potential* reach of users seeing the Commission's posts and tweets.

PLATFORM	FOLLOWERS	POSTS/ TWEETS	NEW FOLLOWERS	IMPRESSIONS	TOTALS: 2016 - 2017
Twitter	35 568	1 152	6 650	1 381 800	35 568
Facebook	9 308	369	1 664	766 743	1 152

During the 2016 –2017 financial year, the Commission contributed significantly to social conversations on human rights, including public debates on policing, the impact of protest- action on the right to a basic education, the underlying socioeconomic challenges of mining affected communities, xenophobia, and racism.

Social media exposure and engagement have grown exponentially over the course of the reporting period, with an increase in followers and increased engagement with posts or through mentions of the Commission.

The social media exposure and engagement enabled the dissemination of key advocacy messages regarding human rights that provide information and context. Social media engagement is a crucial part of the Commission's strategic imperative to inform and educate on human rights, and to build a culture of human rights, through advocacy messages such as:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Burning schools undermine children's right to a basic education 2. Human rights watchdog concerned about the impact of protests on schooling 3. Equality Courts' best option to take up racism incidents 4. Media freedom is as important and fundamental as other human rights 5. The SAHRC institutes Equality Court proceedings on behalf of a transgendered learner in Limpopo 6. Albinism: – "Persons with disabilities: equal participants in shaping a sustainable future" | <ol style="list-style-type: none"> 7. The SAHRC is deeply concerned about incidents of xenophobic violence 8. The SAHRC hosts a National Investigative Hearing on Racism and Social Media, February 14, 2017 9. Take the SAHRC anti-racism pledge 10. The Seshego Equality Court to hand down judgment in the matter involving the rights of a transgendered learner which resulted in a successful intervention 11. Social security is a basic human right, March 3, 2017 |
|---|---|

During the 2016 –2017 financial year, the Commission has significantly increased its utilisation of social media as an advocacy and communications tool. While harnessing this new power to communicate, the Commission has also taken on board the counsel of experts and is attempting to fully implement its advocacy and communications strategy in the short term by strengthening its internal capacities.

Opinion pieces

During 2016 –2017, the Commission published 16 opinion pieces in various publications. Given the wide ambit of its work, and depth of institutional knowledge within the organisation, opinion pieces are perhaps one of the most powerful tools the Commission could use to catalyse and inform public debates on human rights and to communicate its position on issues. Opinion pieces also carry opportunities to highlight the important programmatic work of the Commission through commentary on its investigations, reports, or hearings.

SA Human Rights Commission

Education

Inspirational ways to teach the teacher

Upskill, train or capacitate – in the end it's for their future and those of South Africa's children



TEACHERS OFFICER
Sarah Lubala

Recent events that are inspiring and informing teachers is the **MAKING** initiative, a project of the Department of Education, which focuses on teacher development. It is a project that is not only about training, but also about providing a platform for teachers to share their experiences and learn from each other. The project is a response to the need for a more holistic approach to teacher development, one that goes beyond the traditional focus on technical skills and knowledge. It is a project that is designed to be a catalyst for change, one that will inspire teachers to think differently about their role and their impact on their students. The project is a response to the need for a more holistic approach to teacher development, one that goes beyond the traditional focus on technical skills and knowledge. It is a project that is designed to be a catalyst for change, one that will inspire teachers to think differently about their role and their impact on their students.

Teacher and knowledge skills to be relevant and students. The project is a response to the need for a more holistic approach to teacher development, one that goes beyond the traditional focus on technical skills and knowledge. It is a project that is designed to be a catalyst for change, one that will inspire teachers to think differently about their role and their impact on their students. The project is a response to the need for a more holistic approach to teacher development, one that goes beyond the traditional focus on technical skills and knowledge. It is a project that is designed to be a catalyst for change, one that will inspire teachers to think differently about their role and their impact on their students.



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model – a distributive process that allows collaboration among educators through peer teaching strategies. The approach involves making training facilitators who, after certification, return to their own schools. This approach is a response to the need for a more holistic approach to teacher development, one that goes beyond the traditional focus on technical skills and knowledge. It is a project that is designed to be a catalyst for change, one that will inspire teachers to think differently about their role and their impact on their students.

such as ICT resources and training opportunities in Microsoft through the School Discovery Centre and the Matthew Goniwe School of Leadership and Governance. The project is a response to the need for a more holistic approach to teacher development, one that goes beyond the traditional focus on technical skills and knowledge. It is a project that is designed to be a catalyst for change, one that will inspire teachers to think differently about their role and their impact on their students.

Xenophobia's shameful assault on schoolchildren

COMMENT
Andre Gama

As the nation reels from more xenophobic violence, another equally repulsive form of intolerance – xenophobia – stepped out far from the glare of public attention. It was directed at schoolchildren, compelling the thousands of children to flee from their schools in terror. A letter from Eastern Cape Province Secretary in Johannesburg, warning that the situation in the province is so dire that the province is unable to provide for the needs of its children, is a stark reminder of the reality of the situation. The situation is so dire that the province is unable to provide for the needs of its children. The situation is so dire that the province is unable to provide for the needs of its children.

For those children of African and Asian descent, the situation is even more dire. They are the victims of a brutal and systematic assault on their rights and their lives. The situation is so dire that the province is unable to provide for the needs of its children. The situation is so dire that the province is unable to provide for the needs of its children. The situation is so dire that the province is unable to provide for the needs of its children.

It is a situation that is a disgrace to the nation and a shame to the world. It is a situation that is a disgrace to the nation and a shame to the world. It is a situation that is a disgrace to the nation and a shame to the world. It is a situation that is a disgrace to the nation and a shame to the world. It is a situation that is a disgrace to the nation and a shame to the world.

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The table below lists all the opinion pieces published in order from the first quarter 1 to the fourth quarter.

OPINION PIECE HEADLINE	PUBLICATION	DATE	ISSUE
Business and human rights: access to fair-play for those affected by business-related human rights violations is possible via SA's Constitution	The New Age	April 2016	Business and human rights
SAHRC observes special African day limiting pretrial detention	Sunday Independent	April 2016	Law enforcement. Pretrial detention.
Combating all injustices	The New Age	May 2016	Discrimination
Schools must be treated as sacred places	The New Age	May 2016	Basic education
20 years of the Constitution	The New Age	May 2016	20 years of the Constitution
Safeguarding the human rights outlined in the Constitution	The New Age	August 2016	Human rights and the Constitution
Protecting the right to education is a priority for SA	Sunday Independent	August 2016	Basic education
Diversity must be cherished	The New Age	September 2016	Diversity
Put children's interests first	Mail and Guardian	September 2016	Children's rights to a basic education
Mines must do more for all	The New Age	September 2016	Mining
The ConCourt has laid the groundwork to check the abuse of garnishee orders	Mail and Guardian	October 2016	Emolument "garnishee" orders
Synergy of SAHRC and Stats-SA key to development	The New Age	February 2017	Importance of statistics in development
Social media is a racist's sanctuary	The Star	February 2017	Racism/ social Media SAHRC Hearing on Racism and Social Media
Xenophobia's shameful assault on schoolchildren	Mail and Guardian	March 2017	Basic education
Is racism on the increase in SA?	En-gendered CGE Newsletter	March 2017	Racism
All must be respected	The Star	March 2017	Xenophobia

Advertorials

Advertorials enable the Commission to publish copy-driven messages on human rights directed at target audiences, which include a mixture of text and graphics to illustrate the Commission's execution of its mandate. During 2016–2017, the Commission published two advertorials utilising a mixture of copy and info-graphics. The format allows for publication of both analysis and statistics and optimises the use of space.

International Human Rights Day Advertorial, December 10, 2016



To commemorate International Human Rights Day on December 10, 2016, the Commission published a full-page advertorial in *City Press* newspaper. *City Press* has a circulation of 81 488 and a readership of 1 653 000. The advertorial contained the following content in a mixture of text and graphics:

1. Opinion piece on human rights and the work of the SAHRC, including case studies.
2. The 27 rights in the Bill of Rights that included statistics on the number of complaints received by the Commission regarding a specific right, and a breakdown of civil and political rights vs. socioeconomic rights.
3. A short feature on the Stellenbosch Emolument Order matter adjudicated by the Constitutional Court, in which the Commission was amicus, to illustrate the impact of public interest litigation on socioeconomic rights.

4. An info-graphic heat map illustrating a provincial breakdown of human rights infringement statistics received by the Commission.
5. An info-graphic graph illustrating statistics on racial discrimination in relation to other equality rights violations.
6. The SAHRC logo to promote the Commission's brand.
7. Contact details for the Commission to encourage accessibility of the SAHRC.

Over and above its wide circulation, *City Press* is also a recognizable and credible brand. The Commission's advertorial content resonated with the newspaper's content in both layout and substance. The advertorial content and the format enable ongoing use of the page for the purposes of advocacy.

Human Rights Month Advertorial, 2017

In March 2017, the Commission published a half-page advertorial in *Independent Newspapers*, which ran in *The Star* (Gauteng), the *Pretoria News*, the *Mercury* (KwaZulu-Natal), and the *Cape Times* (Western Cape), reaching a combined circulation of 168 450 and a readership of 1 148 000.

The advertorial contained an opinion piece (“Rights alone cannot deliver on transformation”), outlining the role, work, and key achievements of the Commission and an info-graphic, titled “Introduction to new SAHRC Commissioners”, introducing the new Commissioners tasked with delivering on the Commission’s constitutional mandate.

Subsequent to publication in *City Press* and *Independent Newspapers*, the advertorials were published on the Commission’s website and on Facebook and Twitter.

BUSINESSREPORT INTERNATIONAL
Friday, March 11, 2017

Lenders line up to give Westinghouse a lifeline

Proposal of \$600m now in hand

Westinghouse, the world's largest nuclear reactor supplier, is set to receive a \$600-million loan guarantee from the U.S. government to help it secure financing for a new nuclear reactor in South Africa. The loan guarantee is part of a larger \$1.2-billion loan guarantee package that the U.S. government is providing to Westinghouse to help it secure financing for a new nuclear reactor in South Africa. The loan guarantee is part of a larger \$1.2-billion loan guarantee package that the U.S. government is providing to Westinghouse to help it secure financing for a new nuclear reactor in South Africa.

PetroChina profits plummet by 78%

PetroChina, the world's largest oil and gas producer, reported a 78% decline in profits for the first quarter of 2017. The decline was due to a combination of factors, including a sharp drop in oil prices and a decline in the company's refining margins. PetroChina's profits for the first quarter of 2017 were \$1.1 billion, down from \$4.1 billion in the same quarter of 2016.

Trump set to beat Xi in US

Donald Trump is set to beat Xi Jinping in the 2017 US presidential election, according to a new poll. The poll, conducted by the Pew Research Center, found that Trump has a 55% chance of winning the election, while Xi has a 45% chance. The poll also found that Trump is more popular than Xi among US voters.

SPECIAL PROJECTS
SAGE'S REPRESENTATIVE: MARCEL CHAPMAN
WRITER: ALI JAMES
Published in *City Press*, *Independent News*, *The Mercury* & *Cape Times*

South African Human Rights Commission

Rights alone cannot deliver transformation

Commissioner of the South African Human Rights Commission, Dr. Thabang Makgato, has said that the Commission's mandate is not just to protect human rights, but also to promote transformation. He said that the Commission's role is to ensure that the rights of all South Africans are protected, and that the Commission is committed to promoting the transformation of South African society. Dr. Makgato said that the Commission's mandate is not just to protect human rights, but also to promote transformation. He said that the Commission's role is to ensure that the rights of all South Africans are protected, and that the Commission is committed to promoting the transformation of South African society.

Introduction to new SAHRC Commissioners

The South African Human Rights Commission (SAHRC) has welcomed the appointment of three new commissioners. The new commissioners are Dr. Thabang Makgato, Dr. Mphahlele Mphahlele, and Dr. Mphahlele Mphahlele. The new commissioners will join the existing commissioners, Dr. Thabang Makgato, Dr. Mphahlele Mphahlele, and Dr. Mphahlele Mphahlele. The new commissioners will join the existing commissioners, Dr. Thabang Makgato, Dr. Mphahlele Mphahlele, and Dr. Mphahlele Mphahlele.

The Commission further capitalised on the advertorials by producing smaller screen shots of the various elements provided above to publish on social media in order to educate and inform on provincial breakdowns of human rights infringements, the Bill of Rights and what it means, the difference between civil and political rights and socioeconomic rights, as well as statistics on race and equality.

CHAPTER 06

PUBLIC OUTREACH AND CAPACITY BUILDING



Public outreach engagements (“clinics”)

The Commission utilises public outreach engagements as a strategy to stimulate direct contact with communities. The Commission first introduced public outreach engagements in the 2013 to 2014 financial year in an effort to extend its outreach programs to rural and peri-urban communities. This was mainly informed by empirical research⁷ that clearly reflected the fact that due to the geographical location of the Commission’s provincial offices in the provincial capital, many rural communities continue to experience challenges relating to access to justice and access to information. The poor road infrastructure and high cost of transport also make it difficult for rural communities to access the Commission. Thus, the public outreach engagements are one of the means of taking the Commission, and its services, to the people. As Eleanor Roosevelt put it, “Where, after all, do human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world.”⁸

These engagements have the multiple aims of creating awareness of human rights, the mandate of the Commission, and other bodies set up to entrench constitutional democracy; enlarging the Commission’s footprint across the country; as well as bring the Commission’s services directly to communities. Through these engagements, communities get the opportunity to lodge complaints of human rights violations and, where relevant, for the Commission to make referrals to the bodies that are ideally suited to resolve other complaints that may not necessarily reside within the Commission’s mandate. In this way, communities get to know of the Commission as an independent and impartial body outside of government and courts that they are able to request assistance from when their rights are violated. In this role, the Commission acts as a link between the state and society by bridging the gap between the enjoyment of rights on paper and in reality.

