

THE NATIONAL ACTION PLAN AND STRATEGY TO COMBAT RACISM

DISCUSSION DOCUMENT

Equality, Dignity and Justice are the key criteria in the fight against racism and sexism.

Introduction

Race, racial discrimination, and racism – in the form of both political oppression and economic exploitation - have been at the centre of our country's history from the inception of colonial conquest. Our history since then has largely been a history of racial domination on the one side and a history of a struggle to overcome racial domination on the other.

Successive white minority regimes instituted racial policies and racial legislation to subjugate the black majority, culminating in the system of apartheid, which institutionalised racial discrimination and racial oppression. Racial oppression and racial discrimination was accompanied by the economic disempowerment and marginalisation of the black majority of the country.

Given the unequal gender relations that characterised society, racial discrimination and racial oppression had a particularly severe impact on women in general and black women in particular.

The process of negotiation that began in the 1990s laid the basis for the country to begin to tackle this legacy. In April 1994, the country held its first democratic election, based on the principles of non-racialism, non-sexism and universal franchise.

The new, democratic South Africa adopted a Constitution and Bill of Rights which enshrined the values of equality, justice and human dignity.

But only the naïve would have expected the deep racial divisions and gender inequalities within our society to disappear with the ushering in of a new democratic order.

Our new democratic order provides the basis for us to finally to bury the scourge of racism and sexism.

Given the centrality of race and racism in our country and our history, it is surprising that until August/September 2000 – when our country held a National Conference on Racism - there had been no conscious, national focus on the question of race and racism and how this impacts on gender.

There had been various investigations into the problem of race and racism; for example, the South African Human Rights Commission's investigations into racism in our schools and racism in the media and commissions of inquiry into specific racial incidents, like the Tempe military inquiry.

In these cases and others, the problems of race and racism were invariably tackled in reaction to something that had happened. In almost all instances the responses were reactive, ad-hoc and incident-related.

Reconciliation in our country will mean nothing if it is not racial reconciliation. At the heart of dealing with the question of reconciliation is dealing with the problems of race and racism.

It was against this background that President T.M. Mbeki called for a National Conference against Racism in his first Annual State of the Nation Address as President to mark the official opening of Parliament on 4 February 2000. As he expressed it at the time:

We are convinced that this important initiative will help move our country faster towards the realisation of the goal contained in our Constitution of the creation of a non-racial society, as well as impact positively on our continuing struggle for a non-sexist society.

The National Conference on Racism was accordingly held at Sandton, Gauteng from 30 August – 2 September 2000. The conference was convened under the theme, COMBATING RACISM: A Nation in Dialogue.

At the end of the Conference the South African Millennium Statement on Racism and Programme of Action was adopted by the delegates.

The Programme of Action proposed, *inter alia*:

- that government and parliament are hereby petitioned to declare the period 2001-2010 as the Decade for National Mobilisation against Racism.
- that the SAHRC should develop and adopt a comprehensive national action plan and strategy to combat racism. Such a plan should, include among other things, indicators of success, timeframes and responsibilities, and effective monitoring and evaluation systems.

After an extensive process of consultation, involving all sectors of society across the length and breadth of our country, the South African Human Rights Commission wishes to propose the following discussion document to serve as the basis for a National Action Plan and Strategy to Combat Racism.

Vision Statement

A truly non-racist, non-sexist democratic country that reflects the ideals, principles and values of our Constitution and Bill of Rights

What is the National Action Plan and Strategy to Combat Racism?

- the NAPSCR is an integrated and systematic national strategy aimed at combating racism and building a truly non-racist, non-sexist democratic South Africa
- a framework for sustained and coordinated measures to be undertaken by the country as a whole to combat racism in all its forms
- a means for setting goals and priorities within achievable time frames for combating racism
- a tool for planning and management of resources for the promotion and enhancement of reconciliation and for building a non-racial society
- concrete measures to deal with the legacy of racism and racial discrimination, particularly as this affects the historically disadvantaged, vulnerable and marginalised

Why a National Action Plan and Strategy to Combat Racism?

