

September 2017[View this email in your browser](#)

COMMISSIONERS' ACTIVITIES

SAHRC welcomes judgment in Qwelane Matter

“Freedom of expression should not be used as a veil for hate speech”



SAHRCCommission @SAHRCCommission · Aug 18

SAHRC media briefing following the judgment on #JohQwelane hate speech complaint.



From left: Chief Operations Officer, Chantal Kisoona; Chairperson's Research Associate, Ncumisa Willie; Chairperson, Bongani Majola; CEO, Tseliso Thipanyane and Head of Advocacy and Communications, Gail Smith.

The South African Human Rights Commission (SAHRC or the Commission) welcomes the judgment delivered today by the South Gauteng High Court (Equality Court) in [the South African Human Rights Commission & 3 Others v Jon Qwelane matter \(case number 44/2009EQ\)](#).

This case arose from more than 350 complaints lodged with the SAHRC in 2008 about an article written by Jonathan (Jon) Dabula Qwelane, and published in a newspaper on Sunday, 20th July 2008. The Commission viewed the article as hate speech directed to members of the Lesbian, Gay, Bisexual, Transgender, Intersex and Gender Non-Conforming (LGBTI GNC) community. [Read more](#)

SAHRC Chairperson Adv Bongani Majola opening the Press Briefing on the Jon Qwelane hate speech judgment

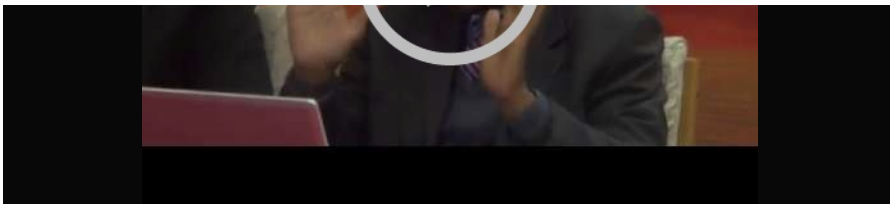


SAHRC Chairperson Adv Bongani Majola says everyone is subject to the Constitution



SAHRC CEO Tseliso Thibanyane says South Africa does not have an unlimited freedom of expression





SAHRC CEO Tseliso Thipanyane address the media on tolerance at the press briefing



SAHRC Chairperson Bongani Majola conducts provincial visit in Gauteng



SAHRC Chairperson Bongani Majola updating members of the media on his provincial visit outcomes.

“We’ll always live in squalor,” say Matholesville residents during HRC visit.

Nthabiseng Mgiqwa’s shack is right opposite an old gold mine shaft, which is filled with plastics, used nappies, rotting vegetables and dirty water. She says that life in Matholesville informal settlement in Roodeport, Johannesburg, is hell and doesn’t believe it will ever change.

It’s Friday and the South African Human Rights Commission (HRC) has just carried out a follow-up inspection to get a firsthand account from the residents regarding conditions in the settlement. (Source: Times Live) [Read more](#)

Chairperson meets with Tshwane Mayor Solly Msinanga during provincial visit

Chairperson Bongani Majola together with the Gauteng Office met with Tshwane Mayor Solly Msinanga as part of stakeholder engagement.



From Left: Buang Jones, Gauteng Provincial Manager; Thenjiswa Jonas, Legal Officer; SAHRC Chairperson Bongani Majola, Tshwane Mayor Solly Msimanga, Zamakhize Mkhize, Human Rights Officer; Ncumisa Willie, Chairperson's Research Associate and Jackson Mzila, Senior Legal Officer.

JUDICIAL officers cannot be passive observers in eviction matters

Opinion Piece by Commissioner Mohamed Ameer, SAHRC Commissioner responsible for the Right to Housing and Access to Justice

The Constitutional Court in the matter of Occupiers of Erven 87 & 88 Berea v De Wet NO and Another, reaffirmed on June 8, 2017 its previous judgments and held that judicial officers have to play an active role in adjudicating eviction matters.

Mojapelo AJ penning, for a unanimous court, held that “a court is not absolved from actively engaging with the relevant circumstances where the parties purport to consent”. This judgment affirms and is in line with the judgment handed down by the Gauteng High Court in Pretoria on June 8, 2016, in the matter of the Residents of Arthursstone Village v Amashangana Tribal Authority and Others where the High Court set aside an eviction order granted by the Magistrate of Thulamahashe. (Source: Sunday Independent) [Read more](#)

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independent

Leader

Manyi must build on New Age tradition

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Magistrates have to intervene in eviction cases

Mohamed Ameer

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SA law? That sounds foreign

Donald Paphos

The new leadership of the ANC must build on the tradition of New Age, which was the first to bring the ANC to power in 1994. The new leadership must build on the tradition of New Age, which was the first to bring the ANC to power in 1994.