Summary of public outreach engagement activities

In terms of the 2016–2017 APP, the Commission (through Advocomm) was tasked with conducting 27 public outreach engagements during the financial year. The Commission continues to refine the design of the engagements so that they serve the needs of communities in the best way possible. Each provincial office conducts a thorough needs assessment of an identified area that the Commission has not visited before, in order to determine the core human rights issues that are relevant to the particular area or community. This scoping exercise is conducted in partnership with community gatekeepers such as traditional authorities, community leaders or representatives, and social justice activists who have the interests of the community at heart. An awareness program, which is a combination of various activities that are undertaken over a defined period, is then designed and the community is mobilised to attend and participate in the activities. The range of outreach activities can include door- to- door campaigns, focus group discussions, public information sessions, site inspections, exhibitions, and distribution of educational materials.

For the period under review, the Commission has expanded its stakeholder base to include other Chapter 9 and 10 bodies as well as relevant government departments that provide services directly to the community during the outreach. Another key improvement in the methodology of the engagement is that the provincial FSDs are now involved in both the planning as well as implementation of service

⁷ “AJCCR baseline survey on awareness of attitude and access to constitutional rights”, Foundation for Human Rights, 2014 and “An overview of HRE in SA”, Council for the Advancement of the SA Constitution, 2016

⁸ First chair of the UN Commission on Human Rights during the drafting of the Universal Declaration on Human Rights in 1948

delivery.. The engagements also address issues of core human rights violations through the registration of complaints with those departments or agencies directly or indirectly implicated. This affords members of the community an opportunity to get clarity on matters of concern, and for government departments and agencies to resolve the easier matters on the spot.

Each of the public outreach engagements generally reached an average of 1000 people over its three-day duration. An analysis of the attendance registers and observations of the advocacy officers indicate the general demographics of the participants as being women in the majority, the elderly as active participants, but very low attendance by male youths. It is for this reason that the peri-urban engagements in provinces like Gauteng are ensuring the inclusion of the National Youth Development Agency (NYDA) as it speaks to its role of how it can empower the youth in business ventures, which is slowly resulting in the improved participation levels of male youths. Young female participants tended to direct their queries to the Legal Aid Board on issues of spousal maintenance, and the SASSA on accessing child care grants.

As of March 31, 2017, the unit conducted 27 public outreach engagements as follows:

DATE	PROVINCE	AREAS	NUMBER OF STAKEHOLDERS IN ATTENDANCE
July 26 – 27, 2016	Mpumalanga	Kabokweni and Louisville	149
July 27 – 29, 2016	Northern Cape	eMthanjani and De Aar	100
August 15 – 17, 2016	Gauteng	Zandspruit and Cosmo City	164
August 16 – 18, 2016	Limpopo	Giyani	200
August 16 – 19, 2016	Free State	Zastron, Wepener, Rouxville, and Van Standerer in Xhariep District	310
August 16 – 19, 2016	Northern Cape	Nomakhoi and Springbok	100
August 23 – 24, 2016	North West	Choseng and Tseng villages	135
August 30 – 31, 2016	Eastern Cape	Graaf Reinet	30
September 12 – 14, 2016	Limpopo	Senwabarwana	200
September 13 – 14, 2016	Western Cape	Lamberts Bay	76
September 13 – 15, 2016	Gauteng	eKangala, Rethabiseng and Zithobeni	235
September 20 – 21, 2016	Eastern Cape	Mt. Fletcher	35
September 21 – 23, 2016	North West	Lethlakane, Swartruggens, and Rustenburg	216
September 27 – 28, 2016	Western Cape	Bedasdorp	76
September 28 – 30, 2016	KwaZulu- Natal	Eshowe, Matimatolo, and Mgone	456
October 3 – 5, 2016	Free State	Cornelia, Vriede, and Memel	257

DATE	PROVINCE	AREAS	NUMBER OF STAKEHOLDERS IN ATTENDANCE
October 25 – 26, 2016	Mpumalanga	Ogies and Springs Valley	100
November 15 – 17, 2016	KwaZulu- Natal	Mahlungulu and Manguzi	174
November 15 – 17, 2016	Free State	Jacobsdal, Koffiefontein, and Petrusberg	167
November 16 – 17, 2016	Mpumalanga	Bushbuckridge and Barberton	62
November 22 – 24, 2016	Gauteng	Tarlton and Magaliesburg	137
November 23 – 25, 2016	KwaZulu- Natal	Edumbe, Ebilanyoni, and Slangspruit	291
November 28 – 29, 2016	Limpopo	Vingerkraal and Klipspringer	180
November 29, 2016	Mpumalanga	Dullstroom	62
March 13 – 15, 2017	KwaZulu- Natal	Pietermaritzburg and Elandskop	250
March 21 – 23, 2017	Eastern Cape	Louterwater and Jansenville	39
March 27 – 29, 2017	Eastern Cape	Fish River, Rosemead, Middleburg, and Cradock	39
Total			4 240

During 2016 –2017, the Commission reached a total of 4 240 people through public outreach engagements in remote, rural, and peri-urban communities. Significantly, in fulfilment of its commitment to improving its reach and footprint in remote communities, all 27 public outreach engagements listed above were conducted in towns and communities which the Commission had never visited before.

Capacity building workshops: train the trainers

As a public institution, the Commission must be accessible to the public that it is set up to serve. In line with its aforementioned outreach objectives, during 2016 –2017 the Commission introduced a pilot project on the training of community trainers. This project aims at building the capacity of focal points within communities as well as establishing and enhancing sustainable working relationships with community structures. Each of the Commission's provincial offices identified key people who have access to, are part of, and have a keen interest in human rights and social justice and have the interests of their community at heart. The Commission capacitated the identified people through a basic training program on human rights.

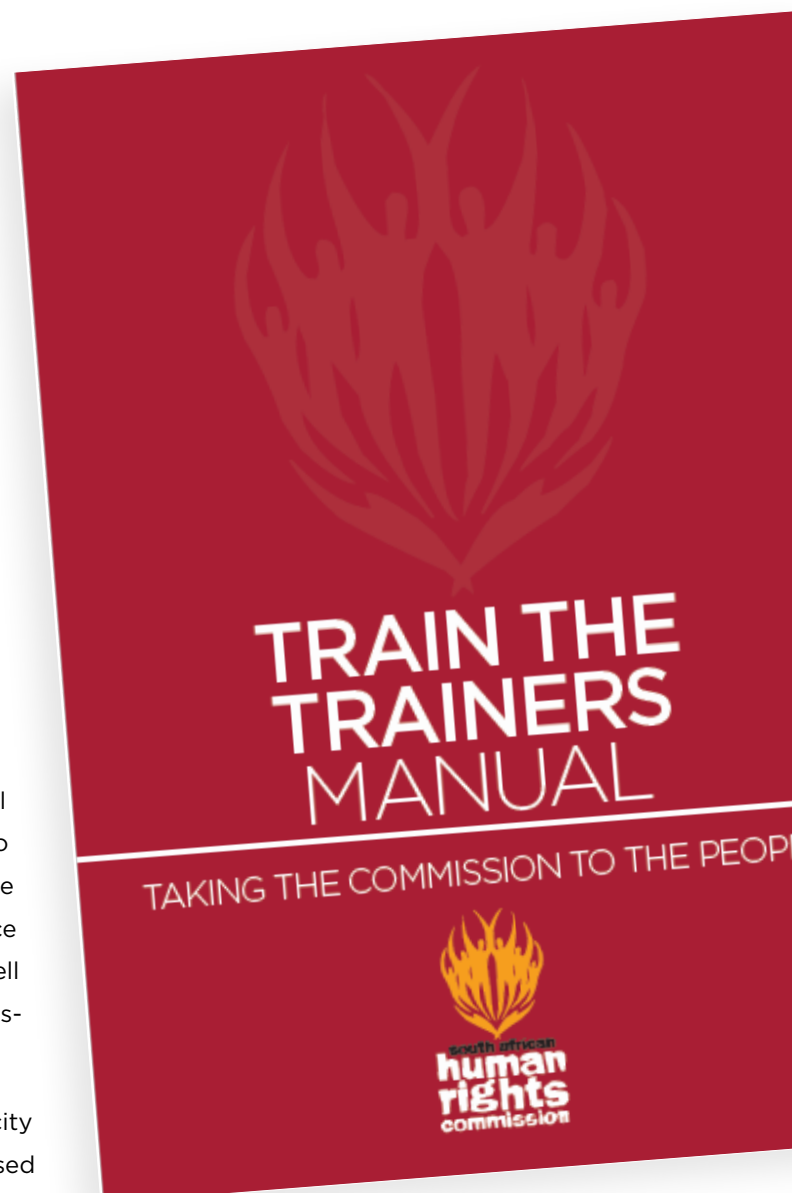
It is envisaged that, going forward, the trainers will assist the Commission in identifying the human rights needs of the broader community; render assistance in the design, planning, and implementation of community engagements; and assist in the mobilisation of communities so as to increase the levels of community participation in human rights outreach activities.

The project prepared and supplied the focal points with the necessary tools and skills to present information on the mandate of the Commission, render basic advice, respond to queries, lead activities that reinforce human rights education, conduct referrals of possible human rights violations to the Commission, direct communities to appropriate institutions should the need arise, and enabled them to continue with the work of raising awareness in their respective communities.

Through this project, the Commission is able to create and maintain long term and mutually beneficial relationships with the trainers in the respective provinces where the trainers are the “ears and eyes” of the Commission within communities, and assist in spreading the human rights message to a wider audience.

The provincial offices relied on the provincial demographics to inform the choice of organisations to train to ensure that trainers are spread throughout the provinces, and selection was also based on the influence the trainers have in their respective communities, as well as their interest and direct involvement in human rights-related issues.

The stakeholders that were trained during the capacity building workshops included faith and community based



non-governmental organisations, community development workers, traditional authorities (such as chiefs and headmen), ward councillors and ward committee representatives, community advice, as well as paralegal offices and youth coordinators.

As at March 31, 2017 the Commission conducted 20 train the trainers capacity building workshops as follows:

DATE	PROVINCE	AREA	NUMBER OF STAKEHOLDERS IN ATTENDANCE
February 16, 2017	Mpumalanga	Embalenhle, Secunda	10
February 21, 2017	Gauteng	Thokoza, Ekurhuleni	14
February 23, 2017	Mpumalanga	Mhluzi, Middelburg	12
February 28, 2017	Limpopo	Mohlaletse, Fetakgomo	20
March 1 – 2, 2017	Limpopo	Mmela Clinic and Conrad Disability Centre, Tubatse	100
March 1 and 3, 2017	Eastern Cape	Lusikisiki and Flagstaff	60
March 4, 2017	Western Cape	Phillipi	10
March 7 and 9, 2017	KwaZulu- Natal	Ulundi and Durban	69
March 8, 2017	Eastern Cape	Uitenhage	18
March 9, 2017	Free State	Zastron	40
March 9, 2017	Gauteng	Soshanguve	25
March 9 and 13, 2017	Mpumalanga	White River and Tonga	26
March 10 – 11, 2017	Western Cape	Robertson	10
March 14 –15, 2017	Northern Cape	Pampierstad	19
March 15, 2017	North West	Rustenburg	32
March 16, 2017	Free State	Bethlehem	38
March 24, 2017	Western Cape	Cape Town	15
March 25, 2017	Gauteng	Dube, Soweto	25
Total			531

During 2016 –2017, the Commission's pilot project on the training of community trainers capacitated a total of 531 people with human rights knowledge to enable them to become focal points within their communities. These individuals are crucial conduits for the Commission to relevant community structures, and their participation in the Commission's basic training program on human rights is part of the strategy to deepen understanding of human rights in remote areas of the country.

CHAPTER 07

COMMISSIONERS' PROGRAMME AND BUSINESS UNIT SUPPORT



The Advocomm function of the Commission supports, and is in turn supported by, various business units within the organisation, including the Commissioners' Programme, the Legal Services Unit, the Research Unit, and other units within the Commission. Advocomm raises awareness of impending visits and creates interest in the visits at the local level, in this way ensuring that members of communities in remote areas and stakeholders are able to meet with, and engage, the leadership of the Commission.



Commissioner Angie Makwetla and North West Provincial Manager Mpho Boikanyo attending the North West State of the Province Address in Taung on 15 February, 2017



Commissioner Chris Nissen and Northern Cape Provincial Manager Chantelle Williams, attending the Northern Cape State of the Province Address on 23 February 2017

A.Commissioners' Programme

Provincial visits

The Commission, through the Commissioners' Programme, undertakes provincial visits intended to promote the work of the Commission with a view to realising the strategic objectives of deepening understanding to entrench a human rights culture, and advance the realisation of human rights.

