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Transforming Society. Securing Rights. Restoring Dignity



Volume 06

The South African Human Rights Commission Newsletter

01 - 31 March 2013

SAHRC gears up for countrywide Human Rights Month activities...

Right to Water and Sanitation: How far we have come...

Reflecting on Provincial hearings.

Deputy Chair Pregs Govender addressing communities at the launch of Water and Sanitation hearing



Commissioner Malatji engages with stakeholders on issues of disability in the North West Province



Facebook racism: SAHRC gets Zama Khumalo to apologise after mediation



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Human Rights Day

Human Rights Day is celebrated annually on the 21st of March to remind South Africans of their rights.

Background on Human Rights:

Human Rights are rights that everyone has simply because they are human beings. They are the rights we all have from the moment we are born. We do not have to earn them and they can't easily be taken away from us.

The list of human rights protected in South Africa are contained in Chapter 2 of the Constitution. The Constitution is the highest law of South Africa. Everyone in South Africa, including the Government, must follow it. The rules set out in the Constitution are very hard to change, and so the rights in the Bill of Rights are also very hard to change. This means that it is difficult for anyone to change your rights.

“


Quote

21 March is South African Human Rights Day. It is a day which, more than many others, captures the essence of the struggle of the South African people and the soul of our non-racial democracy. March 21 is the day on which we remember and sing praises to those who perished in the name of democracy and human dignity. It is also a day on which we reflect and assess the progress we are making in enshrining basic human rights and values”. **Nelson Mandela**

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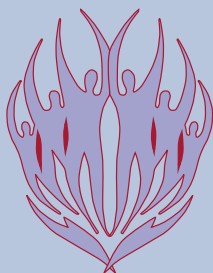
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We feature the North West Office in this edition

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Kayum Ahmed – CEO, Editor in Chief

March is human rights month – one of the busiest months for all of us at the Commission. However, in the midst of all the provincial and national activities we will be embarking upon, including the National Hearing on Water and Sanitation that will be held on 19 March at the Pan-African Parliament, it is important that we take some time to reflect on what this month means for us.


On 21 March we remember the Sharpeville massacre that took place fifty-three years ago and claimed the lives of 69 people. Those who were killed formed part of the anti-pass campaign; a campaign that was intrinsically connected to the right to dignity. The notion of human dignity has its basis in both Western philosophy and African tradition and has been described as a universal right.

European philosophers such as Aristotle, Thomas Aquinas and more recently John Locke, believe in the existence of 'natural' rights that are inherent to all human beings simply by virtue of being human. This philosophy has influenced the drafting of the U.S. Declaration of Independence and the African Charter on Human and Peoples' Rights.

In *No Future Without Forgiveness*, Archbishop Desmond Tutu sets out the notion of human dignity in the South African context by explaining the concept of ubuntu. He suggests that one individual's humanity is inextricably bound in the humanity of the other. "A person is a person through other persons," according to Tutu. This principle of ubuntu is enshrined in our Constitution and our more recent case law and is reflected in the day-to-day work we are privileged to be involved in at the Commission.

A few days ago, I sat in on a mediation session facilitated by our Gauteng Provincial Office in the matter involving a young, black man who had posted comments on Facebook inviting black South Africans to a 'big black braai' to "celebrate the death of whiteness." (Read full story on page 04). As I watched Zama Khumalo explaining the reasons for his comments and apologizing for these hurtful comments, I began to witness the process of ubuntu unfolding in front of me. And as I observed the young, white lawyer representing one of the complainants accepting the apology, I also witnessed a shift in that young man. As Tutu states further in his book, "To forgive is not just to be altruistic. It is the best form of self-interest. What dehumanizes you inexorably dehumanizes me."

The basis and foundation of our work is therefore a culmination of more than 2,500 years of philosophy, and a rich history and African culture that has been woven into the fabric of our Constitution giving rise to our mandate as a Chapter 9 institution. We have a lot to live up to.

As the embodiment of the protector of human rights in South Africa, the Commission has played a significant and valuable role in the transformation of society. Human rights month is therefore so much more than just the activities that we are arranging and participating in. It is about giving effect to the values enshrined in the Constitution and helping to build a society whose humanity is inextricably bound in the humanity of others. 

Notice:

Human Rights Month Activities

- The Commission will host the Conference on Water and Sanitation on 19 March 2013 at the Pan African Parliament. The Conference follows provincial hearings on access to water and sanitation.