Magufu's leadership sets an example for Africa

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Condition of SA's economy intolerable

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<p>SAHRC'S 2014 ANNUAL REPORT</p> <p>The South African Human Rights Commission (SAHRC) was established in 1994, following the end of apartheid. It is an independent body that promotes and protects human rights in South Africa. The Commission's mandate is to investigate and promote the reconciliation of the nation, to promote the healing of the wounds of the past, and to prevent the recurrence of human rights violations.</p> <p>The Commission's work is guided by the Constitution of the Republic of South Africa, which guarantees the right to a fair trial, the right to life, the right to dignity, and the right to equality before the law. The Commission's work is also guided by the Promotion of Access to Information Act (PAIA), which guarantees the right to access information held by the state.</p> <p>The Commission's work is divided into three main areas: investigation, promotion, and reconciliation. The Commission investigates human rights violations, promotes human rights, and promotes reconciliation between the state and the people.</p> <p>The Commission's work is funded by the state and by private donors. The Commission's work is also supported by the public.</p>	<p>Victor Kgomo</p> <p>Victor Kgomo is a South African human rights lawyer and activist. He is the founder and director of the Centre for the Study of Violence and Reconciliation (CSVR). He is also a member of the SAHRC's Advisory Committee.</p> <p>Victor Kgomo has been involved in many human rights cases, including the case of the 1976-77 Soweto riots. He has also been involved in the investigation of human rights violations during the apartheid era.</p> <p>Victor Kgomo is a member of the South African Human Rights Commission (SAHRC) and is responsible for the right to education.</p>	<p>SAHRC'S 2014 ANNUAL REPORT</p> <p>The South African Human Rights Commission (SAHRC) was established in 1994, following the end of apartheid. It is an independent body that promotes and protects human rights in South Africa. The Commission's mandate is to investigate and promote the reconciliation of the nation, to promote the healing of the wounds of the past, and to prevent the recurrence of human rights violations.</p> <p>The Commission's work is guided by the Constitution of the Republic of South Africa, which guarantees the right to a fair trial, the right to life, the right to dignity, and the right to equality before the law. The Commission's work is also guided by the Promotion of Access to Information Act (PAIA), which guarantees the right to access information held by the state.</p> <p>The Commission's work is divided into three main areas: investigation, promotion, and reconciliation. The Commission investigates human rights violations, promotes human rights, and promotes reconciliation between the state and the people.</p> <p>The Commission's work is funded by the state and by private donors. The Commission's work is also supported by the public.</p>
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Whose values inform school traditions?

Opinion piece by Commissioner Andre Gaum, SAHRC Commissioner responsible for the right to education.

The education system has faced many obstacles over the past few years. From challenges regarding language as a medium of instruction and admission procedures that perpetuate discrimination and inequality, to codes of conduct that violate the fundamental principles of our Constitution.

These include attempts to “decolonise” the school curriculum, progress towards accommodating pupils with disabilities within the mainstream school system, and the movement towards the renaming of old schools that reflect oppressive value systems in a constitutional democracy. (Source: City Press) [Read more](#)



SAHRC meets with Chief Justice Mogoeng-Mogoeng as part of stakeholder relations

SAHRC Commissioners and Chief Executive Officer met with Chief Justice Mogoeng Mogoeng as part of relationship building between two constitutional bodies.



Back row: Tseliso Thipanyane, Chief Executive Officer; Commissioner Mohamed Ameerma; Commissioner Angie Makwetla; Commissioner Andre Gaum and Commissioner Jonas Ben Sibanyoni.

Front Row: Deputy Chief Justice Raymond Zondo; Chief Justice Mogoeng Mogoeng and SAHRC Chairperson Bongani Majola

SAHRC IN THE MEDIA

Private schools not above the law

The Constitution rules against discrimination and for the protection of children at all schools.

Opinion piece by Yuri Ramkissoo, Senior Researcher Economic and Social Rights

Over the past two weeks, one of the most prominent private schools in the country, Saint John's College, has been criticised for merely disciplining and demoting a teacher found guilty of sustained discrimination against black pupils in his classes.