The objectives of provincial visits are to:

- a. Strengthen stakeholder relations to promote awareness, collaboration, and increase the visibility of the Commission at the provincial level.
- b. Conduct socioeconomic analyses of service delivery and progress made with the Commission's report recommendations through inspections at selected communities and facilities.
- c. Assess provincial office progress and challenges with a view to enhance improvements.
- d. Engage provincial and community media to promote the work of the Commission and human rights awareness.

During the 2016– 2017 financial year, Advocomm provided communications and advocacy support to six provincial visits:

- a. Free State – May 2016
- b. Mpumalanga – June 2016
- c. Western Cape – July 2016
- d. North West – August 2016
- e. KwaZulu-Natal – August 2016
- f. Eastern Cape – September 2016

Legal Services Unit: national investigative hearings

National investigative hearings function as important fora for investigating systemic human rights violations as well as for engagement with the Commission's broad base of stakeholders, and create opportunities for advocacy and communication efforts. They also serve to bolster the credibility of the Commission, raise its profile, and generate media interest in the programmes of the Commission.



Investigative Hearing on Racism and Social Media - Commissioner Angie Makwetla, Prof. Bongani Majola (Chairperson), and Justice Albie Sachs presiding.

In the 2016– 2017 financial year, the Commission hosted three National Investigative Hearings on:

1. The Underlying Socioeconomic Challenges of Mining Affected Communities in South Africa.
2. The Impact of Protest-Related Actions on the Right to a Basic Education in South Africa, 12 -14 June, 12 – 14, 2016.
3. Human Rights Violations in Khoisan Communities April 11 – 12, 2016.

National investigative hearings provide opportunities for the dissemination of human rights advocacy messaging and for media engagements with the Commission and stakeholders who participate in them.

During the 2016 –2017 financial year, the three investigative received wide spread media coverage in broadcast, print, online, and social media.. They also provided the Commission with a barometer with which to assess the extent to which the media monitor the outcomes of the Commission's processes. Media coverage of investigative hearings occurs both during and long after hearings, and the media queries reflect that there is a high level of vigilance about the implementation of, and adherence to, the Commission's recommendations contained in hearing reports. Media queries on the implementation of the Commission's report recommendations were received throughout the 2016 –2017 financial year, as were requests for copies of hearing reports.

In line with its communications strategy, the Commission intends to re-organise its publications page on its website to enable more efficient search functionality, and to enable members of the public to access reports directly and with greater ease.

CHAPTER 08

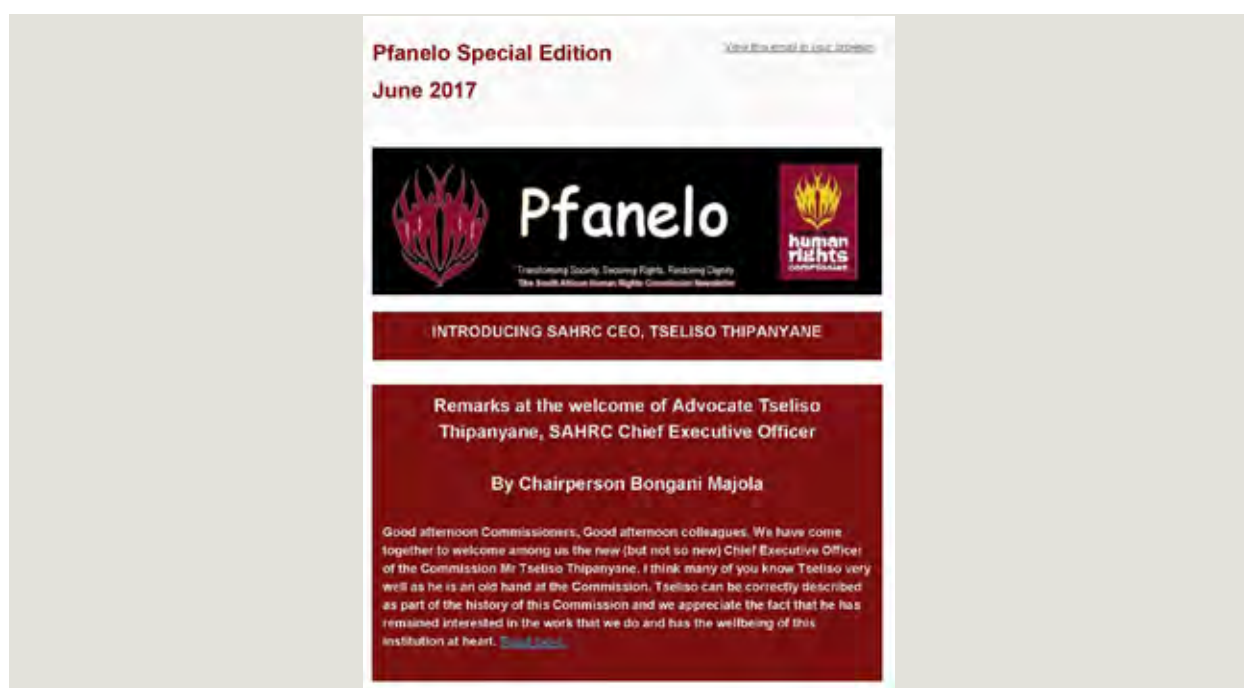
INTERNAL COMMUNICATIONS



Given the operational environment in which it operates, the Commission's staff remain the most important "brand ambassadors" of the institution. During the 2016 –2017 financial year, the Commission significantly improved its internal communications and advocacy initiatives intended to enhance the capacity of staff to promote the work of the Commission. This was achieved through improved internal communication tools, such as the Commission's monthly newsletter and weekly "Peep into the Week" bulletins, informing Commissioners and staff about activities. During the financial year, these tools were improved to enable greater feedback and engagement, which is critical to developing an internal audience that supports the vision of the Commission.

Pfanelo: newsletter of the Commission

The Commission's newsletter, *Pfanelo*, is a key channel for internal communication with the Commission's staff. In July 2016, *Pfanelo*, was redesigned and migrated from print to digital.



The redesign and migration is in line with the Commission's communications strategy and the move towards seamless communications across multiple platforms. It is also intended as a first phase towards making the newsletter available beyond the Commission and to the public. The digital format provides for interaction that is more dynamic and for two-way engagement with readers. A digital newsletter also facilitates the driving of traffic to the Commission's website, in order to highlight the wealth of human rights-related material that resides on the Commission's website. The digital format also enables the Commission to measure levels of engagement and interest in the content disseminated on human rights.

During 2016 –2017, the Commission released 14 issues of *Pfanelo*, twelve monthly and two special editions.⁹

⁹ One dedicated to the memory of Kisha Kandasamy, SAHRC Senior Legal Officer, and another to bid the outgoing Commissioners farewell.

CHAPTER 09

HUMAN RIGHTS CALENDAR DAYS



The Commission recognises and commemorates a range of nationally and internationally recognised human rights days. Human rights calendar days are also opportune for advocacy activities related to human rights generally. In addition, calendar days are also ideal to partner with stakeholders on activities with a specific focus on the various grounds for non-discrimination, such as sexual orientation, race, gender, sex, ethnic belief, and social origin as recognised by national and international calendar days. Human rights calendar days are recognised at both the national office and in all provincial offices.

During the reporting period, each province was expected to mark key human rights calendar events through commemorative public events. As a National Human Rights Institute (NHRI) that keeps abreast of, and is part of, the global human rights family, the Commission identified the International Day of Older Persons (October 1), the International Day of Persons with Disabilities (December 3), as well as National Human Rights Day March 21 as key calendar days.

In 2016, the International Day of Older Persons was commemorated under the annual UN theme of “Take a stand against ageism”. The aim was to recognise, and celebrate, the valuable contributions of older people to society, promote the rights of older people, and draw attention to the challenges that they face, so that all role players can contribute effectively to the protection of the rights of older people. The Commission also utilises commemorative events as platforms to network, advocate, and educate older people on their rights and how to report on human rights violations as, and when, they occur; present opportunities to older people to raise the challenges they experience; and for stakeholders to render services directly to older people within their locality.

Also, in 2016, the Commission commemorated the International Day of Persons with Disabilities under the annual UN theme of “Full participation and equality”. The purpose of the commemoration was to encourage people with disabilities to participate as equal members of society, promote an understanding of disability issues, and mobilise support for the dignity, rights and wellbeing of people with disabilities.

March 21 is an important date in the commemorative human rights calendar of South Africa. The day has its background in a violent event known as the “Sharpeville Massacre” when, in 1960, a group of unarmed black South Africans marched peacefully to protest against the apartheid pass laws which, at the time, required only black people to carry pass books at all times and controlled who could have access to designated white areas. The police opened fire, killing 69 people and injuring approximately 180 people.

Since 1994, the date of March 21 has been commemorated as National Human Rights Day, to remind South Africans about the sacrifices made for the attainment of our democracy. It is also a time to reflect on the progress that has been made in the promotion and protection of human rights for all and reinforce the commitments enshrined in the Constitution.

As the NHRI of the country, the Commission does not limit itself to just the day, but designates the whole month of March as Human Rights Month. The month presents vast opportunities for the strengthening of relationships with stakeholders, and countless platforms for broad engagements with the general public in raising awareness on human rights generally. The Commission thus hosts, conducts, and participates in various human rights- related activities and events throughout the country.

The Commission also identified policy gaps within specific thematic human rights focus areas, with the main objective of influencing and lobbying for policy reform. The Commission then prioritised three areas

and developed policy briefs, namely, the ability for children to read by the age of nine, the registration of facilities for older people, and undocumented parolees in the criminal justice system. Whilst recognising that policy reform is a competency of national government, the Commission is of the view that participation at the provincial level must be promoted to ensure wide reach among policy implementers. Thus, provincial offices were required to host stakeholder engagements in the form of dialogues or roundtable discussions so as to create awareness at the provincial level on the identified subject matters.

Summary of activities

Commemorative calendar days provide opportunities for the Commission to achieve visibility through external communications on national and international human rights commemorative days. Calendar days are also opportune for advocacy activities related to human rights generally, but are also ideal to partner with stakeholders on activities with a specific focus on the various grounds for non-discrimination, such as sexual orientation, race, gender, sex, as well as ethnic belief and social origin as recognised by national and international calendar days.

As at March 31, 2017, the Commission conducted 34 provincial engagements which impact on human rights issues as follows:

DATE	FORMAT AND TOPIC	PROVINCE	AREA	NUMBER OF STAKEHOLDERS IN ATTENDANCE
June 13, 2016	Dialogue to mark International Albinism Awareness Day	Mpumalanga	Nelspruit	39
June 22, 2016	Dialogue on racism	Northern Cape	Kimberly	20
June 23, 2016	Roundtable on World Elder Abuse Awareness Day	Limpopo	Polokwane	70
July 28, 2016	Workshop on economic and social rights	Eastern Cape	Cradock	22
July 28, 2016	Roundtable on rights of arrested, detained, and accused people	Free State	Grootvlei Correctional Centre	47
August 26, 2016	Dialogue on racism	Free State	University of Free State	130
August 23 – 24, 2016	Information session and basic training on human rights	Gauteng	Pimville, Soweto	45
September 21, 2016	Seminar on sexual identity and expression	KwaZulu- Natal	Durban,	58
September 27, 2016	Roundtable discussion on rights of older people	North West	Mahikeng	203
29 September 29, 2016	Roundtable discussion on human dignity	Mpumalanga	Nelspruit	23
October 6, 2016	Dialogue in commemoration of International Older Persons Day	KwaZulu- Natal	Verulam	530
October 21, 2016	Seminar in commemoration of International Older Persons Day	Eastern Cape	Makana, Grahamstown	32
October 28, 2016	Roundtable discussion in commemoration of International Older Persons Day	Free State	Ladybrand	45
November 30, 2016	Roundtable discussion on racism and hate speech	Limpopo	Modimolle	16
December 2, 2016	Information session to commemorate International Day of Persons with Disabilities	Free State	Bloemfontein	100

DATE	FORMAT AND TOPIC	PROVINCE	AREA	NUMBER OF STAKEHOLDERS IN ATTENDANCE
December 2, 2016	Roundtable discussion to commemorate International Day of Persons with Disabilities	Northern Cape	Calvinia	30
December 3, 2016	Information session on children's education and poverty traps	Western Cape	Elsies River	20
December 5, 2016	Roundtable discussion to commemorate International Day of Persons with Disabilities	Western Cape	Cape Town	22
December 6, 2016	Information session to mark International Day of Persons with Disabilities	Gauteng	Sebokeng	25
December 14, 2016	Information session on education	North West	Moretele	86
January 19, 2017	Information session on human dignity	Mpumalanga	KwaMhlanga	30
February 17, 2017	Roundtable discussion on the rights of people with albinism	Free State	Bloemfontein	25
February 22, 2017	Policy brief roundtable discussion on children reading by age nine	Limpopo	Polokwane	26
February 23, 2017	Policy brief roundtable discussion on registration of residential facilities for older people	KwaZulu- Natal	Durban	19
February 24, 2017	Policy brief roundtable discussion on registration of residential facilities for older people	Free State	Bloemfontein	29
February 27, 2017	Policy brief roundtable discussion on children reading by age nine	Western Cape	Cape Town	15
February 28, 2017	Policy brief workshop on registration of residential facilities for older people	Eastern Cape	East London	23
March 2, 7, and 8, 2017	Policy brief workshop on registration of residential facilities for older people	Eastern Cape	Mthatha, Port Elizabeth, and Uitenhage	43
March 7, 2017	Policy brief workshop on undocumented parolees in the criminal justice system	Gauteng	Braamfontein	23
March 15, 2017	Seminar on violence on the Cape Flats	Western Cape	Uitsig	20
March 16, 2017	Policy brief workshop on undocumented parolees in the criminal justice system	Mpumalanga	Nelspruit	20
March 17, 2017	Policy brief roundtable discussion on undocumented parolees in the criminal justice system	North West	Rustenburg	15
March 29, 2017	Policy brief workshop on undocumented parolees in the criminal justice system	Northern Cape	Upington	15
Total				1 684

During the 2016 –2017 financial year, the Commission reached a total of 1 684 people through provincial engagements on human rights related to key international human rights days.