Internal Seminar

- 29 March 2013, Deputy Chairperson: Human Rights and International Women's Day

Zama Khumalo issues a public apology for Facebook comments

The South African Human Rights Commission facilitated and welcomed the public apology and withdrawal of all hurtful racial statements posted on social media by the young unemployed journalist, Zama Khumalo.

On 24 January 2013, Khumalo posted a comment on his Facebook page, relating to a school bus accident, which took place in the Westedene area of Johannesburg in 1985, where a number of school children tragically lost their lives.

In response to statements made by two different individuals with access to the Khumalo's Facebook page, he made the following additional statement: "On 27 March 2013, I will send out an invite to invite you to come to the Westedene Dam for a BIG Black Braai, (100% Blacks), fireworks, DJ – Black-People, celebrating their death.. and "we will always celebrate the death of whiteness".

The Commission received thirteen complaints against Khumalo from 6th to 14th February 2013, for these comments.

On 14 February 2013, the Commission headed a mediation session between Khumalo and some of the complainants following his racist remarks.

The meeting was attended by the legal representative of Media 24 Limited, who are also the complainants in this matter, representatives from the Commission, including its CEO, as well as the respondent, Mr Khumalo. The Commission explained the nature of the meeting to Khumalo and the other attendees. He was guided through the form and nature of mediatory proceedings. He was advised

that the meeting was not intended to be an adversarial hearing with the objective of determining or apportioning blame, but was instead aimed at reaching a consensus in line with principles of reconciliation, directed at understanding motives, perception, nation building and interests.

Khumalo was provided an opportunity to, among others, provide a background of the events which led up to the posting of his comments on Facebook, his personal experiences, including the public response which it had elicited, to express his feelings of remorse and regret towards those affected.

This was with the aim of permitting a process which encouraged constructive, responsible forward growth and understanding; to convey and confirm the relief sought by complainants; and to reach agreement regarding the terms to be included in a settlement agreement, finalised by the respective parties and made public through the Commission. Khumalo expressed acute feelings of remorse and regret about the hurt caused to those affected, to Media 24

Limited and the general public.

In his words Khumalo said: "I (Zama Khumalo) hereby tender my summary and unequivocal apology to the general public of South Africa, the Commission, each of the complainants and the individuals who were either directly or indirectly affected by the tragic Westedene bus accident, including those families who lost loved ones. I acknowledge the hurt and pain that I have caused as a result of the comments made on Facebook, which were made in a state of anger and disappointment. I therefore truly and genuinely apologise for making such statements and I accept the terms of the agreement as more fully set out herein and also undertake from this date onwards to refrain from, by word and / or by deed, conducting myself in a manner associated with hate and hurtful speech or racism such as that contained in my previous comments."

Pf

"The Commission received thirteen complaints against Khumalo from 6th to 14th February 2013"



SAHRC Chairperson: Man of many hats




By: Vivian John-Langba
Chair's Research Associate

In November 2012, Advocate Mbedle Lawrence Mushwana the Chairperson of the South African Human Rights Commission was elected the next Chair of the International Coordinating Committee for National Institutions for the Promotion and Protection of Human Rights (ICC), the global association of national human rights institutions (NHRIs). For the next three years, the Chairperson will guide the ICC in implementing its strategic vision including enhancing the standing of national human rights institutions (NHRIs) in the United Nations human rights system particularly in New York. To quote the Chairperson, "holding the position of the ICC Chair is not only a prestigious status for the SAHRC and in particular the Chairperson, but it also raises the flag of South Africa as a paragon of a country that respects, upholds and develops a culture of human rights." The Chairperson has since October 2011 chaired the Network for African National Human Rights Institutions (NANHRI) the umbrella body of African NHRIs and his term of office is due to expire in October 2013. In

this capacity, Adv. Mushwana has worked tirelessly to ensure that African NHRIs are capacitated to effectively fulfil their obligations; to hold governments accountable for their human rights obligations and to foster a greater understanding of the role that not only the African Commission on Human and People's Rights (ACHPR) plays, within the context of human rights in Africa, but also the roles of other regional, inter-governmental and non-governmental organisations. To this end, NANHRI has grown from strength to strength in its level of cooperation with regional mechanisms such as the African Court on Human and Peoples' Rights (ACtHPR). Testament to this is the 51st Ordinary Session of the ACHPR in April, 2012 at which NHRI reporting processes to the ACtHPR took centre stage. The commemorative seminar on the occasion of the 10th anniversary of the Robben Island Guidelines, held in Johannesburg in August 2012, presents yet another instance of sustained commitment to increase cooperation between African NHRIs and the ACPHR.