- to address and overcome the legacy of racial domination, discrimination and inequality, social injustice and economic disempowerment
- to identify and agree on areas of cooperation between government, the private sector and civil society where concrete intervention needs to take place to combat racism
- to have a tool which can be used by the different departments of government and organs of civil society to monitor and assess the measures taken to combat racism
- to help build a country that is fair to all of its citizens and to all who live in it and to promote true reconciliation

Context for the National Action Plan and Strategy to Combat Racism

- A society emerging from a past of racial oppression and racial exploitation on the one side and racial domination and racial privilege on the other.
- Increasing incidents of racially motivated attacks, tension and conflict
- political parties which are largely still divided along racial/ethnic lines
- regional differentiation along racial/ethnic lines
- poverty which still largely coincides with race and ethnicity

- gender relations which reflect the unequal power relations and racial divisions
- incidents of xenophobia, particularly targeted at black people from Africa
- the dangers of living in a world of denial
- a democratic order and legislative framework that outlaws racism and all other forms of discrimination and intolerance
- the absence of a clear, long-term strategy to deal with the legacy of racism and how this impacts on gender

The Core Components of the National Action Plan and Strategy to Combat Racism

- a legislative framework for protection and redress
- education and training to address the attitudes at the heart of racism's persistence and continued power
- unifying symbols of our new democracy – our Constitution, our national flag, national anthem
- zero tolerance for racist practices
- sanction against racially motivated crimes
- specific focus on the impact of racism on gender

Substantive issues the National Action Plan and Strategy to Combat racism will address

- racial discrimination and all other forms of intolerance
- ethnic/tribal divisions
- economic disempowerment
- gender inequalities
- stereotyping
- prejudice
- xenophobia
- areas of potential conflict/'hotspots'

Timeframes

Short-term: 2001-2003

- Develop a comprehensive national action plan and strategy to combat racism
- Widespread consultation on the plan
- Endorsement and popularisation of the plan
- Launch of the plan
- Adoption of the plan

Medium-term: 2003-2005

- Put structures in place for the implementation of the plan
- Development of measurable indicators for assessing effectiveness of the plan
- Education and training
- Monitoring of the implementation of the plan

Long-term: 2005-2010

- Monitoring and implementation of the plan
- Review and evaluation
- Assessment of the state of the nation
- Progress towards reconciliation
- Where are we at the end of the decade?

Action: Declare 2001 the Year for National Mobilisation against Racism

Objectives:

- launch the process of developing the National Action Plan and Strategy to Combat Racism
- plan and prepare for the UN Third World Conference Against Racism, Xenophobia and Related Intolerance
- launch an anti-racism forum by SANGOCO and other agents of civil society

Activities:

- use national events/special days throughout the year to focus on problems of racism e.g. Human Rights Day, Freedom Day, Youth Day, Woman's Day, World Refugee Day and so forth
- collaborate with other initiatives working on the problems of race and racism and how this impacts on gender
- encourage endorsement of the Millennium Statement on Racism and Programme of Action by all sectors of society
- public pledges to fighting against racism and all other forms of discrimination

Indicators:

- national events and special days focus on the problems of racism and other forms of intolerance
- collaborative initiatives on dealing with the problems of racism and how this impacts on gender
- widespread endorsement of the Millennium Statement on Racism and Programme of Action
- public commitment to dealing with the scourge of racism

Timeframe:

Short-term: 2001

Responsibilities:

- The South African Human Rights Commission
- Government at all levels
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Monitoring and evaluation:

- The South African Human Rights Commission
- Government at all levels
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Government and parliament are petitioned to declare the period 2001-2010 as the Decade for National Mobilisation against Racism

Objectives:

- focus on combating racism and promoting national reconciliation
- place the problem of racism on the national agenda
- national focus on the problems of racism
- raise level of national consciousness
- clear time-frames for tackling the problems of racism
- deal with the problem of racism in a non-party political way
- long term strategy as opposed to ad-hoc, incident-related responses
- able to review progress on a regular basis

Activities:

- debates in both houses of parliament, provincial legislatures and local government on declaring a Decade for the Mobilisation against Racism
- annual events on 16 December, National Day of Reconciliation, reviewing progress on the National Action Plan and Strategy to Combat Racism
- regular evaluation and assessment of the implementation of the NAPSCR
- National Day of Reconciliation to be devoted to activities to promote reconciliation among all people in South Africa for the decade 2001-2010

Indicators:

- Government declares the period 2001-2010 as the Decade for the National Mobilisation against Racism
- Debates at all levels of government on the Decade for the National Mobilisation against Racism
- 16 December National Day of Reconciliation used to promote racial reconciliation
- Over the decade racially-motivated attacks, incidents of racism, discrimination and intolerance decline and finally become insignificant
- A more tolerant, equal and united society which shares common goals, aspirations and values
- Greater respect of and accommodation of diversity

Timeframe:

Long-term: 2001-2010

Responsibilities:

- Government at all levels
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Monitoring and evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: SANGOCO and other agents of civil society establish and spearhead a national anti-racism forum that will develop into a movement against racism at all levels of society

Objectives

- involve the public and civil society in the campaign to combat racism
- encourage a debate within civil society on racism and strategies to combat racism
- deal with the problem of racism in a non-party political and non-partisan way
- encourage respect for diversity
- promote tolerance and reconciliation
- develop and promote common, unifying symbols of our new democracy

Activities:

- Launch of a broad civil society-based anti-racism forum
- Public debates on racism
- Public initiatives to deal with the problem of racism

Indicators:

- Establishment of an anti-racism forum within civil society
- Greater public involvement in the struggle to deal with racism
- Greater public openness and acceptance of the need to deal with the problems of racism
- Involvement in the anti-racism forum by all sectors of society
- Anti-racism forum has credibility among all racial/ethnic and nationality groups
- Broad acceptance of the anti-racism forum by all political parties

Timeframe:

Short-term, medium-term and long-term.

Responsibilities:

- SANGOCO
- Faith communities
- Political organizations
- Organized labour
- Organized business

Monitoring and Evaluation:

- South African Human Rights Commission
- Organized civil society

Action: During the International Decade for Human Rights Education (1995-2004):

- **anti-racism training and education be provided in all educational institutions, especially at primary and secondary school levels**
- **anti-racism training be made available to public service officials and other service providers, such as professionals, business, hospitality as well as leisure and entertainment industries**

Objectives:

- address the legacy of segregated education
- address attitudes and prejudices responsible for the persistence and continued existence of racism
- change 'hearts and minds'
- develop common symbols of unity
- address distortions and biases in the way in which our history has been presented
- promote tolerance and respect for cultural and religious diversity
- prevent conflict and racial/ethnic antagonism

Activities

- the Department of Education to integrate anti-racism training and education into the curriculum, particularly the values and democracy components
- develop curricula that deals honestly, objectively and truthfully with our painful past
- produce text-books free from bias, distortion and prejudice
- implementation of the recommendations of the ***Racial Integration in Public Secondary Schools in South Africa Report*** of the South African Human Rights Commission
- support the work of the Forum on Racism in Education facilitated by the South African Human Rights Commission
- promote greater integration of schools
- all government departments should develop their own internal plans of action to deal with racism
- business and industries should develop codes of good conduct, especially focusing on issues like prejudice, bias and access
- the National Centre for Human Rights Education and Training of the SAHRC should extend its anti-racism training and education programme to as many sectors as possible

Indicators:

- Schools which are not only desegregated but also integrated
- School curriculum free from bias, distortion and prejudice
- An account of our history that is objective, truthful and honest
- Schools which reflect the demography, diversity and richness of our country's cultural heritage
- Government department develop and implement internal plans of action to deal with racism
- Businesses and the private sector put in place codes of conduct addressing bias, access and prejudice
- Extension of the anti-racism training and education programme of the National Centre for Human Rights Training and Education

Timeframe:

Short-term, medium-term and long-term

Responsibilities:

- Government at all levels
- The Department of Education
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society
- Private sector
- Organised labour

Monitoring and Evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Government should speedily address the question of provision of reparations for victims of racism as recommended by the TRC Report. The issue should be considered holistically taking account of appropriate intervention measures to redress the effects of apartheid.

Objectives:

- honor the recommendations of the Truth and Reconciliation Commission
- acknowledge suffering of victims of a conflict caused by racial oppression and discrimination
- help restore the dignity of victims
- promote reconciliation
- facilitate closure

Activities:

- Implementation of a program of reparations
- Acknowledgement and counseling of victims of the conflict
- Erection of monuments honoring the memories and sacrifices made to achieve democracy

Indicators:

- Reparations for all the victims of the conflict
- Monuments honoring the memories and sacrifices made to achieve democracy
- Healing, reconciliation and closure

Timeframe:

Short-term to medium-term

Responsibilities:

- Government
- Private sector
- International community

Monitoring and Evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Policies and measures aimed at reducing the disparities in wealth, including land and tenure reform, access to capital, skills and training, be implemented.