CHAPTER 10

THEMATIC POLICY BRIEFS



During the 2016 –2017 financial year, the Commission identified policy gaps in respect of specific thematic human rights focus areas, with the main objective of influencing and lobbying for policy reform on these issues. Three areas identified and prioritised by the Commission in the reporting period include: the ability for children to read by the age of nine, the registration of facilities for older people, and undocumented parolees in the criminal justice system. The Commission’s provincial engagements on these priority areas for policy interventions is intended to facilitate community awareness and participation to inform action and implementation by policy makers in national government.

Reading by age nine

Since 1994, South Africa has made major strides in realising the right to a basic education for a substantial part of its population. The Constitution guarantees the right to a basic education and the state has expended substantial resources in the education sector. Despite this, a number of challenges still persist which affect the realisation of the right to a basic education. This impacts on many children, particularly those from poor backgrounds, as high levels of poverty have resulted in some children facing social exclusion.

The Commission, in collaboration with UNICEF and Human Sciences Research Council (HSRC), conducted a study on poverty and social exclusion¹⁰. The study revealed that there is currently no policy that requires children to read by a certain age, which the study suggested should be set at nine, and this was identified as one of the areas that needs urgent attention.



¹⁰ SAHRC, “Poverty traps and social exclusion among children in South Africa”, 2014 (www.unicef.org/South Africa / <http://www.sahrc.org.za>)

The ability to read by the age of nine is vital for children to be on track to claim other rights and the inability disproportionately affects children from poor backgrounds. Thus, the need to adopt measures to enable children to read fluently in their mother tongue by the age of nine is crucial.

The provincial engagements proposed practical measures that were directed at the Department of Basic Education (DBE), which must:

- a. Undertake a national survey on the prevalence of the problem, and pay special attention to the most affected areas of the country.
- b. Design programmes to address the six areas of concern, which are lack of perceptual skills, language dissonance, second language learning, critical cognitive skills, early reading development, and teacher development.
- c. Develop common tools, especially in all the South African languages, to assess children's cognitive development from the early childhood development (ECD) stage and Grade R in order to track progress in learning outcomes and monitor progress through regular testing.
- d. Pay special attention to the development of educators through in-service and pre-service teacher training to ensure they are equipped to support affected children, and for educators to teach and encourage reading in the mother tongue.
- e. Ensure that the size of classes in the earlier grades is manageable to enable better interaction between educators and learners.
- f. Design appropriate story books, textbooks, workbooks, and other learning materials, and ensure their promotion as well as enough availability in the foundation phase and in the appropriate indigenous languages.
- g. Tirelessly monitor and eradicate the recurrent challenges regarding the continued late delivery of textbooks and learning material, and provide additional support in the form of financial, material, and human resources.

In addition, schools must seek parental support through regular campaigns to educate parents about the importance of early reading and child development generally.

- a. The DSD should support the DBE by expanding preschool coverage and (ECD), and consider re-introducing pecuniary and non-pecuniary incentives so as to attract and retain good ECD practitioners who can strengthen cognitive and social development of children from an early stage.
- b. The Western Cape engagement further proposed that the age at which children should be able to read fluently could be moved to ten as this is the age that would have covered the Foundation Phase of Grades R to 3.

Upholding and implementing the Older Persons Act through the registration of residential facilities for older people



The Commission identified unregistered residential facilities for older people as a systemic issue of concern in the realisation of their constitutionally guaranteed rights. In accordance with the *Older Persons Act 13* of 2006, the DSD is obliged to ensure that all residential facilities are registered. According to the act, a residential facility is a building or other structure used primarily to provide accommodation and a 24-hour service to older people. The Commission's 2014 Older Persons Report¹¹ acknowledged that the definition also applies to frail care. Furthermore, the inclusion of the words "24-hour service" has resulted in a grey area, as there are currently residential facilities that only provide accommodation without any services, which thus cannot be regulated under the act.

The report noted that this grey area might result in unscrupulous providers exploiting the gap and entering into lessor-lessee agreements with older people without having to register or comply with regulations. The Commission has observed, through complaints received and stakeholder engagements, that there are numerous residential care facilities that are unregistered and are accommodating older people in environments that are detrimental to their health, dignity, and wellbeing. The Commission recognises that older people constitute a vulnerable group with unique and differing needs, and deserve focused attention in order to address and resolve the rights violations they currently experience.

The provincial engagements on the policy brief regarding the registration of facilities for older people raised concerns and made practical recommendations that were mainly directed at the DSD and DoH, as follows:

- a. Both departments must ensure that the issuance of registration certificates is streamlined and is a quicker process, as delays impacted on the timely receipt of funding or in raising donations. The DoH called on facilities to escalate any delays to its district directors and the DSD was urged to identify similar focal people within its district offices who can assist with the registration process.
- b. Participants further recommended that the two departments should consider entering into a Memorandum of Understanding that spells out tasks, responsibilities, and time frames in order to simplify and speed up the registration processes.
- c. The departments must conduct regular monitoring of residential facilities. Participants were extremely concerned about the rapid rate at which unregistered facilities were being established, which in turn is exacerbating a situation that is already dire.
- d. The DoH must consider subsidising a post for a qualified nurse at each residential facility as well as standardising the subsidy amounts for all facilities nation-wide so as to avoid disparities across provinces.
- e. The DoH indicated that it is open to the idea of the subsidisation of nursing posts and encouraged facilities to make written submissions or proposals through the district directors.
- f. The DSD must ensure that its central database is accessible to owners and managers of residential facilities so as to assist in the screening process when employing staff, and residential facilities are encouraged to have a code of conduct for their staff. The DSD in turn indicated that it is still working on an electronic database.

¹¹ SAHRC, "Investigative Hearing into Systemic Complaints Relating to the Treatment of Older Persons", 2015

Undocumented parolees in the criminal justice system



During its regular monitoring of the Lindela Repatriation Centre, the Commission observed that undocumented migrants who had been released on parole by the Department of Correctional Services (DCS) were being detained for periods exceeding 120 days in contravention of the *Immigration Act 13* of 2002. Eventually these undocumented migrants on parole would then be re-admitted to correctional facilities to serve the remainder of their sentences, which is arguably a violation of their right to equality, dignity, and humane treatment. This state of affairs must be addressed to avoid discriminating against undocumented migrant parolees.

The provincial stakeholder engagements on the policy brief on undocumented parolees in the criminal justice system noted key concerns and made practical recommendations that were mainly directed at the Department of Home Affairs (DHA) and DCS as follows:

- a. The two departments seem to hold contrasting view-points regarding the deportation process, which in turn leads to the two operating in complete silos on one matter regarding the same individual.
- b. The DHA maintains that the Lindela Repatriation Centre is not mandated to house and detain parolees, but operates to facilitate the deportation of undocumented migrants. The DCS must, therefore, only refer those undocumented migrants who are ready for deportation so that the DHA can carry out the required deportation. The DHA maintains that the DCS must, upon incarceration of a foreign offender, make arrangements with the respective embassy on the issuance of the required travel documents to their nationals.

Civil society participants proposed that the DCS must lobby the Department of Justice for a special dispensation of the practicalities of how the parole process regarding undocumented migrants must unfold, as the granting of parole becomes a fallacy if foreign parolees cannot make use of it. Some participants proposed an amendment to the *Immigration Act* and its regulations to allow for the granting of a special type of visa for parolees to enable them to serve their sentences under correctional supervision in South Africa, as the immigration status of a parolee should not be used as a basis for denying an offender parole. However, the DHA maintains that there is no need to amend the law as the immigration status of such a parolee is already provided for in the *Immigration Act*, i.e. that of being an undocumented migrant.

Other participants proposed an amendment to the *Correctional Services Act* to provide for the transfer of undocumented parolees to their countries of origin where they can serve the remainder of their sentences under the correctional supervision of the authorities in their countries of origin. However, this would have to be subject to a prisoner transfer agreement between South Africa and the parolees' countries of origin.

Regardless of which proposal could be adopted, the current gap remains regarding how best to cater for undocumented parolees within the criminal justice system.

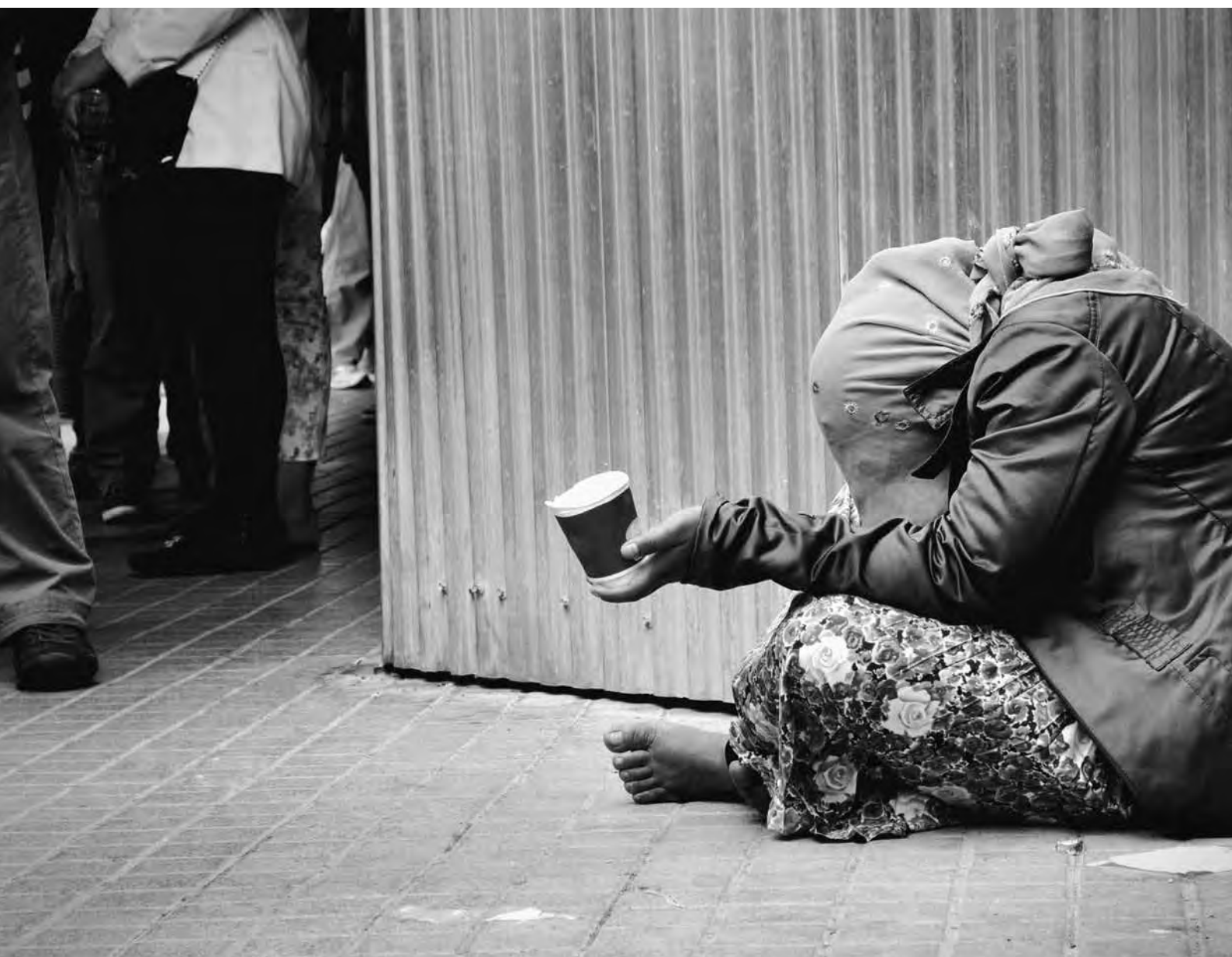
In summary, the stakeholder engagements on the respective policy briefs correctly identified the practical challenges associated with the topic at hand. However, it appears that there were differing views on whether these can be termed as “gaps” within the legislative policy framework, for some participants maintain that the gaps relate to the practical implementation of existing policies and the lack of inter-governmental co-operation. Thus, while there is still a need for reform, the Commission needs to emphasise the issues, challenges, and gaps that exist in the implementation of policy.