Adv Mushwana additionally serves as the chairperson of the Network's Steering Committee. In this capacity, along with 8 other member-NHRI Chairpersons, the Chairperson provides strategic leadership on the processes of the Network including in the areas of policy formulation as well as strategic planning. To this end, the

Steering Committee has, under the stewardship of the Chairperson, paid close attention to how the African Continent, in respect of NHRIs, can best be represented in international fora; which include the International Coordinating Committee for NHRIs (ICC). In addition, partnerships such as with the Association for the Prevention of Torture (APT) have been strengthened so as to effectively address torture prevention efforts in Africa through specialized training for NHRIs. For instance, this year several trainings will be organised by NANHRI on prevention of torture including one scheduled to be co-hosted by SAHRC and APT on investigation of torture in late April.

Adv Mushwana is also the Chair of the erstwhile Chapter 9s Forum now known as the Forum of Institutions Supporting Democracy (FISD) to include Chapter 10 institutions. His role as the Chair ends this year in March. Under his leadership the FISD formulated and adopted its terms of reference and notably made a submission to the Department of Justice and Constitutional Development (DoJ&CD) on the Universal Periodic Review Country Report. The result has been that government departments, and in particular DoJ&CD, provide progress reports on steps taken to meet international human rights obligations to the Forum. 

Provincial Water and Sanitation Hearings in pictures

The SAHRC listened, now it is time for Government to act

Gauteng



Northern Cape



Mpumalanga



Limpopo



KwaZulu - Natal



North West



Eastern Cape



Free State



Western Cape



Rekindling Activism: Water and Sanitation hearings

Senior Researcher *Yuri Ramkissoo* attended all nine provincial hearings on Water and Sanitation and shares her experience.



As a researcher working in a developmental field, I was aware of the national statistics on access to water and sanitation and equally aware that those statistics are heavily disputed by non-governmental and community-based organisations. I felt perhaps that government statistics were slightly exaggerated and what we would find during our provincial water and sanitation hearings was an extensive infrastructure network in place, with occasional faults in the system. I was wrong.

What the Commission found in some of the most rural and outlying areas of South Africa were cases of an absolute lack of access to services, period. Many homes did not have water or sanitation facilities on their stands and were using open water sources and open fields to meet their needs. Some households did have the required infrastructure, but it was either never functional or worked for only a short period of time.

What concerned me most, were the allegations of a lack of participation with local communities, a lack of transparency in decision making and

the complete lack of responsiveness to complaints by local, provincial and national government departments. Communities also accused ward councillors and municipalities of awarding irregular tenders, which led to the development of poor or dysfunctional infrastructure. From a rights-based approach, it is unacceptable that these basic principles are not adhered to.

The impact of a lack of services was felt more acutely by women, girls and people with disabilities. Women and girls are often subjected to sexual assault when using fields or sanitation facilities that are a distance from their homes, especially at night. The provided municipal facilities lack the space and provisions required by people with a disability. The lack of service delivery also impacted heavily on schools and medical facilities and often girls miss school or drop out of school because of the lack of sanitation facilities.

Despite the shocking state of service delivery that would normally render one completely demoralised and defeated, I found hope at the Commission's water and sanitation hearings. Post 1994, people were hopeful and willing to wait patiently for the services. With time, people became apathetic and complacent, expecting that nothing would ever change their circumstances.

These hearings showed us that citizens of South Africa are no longer satisfied with being passive recipients of services and no longer willing to

wait indefinitely. There is an acute awareness of rights, especially the right to life and dignity, which is intrinsically linked to the right to access water and sanitation. Communities were excellent at articulating their rights and beginning to take steps to hold government accountable.

The work of community-based organisations also inspired me greatly. One cannot help but be humbled by workers in rural and outlying areas that are committed to assisting communities with projects and enabling the realisation of rights. There is indeed hope, and the Commission can only build on this environment of activism by increasing awareness of rights, holding government accountable and listening to the voices of the poor and marginalised.

To quote the singer Tracy Chapman, *"Poor people gonna rise up and get their share. Poor people gonna rise up and take what's theirs."*

"The impact of a lack of services was felt more acutely by women, girls and people with disabilities."

