



**south african**  
**human**  
**rights**  
**commission**

About the  
**SAHRC**



# BRIEF HISTORY



The South African Human Rights Commission (SAHRC) was inaugurated on 2 October 1995 under the then Human Rights Commission Act 54 of 1994, which has since been repealed and replaced by the South African Human Rights Commission Act 40 of 2013.

**The South African Human Rights Commission Act 40 of 2013 provides for the composition, powers and functions of the South African Human Rights Commission.**

The Constitution of the Republic of South Africa, 1996 was adopted by the Constitutional Assembly on 8 May 1996. The Constitution is the highest law of the land and it was adopted to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights.

The Constitution provides for the establishment of institutions to strengthen constitutional democracy and to promote human rights. These institutions are commonly known as chapter 9 institutions. The SAHRC is one such institution established as an independent body to promote, protect and monitor human rights in South Africa.

## MANDATE OF THE SAHRC

The SAHRC is an independent institution and is not a government department, despite the fact that it receives its funding from the government. The SAHRC is not a political party and does not support or advance any view of any political party.

The SAHRC is accountable to the Constitution and the law and to the National Assembly of the Parliament of South Africa.

**The SAHRC derives its mandate from the Constitution wherein Section 184 of the Constitution provides that the Commission must:**

- Promote respect for human rights and a culture of human rights
- Promote the protection, development and attainment of human rights and;
- Monitor and assess the observance of human rights in the Republic.

Parliament has enacted national legislation in the form of the South African Human Rights Commission Act 40 of 2013 which provides the necessary powers to the SAHRC to enable it to perform its functions. In terms of the Act the SAHRC has powers necessary to perform its function, including the power to:



Investigate and report on the observance of human rights;



Take steps and secure appropriate redress where human rights have been violated;



Carry out research, and



Educate.

Each year the SAHRC requires relevant organs of the state to provide it with information on the measures that state organs have taken towards the realisation of the rights contained in the Bill of Rights concerning housing, health care, food, water, social security, education and the environment.

The SAHRC has additional powers and functions as prescribed by other national legislation, including the Promotion of Equality and Prevention of Unfair Discrimination Act 2 of 2000 (PEPUDA) and the Promotion of Administrative Justice Act 3 of 2000 (PAJA).

## Commissioners

The SAHRC is made up of Commissioners and the Secretariat. Under the leadership of a chairperson, Commissioners provide strategic leadership and guidance to the secretariat by ensuring that policies, programmes and resources allocated are consistent with the vision of the organisation.

All Commissioners are appointed by the President for a seven year term which can be renewable once.

**The SAHRC has 8 Commissioners. Each Commissioner is allocated a specific human rights focus area. The Commission identifies specific human rights focus areas which are of particular significance and which relate to pressing human rights issues in the country.**



Adv. Bongani Majola



Adv. Priscilla Jana



Adv. Mohamed Ammermia



Adv. André Gaum



Ms. Angie Makwetla



Adv. Bokankatla Malatji



Mr. Chris Nissen



Mr. Jonas Sibanyoni

**1. Adv. Bongani Majola**

Chairperson

 Focus Area: Health Care and Migration

**2. Adv. Priscilla Jana**

Deputy Chairperson

 Focus Area: Racism and Equality

**3. Adv. Mohamed Ammermia**

 Focus Area: Access to Housing and Access to Justice

**4. Adv. André Gaum**

 Focus Area: Education

**5. Ms. Angie Makwetla**

 Focus Area: Children's Rights

**6. Adv. Bokankatla Malatji**

 Focus Area: Disability and Older Persons

**7. Mr. Chris Nissen**

 Focus Area: Natural Resources, Law Enforcement and Environment

**8. Mr. Jonas Sibanyoni**

 Focus Area: Rural Development and the Right to Food

## Secretariat

The Secretariat is made up of the staff members of the SAHRC, other than the Commissioners. The Secretariat is entrusted with the implementation of the organisational strategy and executing the mandate of the SAHRC and is headed by the Chief Executive Officer, Adv. Tseliso Thipanyane. The SAHRC has offices in all 9 provinces.

## Complaints which may be investigated by the SAHRC

The SAHRC has the jurisdiction to conduct or cause to be conducted any investigation:

- On receipt of a complaint into any alleged violation of a fundamental right or,
- On its own accord into any alleged violation of or a threat to a fundamental right.



## Complaints not dealt with by the SAHRC

The SAHRC has no jurisdiction to deal with complaints regarding conduct or omissions that occurred prior to 27 April 1994.

The SAHRC may reject any complaint which:

- Is based on hearsay, rumour or unfounded reports disseminated through the media. The SAHRC may conduct an enquiry to verify any allegation of a violation of a fundamental right that is reported in the media or obtained from any source; and upon verification such allegations must be dealt with in terms of the SAHRC Act.
- Is couched in a language that is abusive, insulting, rude or disparaging. The SAHRC may reconsider the complaint if such language is removed.