SAHRC Provincial Managers, (L to R) Buang Jones (Free State), Tanuja Mannoo (KwaZulu-Natal), Eric Mokonyama (Mpumalanga), Abongile Sipondo [obscured] (Eastern Cape), Mpho Boikanyo (North West), Tammy Carter (Acting: Western Cape), Victor Mavhidula (Limpopo), Chantal Kisoona (Former PM:Gauteng), Chantelle Williams (Northern Cape).

CHAPTER 11

HUMAN RIGHTS MONTH





Invitation

Community Radio Awards “stand up for human rights”

The South African Human Rights Commission (SAHRC) and the Regional Office for Southern Africa, Office of the UN High Commissioner for Human Rights (OHCHR) invites you to a Community Radio Awards ceremony. The event will honour and recognise Community Radio Stations that are making positive contributions towards the lives of ordinary people within communities by standing up for their rights.



The event will be held as follows:

Date: Wednesday 29 March 2017

Venue: SAHRC Head Offices, 33 Hoofd Street, Braampark Office Park, Braamfontein, Johannesburg

Time: 10h00-13h00

RSVP by 24 March 2017 to Lindiwe Dlamini: lidlamini@sahrc.org.za or 011 877 3803 and copy Advocommintern@sahrc.org.za

“Stand Up for Someone’s Rights Today!”



National community radio competition and award ceremony

As part of its strategy to improve the sensitisation and empowerment of communities, the Commission undertook an innovative pilot project of a national community radio competition that culminated in an awards ceremony on March 29, 2017 at the Commission's head office.

The Commission partnered with the OHCHR and put out a national call aimed at local community radio stations to participate in a competition based on the global human rights theme, "Stand up for someone's rights today." Local community radio stations were invited to champion human rights issues that are of primary concern to the community that the participant radio station covers or broadcasts from, and the competition ran from January 9 until February 28, 2017.



Mohodi FM Winner Ms Moyahabo Gwangwa expressing her appreciation for the recognition provided by the Commission

The rationale for targeting community radio stations was multi-fold, due to the important role they play as a conduit for information dissemination in that:

- a. They provide direct access to communities, as they are part of the community, are aware of the human rights challenges that communities face, broadcast in the indigenous languages that each community speaks, and are, therefore, ideal for human rights awareness and messaging aimed at local communities.
- b. They are one of the biggest, yet under-recognised, means of media and can be an effective link between the Commission and local communities.
- c. Human rights messaging and information become part of a day-to-day narrative in communities that listen to the targeted community radio stations, and the radio stations in turn take on the role of human rights ambassadors.

Among the guidelines provided by the Commission was that a radio station would, as its own initiative, explore how it could assist someone to realise their rights or to address a rights violation, for example, by assisting a caller whose rights have been violated. The radio station needed to showcase the actual assistance rendered, which could be provided through audio clips of interviews or on-air assistance, and, where possible, to report on any the resolution or relief secured. The Commission provided supportive material in the form of human rights materials and provided guidance upon request.

Seventeen entries were received from radio stations nationally – excluding the Western Cape. The eight finalists, and top three entries, were chosen based on chosen based on the nature, quality, and accuracy of assistance with a human rights issue or violation. The provincial finalists were *Ekephileni Community Radio*, Eastern Cape; *Vaaltar News*, North West; *Inanda 88.4 FM*, KwaZulu-Natal; *Mohodi Community Radio*, Limpopo; *Ekgangala Community Radio*, Mpumalanga; *Motheo FM*, Free State; *Radio Riverside 98.2 FM*, Northern Cape; and *Radio Veritas*, Gauteng.

The Commission and OHCHR hosted the award ceremony on March 29, 2017 at the Commission's Head Office in Johannesburg, with all the provincial finalists in attendance. The overall winner and runner ups were announced, with certificates and prizes in recognition thereof being handed out. The prizes were in the form of equipment such as laptops, tablets, and recorders which are geared towards supporting the sustainability of each of the local community radio stations in their work.

The overall winner was *Mohodi Community Radio*. Its success lay in the assistance it provided to a listener who had been a farm worker until she was thrown from a moving tractor on her way from work. As a result of the accident, the listener sustained serious injuries, which mean she cannot sit for long, is in constant pain, is restricted to a soft food diet, and has become unemployed. All of which affected her rights to health, employment, and dignity.

The station intervened in the matter by accompanying her to the nearest police station to report the matter so that she could then lodge a claim with the Road Accident Fund. In addition, she approached the DoH for continued healthcare, and the DoH also assisted her with lodging a claim at the Unemployment Insurance Fund with the Department of Labour.



Entrants to SAHRC Radio Competiton



Kagiso Modisapodi from Radio Valtar

The judging panel was cognisant of the fact that the radio station is based in a remote rural area and operates with minimal resources while mainly broadcasting to surrounding farming communities. The consensus was that the station went the extra mile in assisting the listener to access relief from the various human rights violations and was undoubtedly the deserving winner.

The second runner-up was *Inanda 88.4 FM* which assisted a bisexual learner from Richmond who had been kicked out of school because she wore long grey pants that, according to the school, was a dress code only meant for male learners. The station brought the matter to the attention of the Department of Education, which attended to the matter and the learner was allowed back at the school, thus restoring her right to basic education, dignity, and non-discrimination on the basis of sexual orientation.

The third runner-up was *Vaaltar FM* which highlighted the plight of a rural school that holds classes under trees because of a lack of classrooms. The station intervened in the matter with the Department of Education which resulted in the provision of temporary mobile classrooms while the department looks into plans to build a permanent structure. Thus, the learners' rights to a basic education and dignity were restored, albeit temporarily.

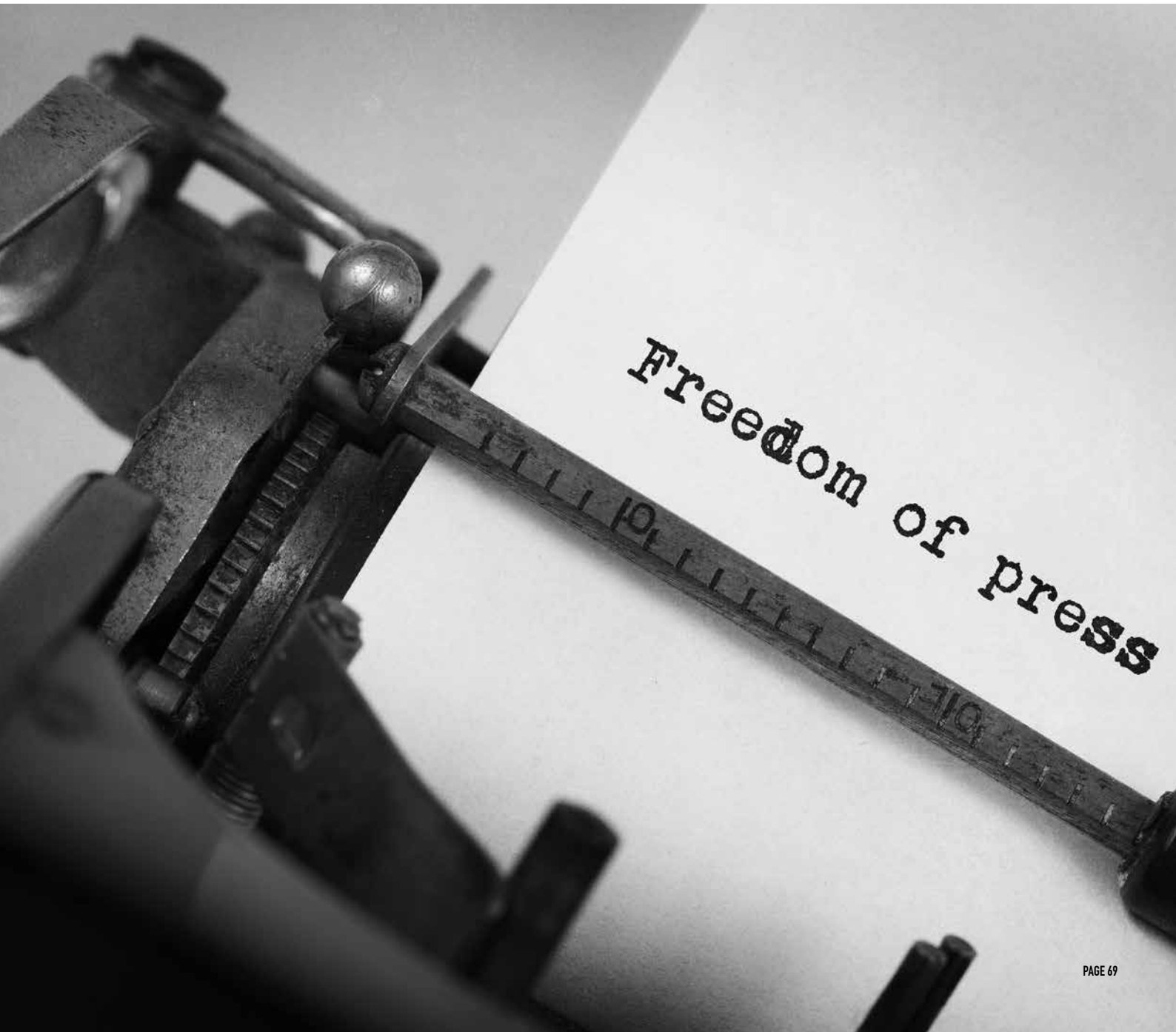
The Commission is heartened by the comments from the winners and other stakeholders, who confirmed that this competition and the awards have made an immense difference to a specific individual or group in their community. The participating radio stations now have a heightened awareness of human rights issues as well as the challenges that their communities face in enjoying basic human rights. In addition, the Commission now has a pool of radio stations and personnel that it can rely on in spreading human rights messages. Further solutions, based within a constitutional framework, have been explored and utilised by participating radio stations and the solutions are being passed on to communities, which is in line with the mandate of the Commission in the promotion and protection of human rights.

As at March 31, 2017, in addition to the community radio awards, the Commission conducted 13 provincial public commemorative human rights events during Human Rights Month 2017:

DATE	PROVINCE	AREA	NUMBER OF STAKEHOLDERS IN ATTENDANCE
March 9 and 21, 2017	Limpopo	Inveraan, Blouberg, and Matlerekeng	200
March 14 – 16, 2017	Eastern Cape	Ntabethemba, Lady Frere, and Whittlesea	62
March 16, 2017	KwaZulu-Natal	Pietermaritzburg	150
March 20, 2017	Northern Cape	Griekwastad	100
March 20, 2017	Mpumalanga	Umlazi, Bethal	57
March 20 and 23, 2017	Western Cape	Vanrhynsdorp and Bredasdorp	54
March 21, 2017	Free State	Virginia	193
March 24, 2017	Gauteng	Ratanda, Heidelberg	62
March 30, 2017	North West	Mabeeskraal	109

CHAPTER 12

MATERIAL DEVELOPMENT AND PRODUCTION



The Commission recognises that the development, publication, and dissemination of educational promotional material in communicating clear human rights messages forms part of its promotional mandate. The development and production of human rights materials is one methodology of ensuring that information on human rights is available and further disseminated in easily accessible formats. With such knowledge, people are able to participate effectively in activities and decision-making processes that affect their lives.

The Commission aspires to make information accessible by employing innovative modes of communication that take into account the developments in the information and communications technology era, where there is a shift towards paperless and wireless modes of relaying content and messages.

Video clip on deaf awareness

People with disabilities face extreme levels of inequality and compounded discrimination mainly due to the failure of society to recognize the rights of people with disabilities as equal to those of able-bodied people. Given the central role of the Commission as a key institution with a specific mandate to protect and promote human rights, it thus has a responsibility to ensure the implementation of measures designed to remove those factors responsible for continued discrimination. The Commission firmly believes in recognising disability as part of human diversity in fully appreciating the abilities of people with disabilities.



In line with international trends, South Africa commemorates the month of September as Deaf Awareness Month, and the Commission found it fit to join the rest of the world in observing the significance of the month. Thus, the unit consulted with experts on sign language and representatives from the deaf community, and developed a three-minute audio-visual clip conveying human rights messages in sign language with written sub-titles as part of its contribution towards deaf awareness. The clip conveys messages advocating for no discrimination against disabled people, as well as the enjoyment of equal opportunities in all spheres of life and that these will be protected against exploitation as well as treatment that is of an abusive or degrading nature. The clip is available on the Commission's website, YouTube, copied onto memory sticks, and distributed for usage by advocacy officers during relevant stakeholder engagements.

Train the trainers' manual

The Commission developed and distributed a training manual that accompanied the pilot train the trainers project that the Commission embarked on during 2016–2017. The manual includes information aimed at empowering focal people as community trainers on basic human rights, including the Constitution and the Bill of Rights, the mandate of the Commission and how to access the Commission, matters that are investigated by the Commission and those that fall outside the jurisdiction of the Commission, how cases are investigated, and the relationship between the Commission and external stakeholders. The manual seeks to empower the trainers to be human rights



focal points in their respective communities. In an effort to ensure uniformity and cross pollination of ideas and best practices, the Advocacy sub-unit revised, updated, and conducted training for all advocacy and field officers on its Advocacy Procedures Manual. This manual serves as a valuable reference tool, and the training was to enhance the staff's capacity in implementing the promotional mandate of the organisation.