Pf

Time to hold Government to account-

Rachel Ward



Rachel Ward
Research Associate

The Commission had, as its theme and focus area for the 2012/2013 financial year, the rights to water and sanitation. This campaign will culminate in a National Hearing due to take place on the 19th March 2013.

The right to water and sanitation stems directly from the Constitution and specifically the Bill of Rights. Section 27 (1) (b) provides that “everyone has the right to have access to sufficient food and water”; and the right to sanitation is also enshrined in Section 24 which provides that “everyone has the right to an environment that is not harmful to their health or well-being”.

Like all other rights, the rights to water and sanitation are indivisible and interdependent with many other rights. In our Provincial Hearings we heard of the disproportionate effect on women, of lack of access to these rights: women and girls are typically those responsible within the household for gathering water and dealing with water and sanitation issues, such as cleanliness and

cooking. Without sufficient access to these basic services, women are seen not to be fulfilling their domestic roles and can become victims of domestic violence and abuse. Furthermore, we have learnt, again and again, of toilet facilities being located at far removed distances from people’s places of residence, leaving women and children vulnerable to sexual and other violence when visiting toilets after dark. At the Western Cape Hearing, for example, one woman testified that it would be hard to find women or girls who had not been sexually molested or attacked when visiting a toilet after dark.

Children, equally, are badly affected by lack of access to water and sanitation. Statistics show that the number one killer of children between the ages of 0 and 15 in South Africa is water-borne diseases. Indeed, we repeatedly heard testimonials from mothers and carers complaining that the lack of safe sanitary facilities meant that their children were suffering from chronic diarrhoea. Such illnesses were causing a tremendous amount of lost school days. Again, girls were disproportionately affected as they would often drop out of school as they reached puberty and did not have access to the facilities they needed.

The SAHRC’s campaign on water and sanitation arose from two complaints received regarding unenclosed toilets in the run up to the 2010 local elections. The first was from an ANC Youth Leader against a DA led municipality in the Western Cape (Makhaza); the second from a DA leader against an ANC led municipality

in the Free State (Rammolutsi). In both cases the Commission found violations of the right to dignity, amongst others.

From these specific cases, the Commission began on a nationwide campaign to address the systemic issues at play. We called upon the Department of Human Settlements to provide us with a report on the eradication of the bucket system, and called on the DPME to provide a report on the status of sanitation across the country, and the Government’s plan to address the backlogs.

In 2012 the Commission held Public Hearings across all nine Provinces, providing local communities with a neutral space whereby they could tell their stories and narrate the issues they suffered with regards to water and sanitation. Local, provincial and national Government were invited to these hearings to hear these testimonials and respond to communities.

The National Hearing due to take place at the Pan African Parliament in March 2013 will be an opportunity to engage with national departments and present our findings on water and sanitation from the campaign and provincial hearings. Government will be held to account for failures with regards to service delivery, and will be asked to provide feedback to us and the people of South Africa on how they are dealing with providing services of water and sanitation to the 16 million South Africans who are without (statistics from the DPME report). **Pf**

Mpumalanga Water and Sanitation hearing opens deep forgotten agony...

Lack of access to Water and Sanitation is far more widespread than reported



Wisani Baloyi
Communications Officer

Access to water and sanitation is only a challenge to some when water supply is cut out for a day or two but to many living in rural areas this constitutional right remains a pipe dream of an ideal South Africa.

Growing in the dusty streets of Masia, a semi-rural area in the periphery of Louis Trichardt in Limpopo has been fascinating. I decided to choose the word fascinating to gauge the disbelief of how I, together with my peers, drew water from a borehole that was 2.5 km away every morning but managed to push the wheelbarrow uphill, go to school on time and, most importantly, concentrate.

The tough journey of waking up around 4:30 in the mornings to be around the first 30 people to draw water on the day was depressing. Failure to wake up early meant being late for school which had its own consequences. The alternative would have been for our mothers, who were in their late 40s to draw water during the day as queues were shorter but to many of us it was a simple no no considering the heat. Afternoons were out of the question as the little energy we had

was meant for homework and other house chores.

Fast forward to 2012, now Communications Officer at the South African Human Rights Commission (Commission), I was taken back to childhood when I attended the launch of our Provincial Hearings on Water and Sanitation in Bushbuckridge, Mpumalanga. Communities came in numbers to voice their anger and frustrations at the lack of access to water in the area. Their anger was further fuelled by the fact that their dam is full of water.