Objectives:

- address structured racial inequalities
- eliminate poverty, disease, crime, social marginalisation, still largely determined by race
- promote empowerment of historically disadvantaged

Activities:

- government to prioritise poverty alleviation
- implementation of the legislation aimed at redress - employment equity, affirmative action, skills development, land restitution, tenure reform and land redistribution
- implementation and monitoring of employment equity plans
- skills training and upliftment through the various SETAS

Indicators:

- Reduction in poverty
- Effective implementation of the legislation aimed at redress
- Narrowing of the gap between the rich – largely white – and the poor – largely black
- Land redistribution and land reform
- Greater representation of black business on the stock market and other key financial institutions

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- Government
- Organized labour
- Organized business

Monitoring and Evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society
- Organised labour
- Organised business

Action: At an international level, the question of compensation for the nations and peoples who have suffered as a result of slavery, imperialism and colonialism be considered. This should be considered together with the need to make adjustments to the world economic order and to address the problem of extreme poverty, particularly in Africa.

Objectives:

- acknowledgment of the legacy of slavery and colonialism
- create a more equal world order
- ensure that globalisation means globalisation of opportunity and not further marginalisation

Activities:

- Reform of leading international bodies – United Nations, World Bank, International Monetary Fund, World Trade Organisation, etc.

- implementation and monitoring of Millennium Africa Recovery Programme
- action on proposals for debt relief and debt amnesty
- promotion of and support for the African Renaissance

Indicators:

- Leading international bodies more representative and democratic
- Effective implementation of MAP
- Debt relief and debt amnesty
- Widespread support for the African Renaissance

Timeframe:

Medium-term to long-term

Responsibilities:

- Government
- International and regional bodies – United Nations, African Union, European Union, etc.
- International financial organisations – IMF, World Bank, WTO, etc.

Monitoring and Evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society
- Organised labour
- Organized business
- Regional bodies – African Commission on Human and Peoples' Rights, African Union, etc.
- International community and NGOs

Action: The strategy against racism must address gender imbalances with the same vigour, focusing on the uneven power relations, particularly the violence against women and children

Objectives:

- recognise the close links between racism and gender inequality, particularly as this affects black women
- acknowledge the power relations that characterise race and gender inequality
- eradicate violence against women and children

Activities:

- establish a strong partnership between the Commission on Gender Equality and other organizations fighting against racism
- increased collaboration with Office on the Status of Women
- address concerns and problems of rural women, the most marginalized and discriminated against
- focus on gender and race on National Woman's Day

Indicators:

- increases number of projects that deal with race and gender
- Increased collaboration between CGE and other organisations tackling problems of race and racism
- Decline in violence against women

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- Government
- Commission on Gender Equality
- Office on the Status of Women
- Independent statutory bodies established to strengthen democracy

Monitoring and Evaluation:

- Government
- Commission on Gender Equality
- Office on the Status of Women
- Independent statutory bodies established to strengthen democracy

Action: The 'National Dialogue to Combat Racism' needs to be extended and intensified to engage all sectors of society

Objectives:

- popularise the South African Millennium Statement on Racism and Programme of Action
- involve all levels of civil society in developing a National Action Plan and Strategy to Combat Racism to give effect to the South African Millennium Statement on Racism and Programme of Action
- encourage endorsement of the Millennium Statement on Racism and Programme of Action by all sectors of society

- promote pledges against racism and all other forms of discrimination and intolerance

Activities:

- regional workshops on the Millennium Statement on Racism and Programme of Action
- involvement of government at all levels in debates and discussions on the Millennium Statement on Racism and Programme of Action
- establishment of broad civil society-based anti-racism forums in all the regions
- encourage endorsement of Millennium Statement by all sectors of society
- encourage signing of pledge books against racism by all sectors of society

Indicators:

- Regional workshops in all the provinces on the Millennium Statement on Racism and Programme of Action
- Government at all levels debates and adopts resolutions on the Millennium Statement on Racism and Programme of Action
- Anti-racism forums established in all the regions
- Widespread endorsement of the Millennium Statement on Racism and Programme of Action
- Signing of pledge books by the public

Timeframe:

Short-term to medium-term

Responsibilities:

- Government at all levels
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society
- Private sector
- Organised labour

Monitoring and Evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Government must take immediate steps to ratify the outstanding international human rights instruments, in particular:

- ◆ **International Covenant on Economic, Social and Cultural Rights**
- ◆ **International Convention on the Protection of the Rights of All Migrant Workers and their Families**
- ◆ **Protocol to the African Charter on Human and Peoples' Rights on the establishment of the African Court on Human and Peoples' Rights**
- ◆ **Statute of Rome on the International Criminal Court**

Objectives:

- our country will fulfill all its international and regional obligations
- incorporate international and regional human rights law into our domestic legislation
- strengthen our human rights legislation, monitoring and implementation with regard to combating racism, xenophobia and other forms of intolerance
- play a leading role in the continent in respecting and promoting international and regional human rights law