Fact sheet on the right to adequate housing



In line with its 2016 –2017 operational plan, the Commission developed and produced a fact sheet on the right to adequate housing for distribution during public outreach and engagement sessions. It would appear from anecdotal evidence that a fact sheet is more likely to be retained by recipients based on its visual appeal and durability. As a tangible product, a fact sheet also serves as a frame of reference for civil society organisations and community- based advice offices.



Noting that the principles and processes involving the right to housing and related issues of evictions, ownership, and alternative accommodation are often procedural, technical, and intimidating to the public, the information was simplified so as to make it easy to understand. 10 000 fact sheets were produced in English, converted into braille, and translated into the other 10 official languages in order to promote accessibility, and were also distributed to all the Commission's provincial offices.

Anti-Racism Pledge online

As the NHRI that is committed to transforming society, securing rights, and restoring dignity, the Commission firmly believes that racism, unfair discrimination, and intolerance have no place in our democratic society. More than 20 years after the adoption of the Constitution, race-related matters still comprise the largest proportion of equality complaints received by the Commission. This indicates that racial intolerance, inequality, and discrimination remain prevalent in our society and continue to pose serious threats to nation building, social cohesion, and reconciliation.



The Commission developed an online pledge that is posted on the Commission's website where anyone can visit and take the pledge in the following manner:

 <p>Complete a pledge form with their particulars, such as the name and organisation they represent (if any).</p>	 <p>Speak out against racism by writing messages of support towards a racism free South Africa.</p>
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The goal is to get as many signatures and as many people as possible committing to combatting racism, and the pledge will continue running during the 2017 to 2018 financial year, and to secure insights on public sentiment. The Commission continually monitors the pledge and is heartened that to date it has attracted positive responses from South Africans of all walks of life.

Sample of responses to the Commission's online pledge:

NAME, AGE, PLACE	I REJECT RACISM AND UNFAIR DISCRIMINATION BECAUSE.....
Owethu, 17, Midrand	at the end of the day we all bleed red.
Michael E., 68, Johannesburg	they cause untold harm to many innocent people.
Siviwe N., 41 Pretoria	it denies us our humanity.
Zoe, 43,Pretoria West	it kills our nation.
Lisa F., 50, Somerset West	racism is morally indefensible.
Barbara F., 57,Somerset West. Cape town	it diminishes our humanity, while diversity makes us rich.
Dan M., 57. Johannesburg.	no human being is superior to another because of their skin colour.
Nhlanhla M., 25, Lamontville -Kasi	it's inhumane.
Charlotte E., 24, Pretoria	I love South Africa and all its people. We have a beautiful country with beautiful people. Our differences should be celebrated.
Phillip S., Stellenbosch	it is immoral and wrong. Noone should experience unfair discrimination and people who are in a position of privilege, like me, should use that privilege to the advantage of the majority.

Racism has consistently featured as a dominant or pressing human rights matter. The Commission's Anti-Racism Pledge will remain active and the Commission will continue to advocate against racism and encourage the public to take the Anti-Racism Pledge.

CHAPTER 13

MONITORING AND EVALUATION



The Commission's strategic plan for 2015 to 2020 has identified the need to strengthen institutional monitoring and evaluation through the development of a framework and strategies, as well as increased scope and coverage into the future.

More effective monitoring and evaluation is crucial if the Commission is to assess the extent to which the lives of beneficiaries of the institution's services have changed as a result of the institution's work. In the case of the Commission, this implies changes in the state of human rights as a result of interventions that have been implemented.

The Commission's constitutional mandate requires that it goes beyond the mere implementation of human rights awareness programs and assume that successful implementation is equivalent to actual improvement in levels of understanding. The main question to ask is whether the outreach programs are achieving the actual intended results for communities that are the primary beneficiaries by assessing and evaluating the impact of its work.

The need for continuous monitoring is also reflected in how, and whether, the issues that communities would have raised are able to be resolved and improve the livelihoods of the affected communities, with examples being cited in some of the public outreach engagements. Clear, practical recommendations with set time frames also provide action plans for the Commission so that it can confidently continue with its constitutional mandate of enhancing understanding of human rights and entrenching a human rights culture in South Africa.

Advocacy monitoring

All the Commission's advocacy activities have an assessment component that can comprise questionnaires, surveys, observations of the advocacy officers, and the formal capturing of results and outputs. An overall analysis of the provincial engagement reports provides evidence of a growing understanding of human rights. For example, in pre-evaluation surveys and questionnaires, participants would not be able to respond to basic questions of what human rights are or what the Commission is, but would provide substantive answers to the same questions in the post- evaluation exercise. Yet another example is how participants would often be unable to identify what action to take – outside of mass demonstrations – to protest against the authorities' failure to deliver on basic service. However, in the post- evaluation participants would be able to cite the various avenues that are at their disposal in accessing their rights. Furthermore, during evaluations participants were also able to identify where they could access information; which mechanisms were available for redress; and which institutions (such as the SAHRC) were available to assist. This confirms that such stakeholder engagements are able to introduce and strengthen awareness levels, particularly in communities.

To enable more substantive monitoring and evaluation capacity, the Commission intends to secure the necessary financial and skills capacity to enable it to implement evaluative assessments and impact evaluation studies.

Media monitoring

The Commission, through an independent media monitoring company, tracks over 250 000 global online publications and 5122 online publications across Africa. News sources tracked include major news outlets, trade publications, local and regional journalists, weekly newspapers, influential blogs, as well as TV and radio transcripts. The source base for tracking social media comprises the tracking of Facebook, YouTube, and Twitter. The Commission's media monitoring is compiled coverage published on various global online publications and filtered through key word searches. The Commission also monitors daily media through Google Alerts, press clippings, and alerts from its social media platforms.

Media monitoring allows the Commission to monitor human rights- related matters as they arise, and to assess the Commission's contribution to social conversations on significant events and issues. Measuring the volume of engagement allows the Commission to ascertain the size of the conversation, to identify pressing human rights concerns, and gauge public interest in human rights.



Provincial community radio station finalists during the awards ceremony



Sri Lanka study tour

CHAPTER 14

REACH AND VISIBILITY



During 2016– 2017, the Commission significantly improved its reach and visibility nationally and provincially through 484 collaborative educational activities in all nine provinces, reaching approximately 51 759 people across the country through, at least, 596 media interviews with print, broadcast, and online media; the release of 93 media statements generating substantial coverage of the Commission’s “boots on the ground” work and the Commission’s stances on key human rights matters; as well as through opinion pieces providing authoritative analyses of significant Commission events and human rights issues.

Reach and visibility: key metrics for 2016 –2017

21 485 343 Potential audience reached via Facebook and Twitter combined

2 801 000 Potential combined readership of two advertorials

9 685 000 Potential audience reached via community radio

51 759 People reached through advocacy initiatives across all provinces

19 977 Social media mentions

5 213 Online news articles

These figures reflect a wide reach and high visibility. In addition, much of this engagement has involved substantial engagement with various kinds of human rights messages and products across several media, including advocacy messaging and information on Commission activities, as well as reports on action undertaken by the Commission, including media reports on successes and short-comings. The Commission has consistently maintained a public profile throughout the 2016 –2017 financial year and contributed substantially to public conversations on human rights- related matters. This reach provides a solid foundation from which the Commission can conduct future impact evaluation studies.

2016
2017

SAHRC Advocacy & Communications Year in Review*



* Information from the SAHRC Advocacy and Communications Annual Report 2016/2017





Former SAHRC Chairperson, Lourence Mushwana and Mpumalanga Provincial Office staff meet with families affected by the Lily Mine disaster.

CHAPTER 15

FINDINGS AND RECOMMENDATIONS



Key findings: public outreach engagements (“clinics”) and capacity building workshops (train the trainers)

The public outreach engagements typically yield complaints mainly with regard to service delivery and related socioeconomic rights- related issues. Indeed, the majority of issues that participants in these engagements raised largely related to the pace, or lack of levels, of service delivery from local municipalities as a recurring pattern and trend. The concerns raised in these engagements are at the core of the communities’ needs in accessing basic services which in turn are basic human rights and which by their nature impact on a number of inter-related, interdependent human rights. The following are key issues that emerged from the various public outreach engagements conducted during the 2016–2017 financial year.

Adequate housing

The lack of adequate housing often leads to land invasions as well as the mushrooming of informal settlements, and is a main concern cited in almost every peri-urban engagement by the Gauteng Office, such as Zandspruit and Cosmo City. The construction of shacks is unregulated with no regard to the impact this has on the environment. Residents reported overcrowding in communities since shacks have been built so close to each other, which poses high health and fire risks. This also impacts on the ability of the government to adequately deliver much needed basic services to the community, such as electricity, roads, clean water, and sewerage which in turn adversely affects residents’ quality of life. The majority of families living in these squalid conditions are underprivileged, and unemployment in the community is high. The community in Vrede in the Free State further cited the failure by municipalities to effectively manage illegal dumping, which impacts on their health and the safety of their environment.

Evictions

Illegal evictions and human rights violations of farm dwellers continue unabated. Site visits by the Free State Office to rural communities in Harrismith and Reitz highlighted the need to intensify human rights awareness campaigns in the rural and farming communities of the province. During the visits it was established that farm evictions are on the rise in the eastern and southern parts of the Free State. Farm workers and farm dwellers in the visited areas are evicted illegally, and their homes are often subsequently destroyed.

Community members also complained that the evictions are done without due regard to cultural norms, in that the graves and burial sites of their ancestors are often demolished. In other instances, where evictions take place but without the demolition of graves, families are not allowed access to graves sites to enable them to perform cultural rituals.

Forced evictions threaten a number of human rights, including the right to human dignity, security of the person, privacy, religion, culture, health, adequate housing, and life. Evictions have a drastic effect on people’s social, economic, physical, and psychological wellbeing. The general lack of rights awareness among farming communities underscores the need for robust and widely accessible constitutional and human rights education.

Discrimination and hate speech in farming communities

Discrimination remains rife in farming communities, with black employees being called derogatory names, not being allowed to join unions, and often refused sick leave and time off to exercise their democratic right to vote during national and local government elections.

Land claims

The issue of land claims remains a sore point in rural areas, with allegations of fraud being thrown around in the processing of land claims and communities citing concerns regarding undue delays in payment to successful claimants after the approval of claims.

Access to basic services

Access to government services remains a concern, with people in rural areas complaining that they have to walk long distances to be able to access basic services, such as the elderly who have to travel a long distance to collect their pension because of the lack of a pay point within their community.



Access to health care services

The public outreach engagements in the Free State, Eastern Cape, Mpumalanga, and Northern Cape revealed various challenges in accessing health care services. The lack of sufficient ambulances to service the district, insufficient medicine supplies at clinics and the district hospital, understaffed health facilities that cause long queues waiting for service, as well as overworked health care workers who do not treat patients with respect and a lack of confidentiality were cited as ongoing concerns. Some patients alleged that due to a shortage of supplies, they are forced to bring their own linen to hospital upon admission.

The shortage of health facilities forces many patients, including children, pregnant women, the elderly, and people with disabilities, to walk or travel long distances for medical attention. For example, the public outreach engagement in Vingerkraal noted with concern that the nearest clinic is about 55 kilometres away. This further exacerbates an already fragile population, as they have to spend the meagre social grants that they depend on for survival on the commute to access health services. The situation is even worse for those who are unemployed and do not receive any form of social grants from the state.

The state of infrastructure in rural areas was continually cited as a major challenge. Communities reported on the dilapidation of clinics, poor ablution facilities, inadequate chairs, poor ventilation caused by air-conditioning and heaters that don't work properly in waiting areas, and poor record keeping or filing which results in patient files getting lost.

Communities in urban and peri-urban areas were concerned about the safety of health care practitioners and officials since possible threats seem to be on the rise. It would appear that there is lack of clarity on who is responsible for providing security in health care facilities, resulting in a lot of "passing the buck". The DoH provides health care services while the Department of Public Works is responsible for the infrastructure or premises. Female health personnel working in facilities that operate on a 24-hour basis feel particularly vulnerable especially at night.

Access to information

The importance of access to information is reflected in the nature of complaints raised in some of the public outreach engagements. For example, some communities in the Free State complained that they have no information about the criteria that the Department of Agriculture follows regarding who qualifies for a tractor when it distributes tractors to subsistence farmers. Communities are also not clear on the criteria utilised by municipalities when employing local residents during short-term employment opportunities like the Expanded Public Works Programme (EPWP). Allegations of nepotism and favoritism were made, including allegations that only card-carrying members of the political party or the faction that runs the municipality at that time are the ones who benefit from these programmes, yet the municipality is supposed to serve all its residents. In addition, this lack of transparency, or perceived corruption, in municipalities often leads to service delivery protests which sometimes turn violent or result in the destruction of property, such as schools and foreign owned shops as these are viewed as soft targets.

Access to infrastructure

The residents of Modimolle in Limpopo cited the lack of electricity supply and the resultant unavailability of streetlights as a major concern. This places women and children at great personal risk in terms of their safety and security. The engagement also noted that children still walk long distances of almost 15 kilometers, in dense bush, to the nearest school, which makes education an unattainable dream for the youngsters who are the country's future leaders. Residents of Bushbuckridge in Mpumalanga expressed their dissatisfaction that more than 20 years after democracy, there are still areas within their local municipality that remain without electricity.