One story that made me think twice is that of a lady in her late 40s or early 50s, who poured her heart out on how she was nearly attacked by a crocodile while she had gone to the river to fetch water. I paused, trying to imagine my reaction had the same situation happened to my beloved mother, whom I did not want to push wheel barrows for 2.5 km.

Responding to questions on Government's progress towards the realisation of access to water, the Department of Performance Monitoring and Evaluation (DPME) indicated that approximately 11%, or 1.4 million, households in South Africa have no access to clean drinking water. At first I clapped hands at the news, considering that we come far, but then tried to think deeper and was left with this burning question, what is access?

For instance, where does one categorise people in Bushbuckridge and other areas who have water infrastructure installed but limited or periodical access to running water? Are they part of the 89% that is considered to have access or 11%

that is not?

Borrowing from SAHRC Deputy Chair "the hearings on the right to water and sanitation...the right to life and dignity... were launched in Mpumalanga. Mpumalanga is home to the Kruger National Park, to waterfalls and wetlands...to the Inyaka dam, yet communities living right next to the dam have no water."

Going back to Masia, I am happy that Post 1994 brought various improvements in electricity, a community hall, improved schools and a connecting tar road but for me the water infrastructure does not qualify as access, as it brings out water at odd hours. Imagine the danger that women face as a result of being forced to wake up at 01:00 in the morning so that they can access water in the street.

There is a need to intensify and interrogate the existing Government's monitoring and evaluation work to make sure that the finalised projects continue to provide services efficiently and effectively. Grandmothers in rural areas such as Masia and Bushbuckridge could rejoice if overflowing dams surrounding their areas were able to provide clean drinking accessible water.

I am hopeful that the Commission's upcoming National Conference on Water and Sanitation will provide a clear scope of challenges that the voiceless face regarding access to water and sanitation and subsequently propels as a vehicle to take people's frustrations to Parliament.

More information is available at www.sahrc.org.za 

In the seat with Pandelis Gregoriou, Head of Legal Services



Q: Who is Pandelis in a nutshell?

A: In a nutshell Pandelis is a very simple person, not complicated at all. If I were pressed to provide adjectives to describe myself I would say driven, loyal, kind-hearted, compassionate and tolerant. I guess most would agree though that I have the tendency of being quite sarcastic – notwithstanding sarcasm being the lowest form of wit, I reconcile myself with the fact that it is at least a form of wit.

Q: Where was he born and how was it for him growing up?

A: I was born in Primrose, Johannesburg a very, very long time ago to a Cypriot and Greek couple making their way as newly arrived immigrants in a country a far way away from their respective birthplaces. Although struggling to make their way and establishing themselves in a foreign country without being able to converse in English, my parents would always endeavour to do whatever they could to provide for

us. My memories of growing up were filled mostly with pleasant moments of a simple carefree life.

Q: Educational background?

A: I schooled at Parktown Boys' High School and attended university at Wits.

Q: Describe your position at the Commission and explain what it means to you holding that position?

A: The position of Head of Legal Services is to lead, direct and ensure the provision of an effective legal service in the protection of human rights. This includes the provision of an advisory service to the Commission on human rights complaints by setting the direction, standards, and ensuring inter-unit collaboration management.

As for what it means to me to hold the position, I am humbled by the thought that I was entrusted by those who saw the potential in me to fill this key position at the Commission. Of course I would not be able to do the job without the unwavering support of my colleagues whose expertise and experience have been invaluable.

Q: In a summary can you take us through your ordinary day at the Commission?

A: Meetings, meetings and more meetings.

Q: What motivates you and what inspires you?

A: During a recent visit to the village where my father was born in Cyprus,

“ I am humbled by the thought that I was entrusted by those who saw the potential in me to fill this key position at the Commission

I managed to spend some time with him going through some of the belongings of my late uncle and reading the speeches he wrote as an academic before the war which led to the unlawful occupation of half of Cyprus by Turkey. My uncle together with other brave sons, brothers and fathers bore arms to repel the Turkish troops who were far better armed and trained than they were. Like hundreds of others he never returned home and as my mother was pregnant with me at the time, my father decided to name me Pandelis which was his name. Although I was constantly reminded while growing up of the sacrifice my uncle made, it was only on reading his writings and seeing how emotional my indissoluble father became that I asked myself whether I would be as brave as he was should I have had to make a similar decision.