He was accused by them of, among other comments, telling black pupils, when they excelled in tests, that they were letting their people down, implying that black people are not expected to do well at tests. Racist comments were also made to pupils of Indian descent. (Source: Mail & Guardian) Read more

SAHRC & Education, August 17 to 17 2017

Education

Private schools not above the law

The Constitution rules against discrimination and for the protection of children at all schools

For Ramkissoo

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Right to education

The right to education has been recognised in all international instruments, including the African Charter on Human and Peoples' Rights, the African Declaration on Education, the African Charter on the Rights and Welfare of the Child, the African Charter on the Rights of Women in Politics, and the African Charter on the Rights of the Child. The right to education is also enshrined in the South African Constitution, which states that everyone has the right to a basic education, and that the state must take reasonable measures to ensure that this right is fulfilled.

With the right to education, the state has a duty to provide a basic education to all children, and to ensure that this education is of a high quality. This duty is also enshrined in the South African Constitution, which states that the state must take reasonable measures to ensure that this right is fulfilled.

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backyarders whose shacks and some belongings were destroyed during an eviction in Wolseley last week. This is according to South African Human Rights Commissioner in the Western Cape, Chris Nissen.

It follows a meeting with the Witzenberg Municipality Mayor and municipal manager, called on behalf of the residents by Nissen and the Witzenberg Rural Development Centre. (Source: Groundup) [Read more](#)

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NEWS | WESTERN CAPE

Municipality apologises for destroying occupied shacks

Backyarders accuse Witzenberg Municipality of ignoring their pleas for housing



Pine Valley resident Emily Ndeya speaking to residents about the community's previous battles for housing. Photo: Barbara Maregele

SAHRC concerned about FS municipalities under administration

Bloemfontein - The South African Human Rights Commission (SAHRC) says the fact that municipalities in the Free State are placed under administration will not help relieve poor communities.

Speaking at a media briefing in Bloemfontein Friday, the Free State and Northern Cape commissioner for the SAHRC, Mohamed Ameerma, said that these municipalities are in the ICU and that they cannot help themselves and poor communities. (Source: OFM) [Read more](#)

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#SAHRC concerned about FS municipalities under administration

MARK STEENBOEK
11:30 (GMT+2) Sat, 26 Aug 2017



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South African human rights agency assesses complaint against Shoprite

The South African Human Rights Commission (SAHRC) said on Monday it

The South African Human Rights Commission (SAHRC) said on Monday it was assessing a complaint against African retail giant Shoprite following allegations of abuse and unlawful arrest of workers at a branch near Cape Town.

The complaint comes as Shoprite and other South African corporations are under pressure to create jobs in an economy struggling to overcome a recession and reduce unemployment. (Source: Reuters) [Read more](#)



SAHRC Commemorates the 10th Anniversary of the UN Declaration on the Rights of Indigenous Peoples

On the 13th September 2007, the United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) and the 9th August 2017, marks the tenth anniversary of this Declaration. The Declaration was adopted as a global framework for efforts to advance the rights of indigenous people by affirming the minimum standards for their survival, dignity, security and wellbeing. There are an estimated 370 million indigenous people in the world, living across 90 countries. They make up less than 5 per cent of the world's population, but account for 15 per cent of the poorest. [Read more](#)

SAHRC: We all share the responsibility to end the 'conspiracy of silence' around the abuse of women

National Women's Day offers an opportunity to recognise the struggle for substantive gender equality in South Africa; to celebrate acts of courage by women who played a remarkable role in our history; to reflect on progress made in the achievement of equality for women and girls; and to advocate for change.

This Women's Day, the SAHRC wishes to reaffirm its solidarity with women and girls and its commitment to the struggle for substantive gender equality and the attainment of human rights for women and girls. Furthermore, the Commission pays tribute to women, both nationally and internationally, who have devoted their lives to the struggle for substantive equality for all women and girls. [Read more](#)

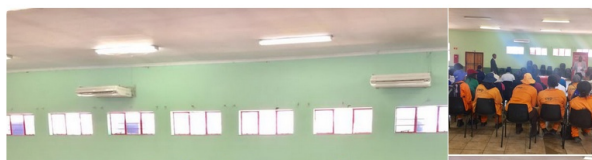
MONTHLY HIGHLIGHTS

SAHRC ON TWITTER @SAHRCommission



SAHRCommission @SAHRCommission · Aug 30

Gauteng Provincial Office is in Diepsloot for a Women's Month Dialogue on Gender Based Violence.





SAHRCCommission @SAHRCCommission · Aug 25

Commissioner Mohamed Ameerma shares with the Free State Media outcomes of his week long visit to the province.