Complaints about poor road infrastructure in rural areas were repeatedly raised by communities who questioned the quality of work of named contractors. This apparent lack of accountability and transparency in municipalities remains a major governance concern.

Drought

The ongoing drought that the country at large is currently experiencing is aggravating an already dire situation regarding the shortage of water, and it hits rural communities even harder. Communities complained that they have to compete for the little water available for their livestock.

Registration of births

It would appear that some communities are unaware of the change in policy by the DHA regarding the late registration of births. All births of children must be registered within a specific time and those who fail to do so are termed late registrations and are required to provide proof of paternity through paternity tests for which they must pay.

Social security

Grant recipients complained about long waiting hours at SASSA service points as well as the continuing unlawful practice by some unregistered and illegal money lenders, commonly referred to as loan sharks, who withhold the identity books and bank cards of money borrowers.

Youth unemployment and substance abuse

Unemployment, substance abuse among the youth, and teenage pregnancy were repeatedly raised as major concerns during all the public outreach engagements that were conducted across all nine provinces. The youth who participated, indicated that indicated that the lack of facilities where they can participate in meaningful recreational activities as well as the fact that they find themselves being idle, are contributing factors to these predicaments. The UN Secretary General, Antonio Gueterres, recently aptly summed it up as follows, “Young people see themselves without hope in the future and youth unemployment is a terrible gap in relation to the development of a country. Nothing is worse than a young man or woman having graduated from university to find no job, to have no hope and no expectations for the future, which leads to anger and frustration.”¹²

Crime and policing

The Gauteng engagements were concerned about the spiraling rate of crime in their communities. While acknowledging the crucial role that community policing forums play as “neighborhood watch dogs”, communities expressed concern at the fact that some of the forums are dysfunctional and are not adequately capacitated to assist the police in fighting crime.

Participants expressed serious concerns about the interpretation and application of the demarcation and jurisdiction rule by the South African Police Service (SAPS). Communities might stay nearer to a certain police station, but this station may fall within another demarcation area. Such communities are then forced to travel long distances to report a crime to a police station which is within their demarcation area, thus discouraging the reporting of crimes.



¹² Address at Cairo University on “Facing Global Challenges, Finding Hope in Youth”, Cairo, February 15, 2017 <http://www.un.org/sg> accessed on February 17, 2017

Impact of mining on communities

Some communities in Limpopo vehemently maintain that mining activities being carried out by some mining companies are causing environmental degradation and are not benefiting communities. These concerns have resulted in long- running tensions with mining companies among community members and within communities.

The Department of Minerals should diligently monitor non-compliance and impose hefty fines, which include revoking mining licenses of companies that do not comply with regulations aimed at protecting the environment as well as communities affected by mining operations.

Municipal commitment to public participation

The Commission considers local municipalities as key stakeholders for public outreach engagements, as they have a better understanding of the demographics of their communities and should be open and accessible to the communities they serve. However, the Commission notes with dismay that some municipalities do not seem to take their public participation mandate as seriously as they should, based on low levels of assistance rendered to the Commission. For example, in Ebilanyoni in KwaZulu-Natal the municipality double booked its councillors for another meeting, despite jointly planning for, and agreeing to participate in the Commission's public outreach engagement. The municipality also failed to deliver on the promise to provide logistical support, and then side-track the engagement by focusing on its Integrated Development Plans (IDPs), which was not on the agenda.

Recommendations: public outreach engagements (“Clinics”) and capacity building workshops (train the trainers)

Having identified the 15 critical issues relating to socio-economic rights that have been highlighted through public outreach engagements during 2016-2017, the Commission makes the following recommendations:

Improved awareness on land claims processes

The Department of Rural Development and Land Reform as well as the Land Claims Commission must heighten awareness in communities on processes and procedures regarding land claims, restitution, and distribution.

Greater commitment to public participation by all levels of government

The participation of relevant government departments, agencies, and local municipal officials was widely welcomed, and the Commission should continue to include them in its outreach initiatives. The participation of government officials assists with eliciting undertakings that the communities can always follow up on. An example was cited by the Northern Cape where, within a month of the engagement, the John Taolo Gaetsewe District Municipality introduced mobile health clinics and water tanks at regular intervals at Maseohatshe village. This is an example of how the Commission can be a catalyst in ensuring service delivery and the realization of basic rights.

Municipalities should intensify community participation before drafting their IDPs, to ensure the buy-in of communities. In addition, where the community makes suggestions regarding its needs and priorities, the municipality is also advised to seriously take heed of these.

Increased awareness of birth registration processes

The DHA must intensify awareness campaigns to ensure that people are aware of the time limits attached to the registration of births and the consequences of failure to adhere to the set time limits. The DHA must, together with the DoH, consider the feasibility of conducting paternity tests for free, or at a reduced rate, based on a means test.

Increased efforts to combat youth unemployment and address educational capacity

The Department of Higher Education (DHE) should actively promote Further Education Training (FET) and Technical and Vocational Education Training (TVET) colleges as viable alternatives to universities by showcasing the positive contributions of vocational training. In addition, the government must promote learner/internship programmes in all government departments to expand skills development and curb youth unemployment. In addition, the Department of Co-operative Government and Traditional Affairs (COGTA) must build recreational facilities in all municipalities to keep young people occupied. Furthermore, businesses that operate in local communities are encouraged to invest in the community by funding projects that are aimed at uplifting the community.

Improved policing and SAPS engagement with communities

The SAPS should assist all civilians in need through policing services. If a person reports a crime to a police station that does not have jurisdiction as per the demarcation rule, that station must open a case and then transfer it to the correct station instead of turning people away.

Continued community outreach by FISO

The Commission, as well as other Chapter 9 and 10 bodies, must intensify their community outreach and information programmes through partnerships with community-based organizations so as to have a multiplier effect in the number of people reached.

The Commission and other Chapter 9 institutions must continuously engage communities through the Government Communication and Information Services (GCIS) and community radio stations in the promotion of human rights, since the latter is the most commonly used and preferred form of media outlet in rural areas, and is yielding positive results.



Continued capacity building initiatives

The workshops on access to information were acknowledged to be empowering to community representatives, and the Commission is encouraged to continue with capacity building initiatives that focus on core civil society and community-based organisations or representatives so that the latter can continue to act as human rights ambassadors.

The Commission's constitutional obligations on monitoring

The Commission must continuously monitor, engage municipalities regarding allegations of poor service delivery, and hold the responsible municipalities to account.

Findings: national and provincial human rights calendar day activities

During the 2016– 2017 financial year, the Commission reached a total of 1 684 people through provincial engagements on human rights related to key international human rights days. The following findings emerge from these engagements:

Equality Courts

A large number of members of the public are unaware of the existence of Equality Courts, and the few who are aware are not particularly clear on how the Equality Courts operate and the extent to which the courts can be of assistance to them in enforcing their rights.

A number of concerns regarding the effectiveness of the Equality Court administration were noted when the KwaZulu-Natal office conducted an inspection at the Manguzi Magistrate Court. These include, the lack of a reception and/or information area at the court, the absence of basic information in the form of posters or pamphlets for the public, the fact that only one magistrate is appointed to cover all the civil and criminal matters (which is a heavy work load), the admission by the court officials of their complete lack of awareness of what constitutes an Equality Court and its procedures, as well as the fact that the court has never dealt with any Equality Court applications or matters. During its regular monitoring of Equality Courts as part of community outreach activities, the Limpopo Office also noted the lack of basic information or material available for the public, and problems with access to older court buildings for people with disabilities.

Access to justice

In terms of access to justice, many communities had a number of concerns directed at the Department of Justice in its administration of justice, such as not getting maintenance money on time, delays in following up on maintenance defaulters (as it appears the police do not prioritise such cases), and difficulties in the enforcement of small claims court judgments (as attachment orders come with sheriff fees that successful litigants are unable to pay).

LGBTI equality

Despite the existence of legislation aimed at protecting the rights of the LGBTI community, it continues to suffer injustice in society and, in some instances, at the hands of government departments in accessing services, which leads to continuing inequality based on sexual orientation and sexual identity.

Albinism awareness

There is a general lack of societal awareness of the albinism condition, coupled with various myths that lead to the killing of people with albinism as well as discrimination against them. Families expressed concern about the quality of assistance rendered by the DoH to children with albinism, such as the poor quality of spectacles, limited quantities of sunscreen or the quality of sunscreen in the dignity packs that are now distributed by SASSA is not meant to cater for the albinism condition skin, as well as poor medical examination and diagnosis by SASSA- appointed doctors, since some of these practitioners are not specialists and are thus unable to correctly determine the extent of the patient's impairment.



Racism

Racism continues to find expression in various public and private spaces, through expressions of hate speech on line, derogatory name calling by using the k- word, and preferential service in terms of racial classification.

Corporal punishment

Concerns were raised that some schools in Mpumalanga, KwaZulu- Natal and the Northern Cape still administer corporal punishment despite the fact that this practice has been formally outlawed through legislation. In addition, the lack of infrastructure development in schools leads to overcrowding in classes, which, over time, impacts on the quality of education received by pupils. For example, a site visit to Maputa Primary School in the Manguzi area in KwaZulu- Natal noted with dismay that each educator has an average of sixty learners per class, which is quite a high number as compared to the agreed national average of forty.

Rights of prisoners

A wide range of issues and several complaints were raised by prisoners during an engagement at the Grootvlei prison. The inadequate infrastructure in prisons which leads to overcrowding, abuse of power by prison officials, inadequate response to prison complaints, and inadequate security were cited.

Rights of older people

The provincial stakeholder engagements in commemoration of the International Day of Older Persons noted that:

- a. Older people experience physical, emotional, sexual, and economic abuse by their next of kin, service providers, and government departments and this abuse is largely ignored by society.
- b. There is a general lack of consultation with other role players with regard to the closure of some residential facilities for the elderly.
- c. There is a lack of co-ordination and integration of programmes geared towards providing support for the proper functioning of residential facilities for older people.
- d. The level of services rendered at old age homes has been confined to primary health care services, despite the dire need for core advanced services such as mobility, dementia, Alzheimer's, and other services related to age.
- e. There is an unavailability of resources for the elderly at hospitals, such as dialysis services, blood pressure machines, and other resources needed by chronic patients.
- f. There is inadequate funding of old age homes, leading to overcrowding as well as some of the houses not being accessible to people with disabilities.
- g. There is a continuation of the illegal practice of deductions for airtime or electricity from older people's social grants by dubious companies with no assistance or intervention from SASSA.
- h. There is lack of clarity on how other family members are able to collect old age pension grants of some pensioners without the pensioner's consent.

Equality regarding – disability

The provincial stakeholder engagements to commemorate the International Day of Persons with Disabilities noted various concerns such as:

- a. Government departments do not have officials who are trained in South African Sign Language, and there are different dialects to sign language to the extent that half of the essence of the message gets lost in translation. This makes it difficult for the deaf community to access public services.
- b. Not all public areas are easily accessible to people with disabilities, including the lack of special recreational facilities that are designed to cater for people with disabilities.
- c. There is poor implementation of disability legislation and policies whereby most companies and government departments have yet to achieve the target of employing 2 percent of people with disabilities.

- d. There is an inability to access social grants because of the strict criteria that SASSA instructed doctors to utilise. For example, children born with a bent foot that makes it impossible for them to walk without a limp are not classified as having a disability, yet they have to wear a special thick soled boot that is expensive for unemployed parents.
- e. There is a limited number of, and lack of, accessibility to schools for people with disabilities, especially for blind or visually impaired children.

National and provincial human rights calendar day activities: recommendations

Having identified the 16 critical issues regarding national and provincial human rights calendar day activities conducted during 2016–2017, the Commission makes the following recommendations:

- a. The Department of Justice and Constitutional Development (DoJ&CD) must collaborate with Chapter 9 institutions supporting democracy and Chapter 10 bodies to create awareness and popularise Equality Courts through sustained nationwide campaigns. The Department must ensure that all the officials in courts are properly trained to assist magistrates in conducting hearings on equality matters, that the public is aware of the mandate of these courts, and improve accessibility by developing educational materials that cater to communities, especially in terms of language. These efforts will go a long way in ensuring that Equality Courts maintain their position as crucial tools in the realisation of the right to equality.
- b. The Department of Labour must monitor conditions of employment and address non-compliance within the farming community.
- c. The Commission needs to increase awareness campaigns aimed at sensitising communities regarding all the various grounds for discrimination, including disability, older people, LGBTI people, as well as the rights of people with albinism in partnership with the Commission for the Promotion of the Rights of Cultural, Religious and Linguistic communities (CRL Commission) in order to specifically address issues of cultural myths and stereotypes.
- d. The Department of Basic Education, together with the Commission, must conduct awareness programs on basic human rights, and the attendant responsibilities, in schools to encourage greater awareness of corporal punishment and human rights, as well as to address the emerging trend of what is perceived to be a misplaced sense of rights entitlement among learners.
- e. The Commission should consider working with bodies, such as the Independent Police Investigative Directorate (IPID), in conducting site inspections at police stations to record and minimize the unlawful assaults of arrested people by police officials.
- f. The Commission must strengthen its stakeholder base and partnerships with other critical role players such as religious bodies, traditional leaders, and municipalities, and use public spaces such as Thusong Centres, clinics, and schools to make educational and promotional materials available to communities.