I guess in answering the question, the actions of people such as my uncle inspire me to advance and persist in the face of what may appear to be insurmountable opposition in pursuit of what is right.

Q: Pfanelo spotted you as one of the most best dressed managers in>>>

Continues to p 11



The Hot Seat continues with Pandelis Gregoriou

>>>the Commission, tell us about your dress sense?

A: I think that as the only four year old in my class at crèche with a three piece tailored suit, I was left with little option but to acquiring a keen interest in quality attire. My father instilled in me from a young age that you should take pride in your appearance and always look your best.

Q: In the note of interest how many suits do you have?

A: Not enough!

What are your personal favourite activities?

Besides for watching football and listening to music, I truly enjoy spending time with my Goddaughters. Quite often after a tiring day at the Office I would visit them and they would have a very uncanny way of instantaneously filling me with joy and happiness.

Q: What is a typical day for you outside the office (at home)?

A: I was recently advised that when colleagues meet me outside the Commission, more often than not I am with my father suited up and shopping in Rosebank. Admittedly, my father makes a pretty good wing man. **Pf**

Too many fallacies about Pope Benedict XVI's resignation



Thubelihle Zitha
Research Associate
Older Persons and Disability

There are numerous conspiracy theories that are said about Pope Benedict XVI's resignation. It must be remembered that Benedict was the oldest Pope to be appointed, having taken office at the age of 75 years, and in his speech as the new pontiff of the mother (the church), he stated that should his health fail him along the way, he would resign as the Bishop of Rome and as the leader of the Catholic Church.

On 11 February 2013, Pope Benedict announced his pending resignation, effective 28 February 2013, 20H00 because of "lack of strength of mind and body". He will become the first pope to resign since Pope Gregory XII in 1415. This is something that many Catholics and non-Catholics are not used to, as normally the Pope dies in office.

Further, this has led to so many questions being asked about Benedict's future and his title in particular. Whether he will be referred to as a Pope or not, or whether or not he will still stay in Rome or go back to his home country, Germany. In short, Pope Benedict XVI immediately after

he leaves office on the 28 February 2013, will not be referred to as a Pope or former Pope, but Bishop Ratzinger, as he cannot be referred to as a Pope while there will be a sitting Pope. He chose not to go back to Germany but to stay in Rome and be an advisor to the new pontiff helping wherever he can if need be. Already there is a monastery in Rome where he will move into for his entire retirement period, as a normal Bishop of the Catholic Church under a new Pope. It can be argued that the Canon Law of the Catholic Church is very silent when it comes to resignation of a Pope. Therefore, it needs to be amended. This has been alluded to by the current Pope Benedict XVI, that there must be some major changes in Papal Conclave and in particular when dealing with the resignation of a Pope.

There are absolutely no pressing matters that are forcing Pope Benedict XVI to resign but the aforementioned reasons. The media has its own speculations and all of these are not based on fact. It has been reported that he failed to deal with priests who molested young boys, raped women, etc. As far as I am concerned, the Pope dealt with these matters and publicly asked for the mistakes of all the priests involved to be pardoned. In conclusion, it must be borne in our minds that the Catholic Church is led by humans who, while trying their best to be Christ-like, are limited by their very nature as human beings. I hope that the new Pontiff will be able to have a profound impact on the future direction that the Church takes. **Pf**

If it comes from an animal, don't eat it, says Siza

Self acclaimed 'Animal rights activist' talks veganism, animals, plants and stuff like that



By: Sizakele Ntoyi
Intern: Head of Strategic Support and Governance

The uncomplicated definition for vegan is: if it comes from an animal, don't eat it! The reasons, however, for an individual to choose a vegan lifestyle are far more complex, and in most cases, linked to a belief that animals, like humans, are sentient beings that feel and experience pleasure and pain and that they too have a right to life. When this argument comes up people are known to say that human beings are at the top of the food chain and can therefore consume animals and whatever species they choose.

Humans have a higher level of consciousness than animals. They have the freedom to discriminate, to make judgements, to display compassion, and the freedom to make choices. How are we living as higher beings if we ignore the very important aspect that makes us human, compassion?