- Is the subject of a dispute before a court of law, tribunal, and any statutory body with internal dispute resolution mechanism or is settled between the parties or in which there is a judgment on the issues in the complaint or findings of such court of law, tribunal, statutory body or other body.
- Is an anonymous complaint. The SAHRC may on its own accord make enquiries to ascertain the alleged violation of a fundamental right and upon verification the SAHRC may deal with the complaint in terms of the SAHRC Act.
- Is viewed to be frivolous, misconceived, unwarranted, incomprehensible, and manifestly incompatible with fundamental rights or does not comply with the provisions of the SAHRC Act.
- Is lodged after the expiry of a period of three years from the date upon which an alleged violation of a fundamental right occurred.



## Where complaints can get lodged

A complaint may be lodged at any provincial office of the SAHRC where the alleged violation of a fundamental right took place. A complaint can be lodged in person, by telephone, in writing or by completing the online complaint form available at: [www.sahrc.org.za](http://www.sahrc.org.za)



## Who can lodge a complaint

- Any person acting in his/her own interest;
- Any person acting on behalf of another person who cannot act in his or her own name;
- Any person acting as a member of or in the interest of a group or class of persons;
- Any person acting in the public interest;
- Any association or organisation acting in the interest of its members.



## Achievements of the SAHRC

Since its establishment the SAHRC has contributed to the awareness and attainment of human rights in South Africa by:

- Investigating complaints of, and conducting public inquiries into widespread human rights violations;
- Monitoring serious cases of human rights violations and their progress through the courts;
- Monitoring and reporting to Parliament on the state's progress in the realisation of socio-economic rights for all in South Africa;
- Conducting workshops, training programmes, public education and community outreach campaigns, seminars, information sessions and presentations;

- Developing and distributing educational material and publications on human rights;
- Monitoring and supporting the implementation of the Promotion of Access to Information Act (PAIA) and the Promotion of Equality and the Prevention Unfair Discrimination Act (PEPUDA);
- Monitoring the media to track human rights issues;
- Participating and contributing to human rights discourse at the regional, national and international level.

The report is available on the website [www.sahrc.org.za](http://www.sahrc.org.za)

# Contact Details

## PROVINCIAL OFFICES

### Eastern Cape

Address: 4th Floor Oxford house,  
86 Oxford street, East London, 5200  
Tel: 043 722 7828/21/25 | Fax: 043 722 7830

**Provincial Manager**  
**Mr Abongile Sipondo**

Contact: Yolokazi Mvovo  
E-mail: ymvovo@sahrc.org.za

### Free State

18 Keller Street, Bloemfontein  
Tel: 051 447 1130 | Fax: 051 447 1128

**Provincial Manager**  
**Mr. Thabang Kheswa**

Contact: Alinah Khompeli  
E-mail: akhompeli@sahrc.org.za

### Limpopo

First Floor, Office 102, Library Garden Square,  
Corner of Schoeman and  
Grobler Streets, Polokwane  
Tel: 015 291 3500 | Fax: 015 291 3505

**Provincial Manager**  
**Mr Victor Mavhidula**

Contact: Mahlatse Ngobeni  
E-mail: mngobeni@sahrc.org.za

### Northern Cape

45 Mark and Scot Road,  
Ancorley Building, Upington  
Tel: 054 332 3993/4 | Fax: 054 332 7750

**Provincial Manager**  
**Ms Chantelle Williams**

Contact: Zukiswa Louw  
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### Western Cape

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132 Adderley Street, Cape Town  
Tel: 021 426 2277 | Fax: 021 426 2875

**Provincial Manager**  
**Adv Lloyd Lotz**

Contact: Shafeeqah Salie  
E-mail: ssalie@sahrc.org.za

### Gauteng Office

2nd Floor, Braampark Forum 3,  
33 Hoofd Street, Braamfontein  
Tel: 011 877 3750 | Fax: 011 403 0668

**Provincial Manager**  
**Mr Buang Jones**

Contact: Nthabiseng Kwaza  
E-mail: nvkwaza@sahrc.org.za

### KwaZulu-Natal

First Floor, 136 Margaret Mncadi, Durban  
Tel: 031 304 7323/4/5 | Fax: 031 304 7323

**Provincial Manager**  
**Ms Tanuja Munnoo**

Contact: Kathleen Boyce  
E-mail: kathleenboyce@sahrc.org.za

### Mpumalanga

4th Floor Carltext Building,  
32 Bell Street, Nelspruit  
Tel: 013 752 8292 | Fax: 013 752 6890

**Provincial Manager**  
**Mr Eric Mokonyama**

Contact: Carol Ngwenyama  
E-mail: cngwenyama@sahrc.org.za

### North West

25 Heystek Street, Rustenburg  
Tel: 014 592 0694 | Fax: 014 594 1069

**Provincial Manager**  
**Ms Mpho Boikanyo**

Contact: Poppy Mochadibane  
E-mail: pmochadibane@sahrc.org.za

## How to Contact the SAHRC

Forum 3, Braampark Office Park, Braamfontein  
Johannesburg

Tel No: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [info@sahrc.org.za](mailto:info@sahrc.org.za)

[complaints@sahrc.org.za](mailto:complaints@sahrc.org.za)

Twitter: @SAHRCommission

Facebook: SA Human Rights Commission