- g. The Inspecting Judge of Correctional Services must ensure that the Department of Correctional Services complies with, and implements, the UN Standard Minimum Rules for Treatment of Prisoners to address the myriad of complaints by prisoners with regard to the adequacy of sanitary facilities, health facilities, overcrowding, the use of unnecessary force, and close liaison with the criminal justice agencies in the processing of awaiting trial detainees.
- h. The Department of Labour must continuously conduct intensive audits to identify crucial, relevant, and marketable skills that are required to meet the current economic needs of the country. This will also assist in the allocation and provision of learnerships and internships that respond to the economy, and go a long way in addressing youth unemployment.
- i. The DoH must provide the relevant assistance to people with albinism to enable them to participate as equal citizens of the Republic. For example, through the provision of spectacles to children to enable children to see and read, and the provision of sunscreen to minimise the harsh effects of the sun on their skin.



Commissioner Bokankatla Malatji and KwaZulu-Natal Provincial Manager Tanuja Munnoo interact with the elderly during a Community Dialogue on Older Persons in Lamontville

Regarding the rights of older people, the Commission recommends that:

- a. The DSD should deploy social and auxiliary workers to old age homes to monitor the care provided to the elderly as well as training, funding, and deploying more home-based care givers as an alternative to social workers in communities.
- b. SASSA should speed up the process of insourcing social grant payments so as to curb the unauthorised deductions from the pension grants of some of the elderly.
- c. The DSD should explore alternative funding models for old age homes to minimise situations where some homes that care for the elderly on a humanitarian basis are forced to close down due to lack of funding.
- d. The CRL Commission together with the Commission for Gender Equality (CGE) must work with the provincial houses of traditional leaders to sensitise and create awareness on the unacceptable practice whereby older people and older women are accused of witchcraft.
- e. The DoH acknowledged the huge volumes of people at public health care facilities, but reminded participants to request that each facility adheres to the policy of fast-tracking certain categories of patients, which included older people.

The Commission has previously reported on these findings and recommendations¹³ and, therefore, calls upon the government to implement these recommendations to ensure the practical realisation of the rights of older people.



Commissioner Ameermia assessing challenges at Khayaletu Old Age Home in Pochefstroom

¹³ Ibid

Regarding people with disabilities, the Commission recommends that:

- a. Businesses and government departments should continue with the current efforts aimed at improving accessibility to people with disabilities, capacitate people with disabilities with relevant skills to ensure that they compete fairly in the work place, and increase the employment of people with disabilities based on competency rather than simply complying with employment legislation which amounts to malicious compliance.
- b. The provincial Departments of Basic Education should prioritise inclusivity through the provision of reasonable accommodation for children with disabilities, and, where there is a need to have separate schools, ensure that all children with disabilities are placed in schools that are closer to their families.
- c. The DSD should develop and distribute educational or promotional material on albinism to create awareness among the general public, and documents by service departments should be in large fonts to cater for people with visual impairments.



Commissioner Ammermia assessing challenges at Khayaletu Old Age Home in Pochefstroom

CHAPTER 16

CONCLUSION



During the 2016 –2017 financial year, the Commission, through the implementation of its monitoring and promotional mandate, has conducted a range of activities which have significantly strengthened stakeholder relations, engaged with an array of communities and experts, improved internal and external communications, generated widespread and substantive coverage of the Commission and human rights, made significant contributions to social conversations on human rights, and marked key successes in litigation and ADR on human rights.

The Commission has strengthened stakeholder relationships through collaboration and partnerships with an array of stakeholders in various sections, including, but not limited to, policing, children's rights, and human rights awareness. The Commission's advocacy initiatives have conducted monitoring and education on socioeconomic rights, including, but not limited to, the provision of adequate housing, insecurity of tenure for farm workers, and the social and economic impact of forced evictions, discrimination in farming communities, poor access to government services, and difficulties in accessing health care.

During the 2016 –2017 financial year, the Commission identified policy gaps tied to specific thematic human rights focus areas, with the main objective of influencing and lobbying for policy reform. Three areas identified and prioritised by the Commission in the reporting period include: the ability for children to read by the age of nine, the registration of facilities for older people, and undocumented parolees in the criminal justice system.

The Commission has engaged with experts in various sectors through Section 11 Committees, national investigative hearings, roundtables, conferences, and other stakeholder engagements. The Commission has also expanded its footprint into previously unreachable rural areas and undertaken capacity building and public outreach engagements that have yielded information on the provision (or lack thereof) of important socioeconomic rights and the impact of these on communities.

The Commission has significantly improved its reach and visibility through strategic stakeholder collaborations, outreach in remote and rural communities, engagement with the media, capacity building and human rights education, national investigative hearings, and a growing base of social media followers.

News

Court ruling a victory for queer kids

Parents and teachers need to understand LGBTQI+ children who need a 'safe place'

Carl Collison

The South African equality court has ordered the Limpopo education department to pay Nene Mphahlele, a transgender woman, R200 000 in compensation for discrimination and harassment she endured while at school.

"The principal would do things like ask some of the other girls to take me into the toilet and touch my private parts. He wanted to know what kind of genitals I had. He then told the school that I was actually a boy," she says.

The case was taken to the South African Human Rights Commission by trans and queer rights organisation Transfrontier.

Her relief at the ruling, handed down on March 16, follows a lengthy court process, which she describes as "exhausting and strenuous", and two years of abuse at Bashele Secondary School in Limpopo.

The harassment continued to such an extent that "I couldn't focus. I wrote my matric exams but didn't manage to. It affected me very heavily. I was disappointed so much at that school. So, to win this case is very important for me. Also, because it shows other young people that you can report these kinds of things."

In another example of discrimination, the principal of a school in Maitland, Eastern Cape, forced 29 young people to stand out as lesbian to their parents.

After discovering two girls sitting in the toilets of Umtata High School, principal Normanpondweni Kozani "identified" 26 other girls as lesbians and ordered them to return to the school with their parents.

Thembu Sibole, one of the pupils, says: "All of us were called into the staffroom and the principal started calling us these disgusting names, like *tabakhalazi* [trash] and *amagwetha* [witches]. She said we were disgusting the school and that the reason we are lesbian is because we come from broken homes."

Sibole, who chose not to use her real name, says her parents knew the identities as lesbian. Other pupils got a fortune.

"Some of the parents were very, very angry and threatening to beat it out of them. My girlfriend's parents told her she must choose between a relationship with me and her love, her family."

Sibole's friend Thandani Makhoba, who also chose not to use her real name, says: "Teachers at the school now have a bad attitude towards us. We used to be close to those teachers; we used to tell them everything. They were teachers we

trusted, but there isn't that bond anymore."

Candace Coddell, the acting executive director of Port Elizabeth-based organisation OUTology Network, said: "We approached the school to try to conduct sensitisation workshops with them, but they were not receptive."

"Getting into schools is generally a challenge. We have approached the department of basic education to assist us, but never hear from them. And we can't just wait around, so we approach the schools individually. While some are open to having us there, we have had phones put down on us and been told to get off the property."

Coddell adds that, in addition to name-calling and physical violence experienced by lesbian, gay, bisexual, transgender and intersex (LGBTQI) children, incidents of offensive rape have been reported to the organisation, but not to the police, who are seen as "unhelpful".

A 2016 report by Exton-based organisation Out LGBT Wellbeing found that, at secondary schools, 66% of respondents had been subjected to verbal abuse, 33% had experienced threats of physical violence, 21% had had objects thrown at them and 18% had been punched, kicked or beaten.

A paper titled *Educators' Perceptions of Homophobic Victimization of Learners at Private Secondary Schools*, by Henk Mostert, Charmaine Gordon and Susan Krueger and published in the *South African Journal of Psychology* in 2015, found: "There is no doubt that victims of homophobia are likely to experience major adverse effects concerning their health and general wellbeing."

"It does not matter how we define the term 'victim' — and often two victims — phenomena, experiences of homophobia have long-term implications for individuals' adjustment and functioning in the contexts of their family, school, church and community."

"Most educators and administrators are raised and schooled in a society that considers homosexuality a sickness, and LGBT issues remain largely taboo in school communities."

The South African Democratic Teachers' Union (Sadtu) in the Western Cape runs a series of LGBTQI sensitisation workshops at 40 schools in 2016 in the hope of breaking this taboo.

"What we saw was a shift in people's attitudes, a deeper understanding," says Sadtu Western Cape provincial chair Jonathan Boshoff.

Rash Padie, a teacher at St



Nene Mphahlele: To win this case is very important for me. Also because it shows other young people that you can report these kinds of things. (Photo: DeWayne Maseko)

Raphael's RC Primary School in Athlone, says: "I attended those workshops because this is something that we don't really talk about. I got it open in my mind and spoke to people who face these challenges and ask questions about things I didn't know anything about."

Although "having a different sexual orientation or gender identity has become more acceptable", she says teachers are still in need of education about this.

The grade 8 pupils were recently given an assignment in which they had to cut images out of magazines they felt represented themselves and their families. One boy cut out an image of a ballerina, which he said represented him. The teacher told him that he was a boy and the ballerina was a girl, but he didn't care what the problem was. So, you see, a lot of education is still needed."

Rin L. Hogue, founder and director of Amsterdam-based organisation Safe Love Tech, says: "One of

our primary aims is to reach parents, because a supportive parent provides a safe haven for LGBTQI+ children. Also, schools will become willing to listen to them."

The organisation recently launched its Teachers' Sensitivity and Youth Inclusivity programme, which Luthgow considers far not been easy to roll out. "Our biggest obstacles are religious and 'traditional' beliefs, so we constantly need to bring home to people that, according to the Constitution, they're allowed to have their beliefs, but at the same time so are others. The other side of that coin is that, as much as there are fundamentalist views, there are people working at creating a culture of inclusivity."

Deenay Balle (27) is a transgender woman and teacher at a primary school in the Northern Cape town of Sutherland. Although she describes the school as "very supportive" after being transgender, she points out: "As an adult, I can protect myself, but children, all children, need our protection."

As part of her drive to ensure the protection of the rights of children, Balle serves not only as the school's project manager (overseeing its inclusive education and school safety projects), but also works in the broader community through the local radio station and workshops.

"There are queer kids in every

school, so for me the most important thing is to simply provide that child with safe space."

Of the difficulties of her drive in a conservative community, Balle says: "Our society is quite religious, but I always say: Namagwaland people are not hateful people; they are really loving people. They just don't understand. All that is needed is education."

Luthgow counters: "People often say that education is the first step, but I think it's empathy. Finding someone who is forgiving, equality and human rights. That, for me, is the first step. After that, we can say that person 'fig it, that is what you believe and that's good, now look, these kids are human, too.'"

The equality court ruling has underlined that queer kids are human too and nobody is more aware of this than Mphahlele.

Determined to put her school experience behind her, she wants to go to gender-affirming therapy — but not before rewriting matric and enrolling to study Education. "I just want to have a better life and be who I want to be, to be who I really am."

The department of basic education had not responded to questions by the time this article was published.

Carl Collison is the Other Foundation's Rainbow Fellow at the *Mail & Guardian*.

"There are queer kids in every school, so for me the most important thing is to simply provide that child with a safe space"

Media coverage of the Commission during 2016 –2017 was widespread and substantive, and ranged from micro-messaging on social media to half page opinion pieces providing substantive analyses on a range of topical human rights issues, including online racism, xenophobia, as well as the right to protest weighed against the right to a basic education. Media coverage of key Commission successes have received widespread coverage including, but not limited to, the successful Equality Court litigation on the rights of a transgendered pupil, successful ADR interventions, and strong stances taken by the Commission with respect to xenophobia, LGBTI rights, and equality in schools (among others). Much of this coverage has included reporting of “boots on the ground” work of the Commission and of interventions at the national, provincial, and community level. While coverage of the Commission could never be overwhelmingly “positive” – due to the negative nature of human rights violations – most of the reportage on the Commission has been positive in that it has reflected the Commission *in action*.

During the 2016 –2017 financial year, the Commission has improved internal communications and introduced mechanisms that will allow for the future monitoring of staff engagement and levels of understanding of human rights. The Commission has made considerable progress towards implementing its communications and advocacy strategy across multiple media platforms.

The Commission’s engagement with the public on social media has resulted in widespread real-time discussion that has enabled the Commission to dominate the social media agenda at least six times during the reporting period. This high level of consistent, real-time engagement reveals an increased public interest in, and awareness of, human rights.

The top news stories for the year reveal high levels of uptake of the Commission’s media statements, which has also been reflected in headlines carrying key advocacy messages. The Commission’s media statements have generated media interest and resulted in increased media engagements and requests for interviews, and further resulted in coverage across print, online, and broadcast media.

The Commission’s advocacy and outreach endeavours have highlighted key areas for intervention in the provision of socioeconomic rights, while media endeavours have revealed key areas for intervention regarding equality, with particular emphasis on race, ethnic origin, and sexual orientation (among others).



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