Religious folk are quick to say that it is written in scripture that animals were created for human consumption. This, I believe is not true. It is a lie that has been passed on through


generations of animals being enslaved, tortured, pumped full of antibiotics and hormones that in turn cause illnesses, depression, anxiety, fatality, obesity, attention deficit disorder and other proven side effects on humans. The first page of the bible says that plants and things that grow from the earth were meant to be consumed as food, and that man would rule over the earth and should ensure that both man and animals live in harmony. People are famous for using scripture to excuse the killing of animals for food, when it is not even a recorded fact. So remember this the next time you use religion as a reason or excuse for the killings, pain, and suffering inflicted on creatures that are unable to speak for themselves.

Being on a vegan diet supports the idea of living a compassionate lifestyle by not using, abusing and supporting an industry where horrendous atrocities are committed daily against other living beings. Veganism is not only about fitness and health, it is also about ethics, compassion, living consciously aware of everything you do, everything you eat, everything you consume, and being conscious about where it comes from, what the process of making it was, what the effects of it are, not only on yourself but on the environment and on animal welfare as well. A vegan lifestyle is easy to sustain and causes no harm to the earth. Plants do not produce harmful

gases that poison the earth. It is easy to grow vegan food and less consuming on the well being of the planet.

I cannot dispute the fact that humans are omnivorous, but you cannot argue the fact that the world has changed drastically since primitive times when people had respect, not only for the animal that they killed for food, but for nature as well. In those days there were no factory farms where animals were mass produced, kept in appalling conditions and abused to such extent that if you knew the reality of what goes on in these slaughter houses, if you were conscious of the horrendous reality behind that beautifully packaged beef product that you buy from the supermarket, if you cared enough about creation and our impact on it, you would be aware of what goes into the welfare of that animal and the extent of disregard for the suffering caused on it and its life, and you would not be so proud of being a meat eater.

Did You Know?

1. It is a fact that the meat industry is one of the highest contributing factors to climate change.
2. Studies have shown that fish, today, contains mercury, due to the dumping of nuclear and toxic wastes into the oceans, which affects brain development, can cause damage to the kidneys and nervous system.
3. "Dairy contains lots of proteins that are thought to indirectly leech calcium back out of the bones. The counter-intuitive result of this is that drinking lots of milk might actually CAUSE osteoporosis, not prevent it" - vegansociety.org. 

Welcome to Bokone Bophirima

Pfanelo profiles the North West Provincial Office



North West staff in unison to tackle human rights challenges in the province



Clockwise: Patricia Molefe, Legal Intern; Mathabo Mateane, Legal Officer; Betty Boya, Intake Officer and Poppy Mochadibane, Admin Officer

People with disabilities still subjected to discrimination

North West Office host succesful disability engagements

By Betty Boya (Intake Officer – North West Provincial Office)

In April 2012, the Commission approved an Annual Performance Plan which set out, inter alia, a number of Advocacy and Education activities to be carried out in each Province of the Republic. Amongst the activities approved for the North West Province, was one event that would focus on the theme of the **Rights of Disabled Persons**.

The Acting Provincial Manager requested us to identify one school which caters for learners with special needs; we therefore identified **Iteko Special School** which is situated in Tlhabane, Rustenburg. This school was established in 1986 to accommodate learners who, due to their

physical and mental challenges, do not fit in the mainstream school system. It is an alternative education home to develop talents and skills so that such learners may also grow and become independent. They are currently accommodating approximately 389 learners. They have 30 educators, three class assistant, one driver and two admin assistants.

Commissioner Malatji, whose focus area is disability, was invited to lead the panel discussion on the right of person with disabilities. He was also scheduled for interviews at local community radio stations. The Commissioner explained how the Constitution guarantees the rights of all the people, including people with disabilities, by purporting respect, promotion,



Pic: Commissioner Malatji (Left) and his Research Associate, Thubelihle Zitha, listen as the community voice their anger regarding disability challenges at the Seminar

development and attainment of human rights. Commissioner Malatji briefly stated the following challenges faced by people with disabilities: poverty, negative social attitudes, inadequate job opportunities, and inaccessibility of social grants, transport and education.

We had excellent attendance and participation from various stakeholders such as, Department of Social Development, Disabled People South Africa, Department of Justice & Constitutional Development and others. Some of the challenges which were raised by the Principal were that they did not have enough classes to accommodate learners with multiple disabilities. They also indicated that they had a problem of accreditation of learners after completing the special school.