Activities:

- relevant government departments must take steps to ratify outstanding international human rights instruments
- ensure regular and proper reporting on human rights instruments to relevant bodies
- incorporate international and regional human rights instruments into our domestic legislation

Indicators:

- Government ratifies all outstanding international and regional human rights instruments
- Regular submission of reports to relevant bodies
- Government presents and defends reports to relevant bodies on a regular basis
- Participation in reporting process by non-governmental organisations

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- Cabinet
- Relevant government ministry

- Parliament
- The South African Human Rights Commission
- Organised civil society

Monitoring and Evaluation:

- Parliament
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Measures should be adopted to restore and enhance the usage and recognition of diverse cultures, languages and religions extant in our country

Objectives:

- promote respect and tolerance for diversity
- combat stereotyping and bias against other language, religions and cultures
- demonstrate that different can be equal
- celebrate our country's rich and diverse cultural heritage
- respect and promote the provisions in our Constitution and Bill on Rights on language, culture and religion
- give concrete content to our national motto

Activities:

- cultural and religious diversity must be reflected in the school curriculum
- the national state broadcaster should show case our national diversity
- encourage and promote the learning of as many official languages as possible
- strengthen and enhance the role of the Pan South African Language Board (PANSALB)
- media should address and not reinforce stereotypes

Indicators:

- School curricula reflects cultural diversity
- Media showcases the country's rich and diverse cultural heritage
- Willingness to learn as many official languages as possible
- PANSLAB is an effective organisation

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- Government at all levels
- The Department of Education
- PANSALB
- The South African Broadcasting Authority
- The media
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Monitoring and Evaluation:

- PANSALB
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Steps to establish the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities be speeded up.

Objectives:

- establish a body to monitor, promote and protect linguistic, cultural and religious diversity
- show commitment to our diversity
- promote respect, tolerance and appreciation of our diversity

Activities:

- establish a commission that is representative, properly resourced and that enjoys wide support
- conduct research into the best ways to promote and encourage diversity and tolerance
- regular art and culture celebration reflecting our cultural heritage and diversity

Indicators:

- Establishment of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
- Commission enjoys widespread support and credibility
- Commission functions effectively and is properly resourced

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- Cabinet
- Department of Arts, Culture, Science and Technology

Monitoring and Evaluation:

- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Research be undertaken to find ways of effectively promoting and deepening respect for traditional lore and cultures of all the people of our country with a view to ensuring respect and understanding for their search for identity, respect for their cultures and values so that a common nationhood may be forged out of difference and diversity

Objectives:

- promote respect for our rich cultural heritage
- restore dignity of indigenous culture and indigenous knowledge systems
- address stereotyping, bias and intolerance
- corrections of distortions and misrepresentations of our history
- promote nation-building

Activities:

- research into indigenous knowledge systems
- promotion of cultural events which reflect our traditional past
- review of current prescribed text books in schools and tertiary institutions
- encourage national media to report on and show traditional culture

Indicators:

- Increased respect for indigenous knowledge systems
- Greater knowledge and understanding our past and traditions
- Common understanding our history
- School and other text books free of bias, distortions and prejudice
- Greater tolerance and respect for diversity

Timeframes:

Short-term to medium-term to long-term

Responsibilities:

- The relevant government departments
- The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
- PANSLAB
- Universities and other tertiary institutions
- The South African Broadcasting Authority
- The media
- Research institutions
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Monitoring and Evaluation:

- The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
- PANSLAB
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen our democracy
- Organised civil society

Action: Transformation in the administration of justice system be accelerated to ensure better representivity in the police, the prosecutorial service and the judiciary to better reflect the diversity of cultures and world-views represented in our society, ensure rule by consent, engender popular participation in the criminal justice system and implement measures to provide support for the victims of crime motivated by racism.

Objectives:

- enhance capacity of judicial system to deal with racially-motivated crime
- encourage zero-tolerance for race-hate crimes
- ensure that there are the appropriate sanctions for racially-motivated crimes
- create a justice system that reflects the demography and diversity of the country
- restore faith in the justice system
- build a culture of respect for the rule of law

Activities:

- transformation of judicial system to reflect demography and diversity of the country
- social context education and training for judicial officials
- recruitment of candidates from historically disadvantaged
- removal of all forms of discriminatory practices and vestiges of the past discriminatory legislation
- emphasis on ensuring gender representivity

Indicators:

- A judicial system that increasingly reflects the demography and diversity of the country
- Increased social context training and education for all judicial officials
- People from historically disadvantaged communities enter the judicial profession at all levels, especially middle and senior management
- Greater gender representivity

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- The Department of Justice and Constitutional Development
- The Department of Safety and Security
- South African Police Services

Monitoring and Evaluation:

- The South African Human Rights Commission
- The Commission on Gender Equality
- Parliament
- Organised civil society

Action: With the promulgation of the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000, the criminal justice system be equipped to enforce provisions to prevent and punish racist offenses and that officials in the justice system be trained in race sensitivity and racism awareness.

Objectives:

- To give effect to the equality clause in our Constitution
- To strengthen the provisions and legislation dealing with racial and all other forms of discrimination
- To encourage a culture of zero tolerance for racially motivated actions and crimes
- To have an effective sanction for racial and other forms of discrimination
- To have a mechanism for protection and redress for victims of racism and other forms of discrimination

Activities:

- Training of all the relevant officials in implementing the legislation
- Establishment of the necessary Equality Courts
- Education and training on the legislation by the South African Human Rights Commission
- Review of strengthening the provision of the legislation, particularly on declaring racism a hate crime, by the Equality Review Committee

Indicators:

- Effective implementation of the legislation
- Functioning and effective Equality Courts
- Public at large understand and is conversant with the provisions of the legislation
- Completion of its work by the Equality Review Committee

Timeframe:

Short-term to medium-term to long-term

Responsibilities:

- Department of Justice and Constitutional Development
- South African Human Rights Commission
- Commission on Gender Equality
- Equality Review Committee

Monitoring and Evaluation:

- The South African Human Rights Commission
- The Commission on Gender Equality
- Parliament
- Organised civil society

Action: Appropriate social assistance for asylum seekers and refugees to be considered in cooperation with NGOs which would help with their integration into South African society and increase their contribution in skills and expertise towards national development.

Objectives:

- Ensure that our Constitution and Bill of Rights protects all who are in our country, particularly the basic rights of all undocumented migrants
- Fulfill our international and regional commitments and obligations relating to the protection and promotion of the rights of refugees and asylum seekers
- Create a climate conducive to receiving and dealing with asylum seekers and refugees
- Promote a culture of zero tolerance for xenophobic-related crimes
- Create an enabling environment to facilitate the active participation of refugees and migrants in the economy and society

Activities:

- More formalised and intersectoral campaigns on refugees and undocumented migrants
- make distinctions between categories of immigrants - refugees, economic migrants, and undocumented migrants
- eradication of all the barriers that prevent refugees and asylum seekers from participating in the economic, social, and cultural life of the country
- discourage use of derogatory terms for foreigners, particularly from Africa

Indicators:

- Ratification of the Convention on the Protection on the Rights of all Migrant Workers and their Families
- Provision of sanctuary for refugees and asylum seekers
- Expressions of solidarity with refugees and asylum seekers
- Provision of material assistance to asylum seekers and refugees

Timeframe:

Short-term to medium-term

Responsibilities:

- Department of Home Affairs
- Government at all levels
- Courts at all levels

Monitoring and Evaluation:

- United Nations High Commissioner for Refugees
- The South African Human Rights Commission
- Independent national institutions and statutory bodies established to strengthen democracy
- Organised civil society
- National Consortium on Refugee Affairs

Action: The development of closer co-operation between government and the National Consortium on Refugee Affairs and the UNHCHR in order to coordinate and improve service to asylum seekers and refugees.

Objectives:

- Ensure removal or modification of immigration and labour policies, legislation and programs that might have racist or xenophobic content
- Elimination of all discriminatory policies and practices against migrants, migrant workers, refugees, asylum seekers and non-nationals

Activities:

- Human rights training and education on the human rights of refugees and asylum seekers
- Training of immigration authorities, police, border police and staff of detention centres and civil servants responsible for service delivery to asylum-seekers
- Information campaigns on the rights of refugees and asylum seekers

Indicators:

- High level support from senior government officials
- Greater cooperation between government and the National Consortium on Refugee Affairs and the UNHCR
- A more informed and tolerant public
- Removal of all legislation, policies and practices that discriminate against refugees and asylum seekers

Timeframe:

Short-term to medium-term

Responsibilities:

- Department of Home Affairs
- Government at all levels
- National Consortium on Refugee Affairs
- United Nations High Commission on Refugees

Monitoring and Evaluation:

Parliament
South African Human Rights Commission
Organised civil society