The challenges that we had in organizing the event were that we had to identify contact details of relevant stakeholders. In most cases the Human Rights Advocacy (HuRa) Officer is the one who usually has his/her own stakeholders database. There was also lack of manpower as some of the HuRap materials are heavy and not easy to assemble.

Apart from all the challenges that we experienced, we had a successful event, with the assistance of Commissioner Malatji and our colleagues from head office. **Pf**

Did you know?

- The South African Schools Act of 1996 advocates that physical facilities at public schools be accessible to learners with disabilities.
- The White Paper 6 of 2001 states that, ideally all public schools should be equipped to accommodate learners with disabilities.
- The SAHRC urges government to comply with its CRPD obligations and ensure that all children with disabilities enjoy access to education.



The Seminar provided an opportunity for the Commission to gauge Government's realisation of Disability rights in the area.

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Commissioner Malatji briefly stated the following challenges faced by people with disabilities: poverty, negative social attitudes, inadequate job opportunities, and inaccessibility of social grants, transport and education.

Pfanelo Babies

Botlhale Keratilwe Monyela



* Born: 13 Feb 2013
* Weight: 3.4 kg
* Height: 48 cm
* Time: 20:42

Parents: Kgosi and Rosina Nana Monyela

Phatsimo Mosala (a boy) & Phatsimang Mmamoabi Chikoane (a girl)



* Born 17 January

Parents: Tshepo Mmole Sehloho (father) and Keneilwe Elizabeth Chikoane (mother).

Kulani Baloyi



* Born: 15 Jan 2013
* Weight: 3.69 kg
* Height: 49 cm
* Time: 19:44

Parents: Wisani and Swikelani Baloyi

Larona Themba (Jnr) Mphahlele



* Born: 12 July 2012 (08:10)
* Birth Weight: 2.6kg
* Weight @ 6months: 9.1kg

Parents: Pako & Themba

Anethemba Kwaza

Born: 23 July 2012
Birth Weight: 3.5kg

Weight @ 6 months: 8.1kg

Parents: Nkosana and Nthabiseng Kwaza



Happy Birthdays

03 March...

- * Mabedle L Mushwana
- * Victor Mavhidula
- * Loyiso Mpondo

20 March...

Thubelihle Zitha

05 March...

Kisha Candasamy

07 March...

- * Bafana Malunga
- * Mamosadi Moletsane
- * Sebongile Mutlwane
- * Rakesh Kamraj

15 March...

Peter Makaneta

25 March...

Melina Mojapelo

21 March...

Edith Dibobo



Proposed Internal Seminar Schedule

- * 29 March 2013, Deputy Chairperson, Commissioner Govender: Human Rights and International Women's Day
- * 26 April 2013, Commissioner Love: (4 April is International Day for Mine Awareness and Assistance in Mine Action)
 - * 31 May 2013, Dr Kgamadi Kotmesi: Research: Racism
 - * 28 June 2013, Commissioner Mokate: (Children's Week & Youth Month)
 - * 4 June is International Day of Innocent Children Victims of Aggression)
 - * 26 July 2013, Northern Cape: World Population Day (Nelson Mandela Day)
- * 30 August 2013, Commissioners Programme: (Exploring a Vision for Chapter 9 House)
 - * 25 October 2013, Fola Adeleke: PAIA
 - * 29 November 2013, Dr Karam Singh: Research
- * 6 December 2013, Chairperson, Adv Mushwana: HIV and AIDS and Human Rights

Human Rights Month Activities

EASTERN CAPE

Kindly be advised that the Eastern Cape office will be holding and/or participating in a series of activities; some planned whilst others are by invitation. The following are some of the confirmed activities:

- Presentation on Human Rights and Records Management at the launch of the Human Rights Month 2013, hosted by the Department of Sport, Recreation, Arts and Culture, (DSRAC) scheduled for the 07 of March 2013 in East London;
- A series of workshops on Basic Services will be conducted in collaboration with other Chapter 9 institutions, namely, Public Protector South Africa (PPSA) and the Commission for Gender Equality (CGE), scheduled for the 12, 13 and 14 of March 2013; to be held at Mnquma Local Municipality;
- Conduct a dialogue session with DSRAC on Socio-economic Rights as part of the build-up to the Human Rights Day Commemoration scheduled for 20 March 2013 at Engcobo Local Municipality; and
- Presentation on Human Rights at the Commemoration of the Human Rights Day as part of the Provincial event scheduled for 21 March 2013, to be held at Engcobo Local Municipality.