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Gilbert Sebihogo @SebihogoG · Aug 30

Staff members from 15 NHRIs in #Africa are sharpening their knowledge in #monitoring &Reporting on HR, Nairobi 30 Aug to 1 Sept 17



You Retweeted



Ayanda Nene @Ayanda_Nene28 · Jul 26

The SAHRC KZN conducts a Community Dialogue as part of its Outreach Clinic in Ndabambi, eDumbe. Participants mainly the farming community.



SAHRCCommission @SAHRCCommission · Aug 22

Today SAHRC Limpopo held a stakeholder engagement with the office of the HOD of the Limpopo Department of Health.



2 5



SAHRCCommission @SAHRCCommission · Aug 17

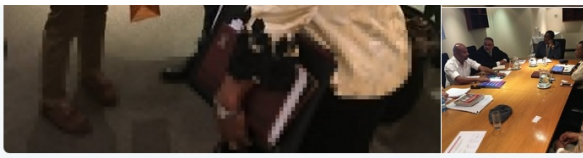
SAHRC is hosting University of Limpopo students from the Department of Library & Information Sciences who are on a field trip.



SAHRCCommission @SAHRCCommission · Aug 16

SAHRC Commission hosts Fiji Human Rights and Anti-Discrimination Commission.





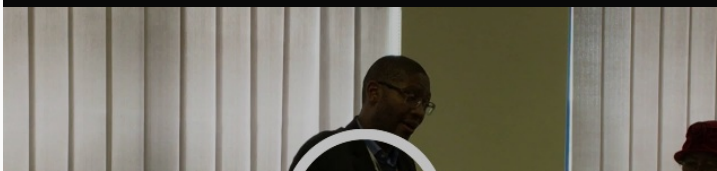
Stand up for someone's rights today

The South African Human Rights Commission, along with The Office of the United Nations High Commissioner for Human Rights (OHCHR), held a local community radio station award ceremony during March 2017, in commemoration of Human Rights month and Human Rights Day. The theme for the competition was "Stand up for someone's rights today". The video features the winning entry and the story behind it.

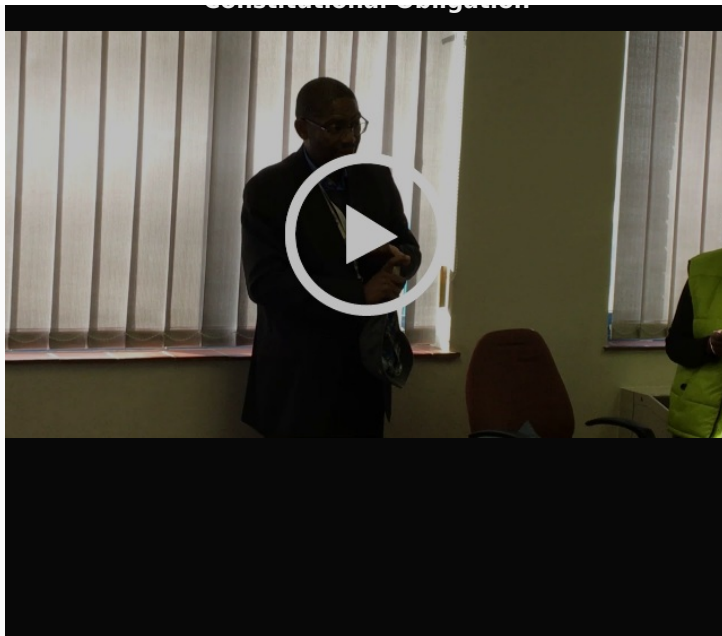
The farm worker from the Mohodi Molemole, in the Limpopo district of South Africa, had been unable to work. One morning, while riding the back of a trailer provided by her then employer for transport, the trailer detached from the tractor and crashed. Kubyana was injured and had been unable to work since. She was also unsure what to do. (source: OHCHR) [Read more](#)



SAHRC CEO Tseliso Thipanyane on the powers of the SAHRC



SAHRC CEO Tseliso Thipanyane on the Constitutional Obligation



HUMAN RIGHTS DAYS

Heritage Day, 24 September

On this holiday South African's are encouraged to celebrate their culture and the diversity of their beliefs and traditions.

BIRTHDAYS

Heritage Day

Delia Malahlela - 1st (HO)

Nomathansanqa Manamela - 04th (HO)

Allan Tumbo - 07th (HO)

Brandon Ainslie - 08th (EC)

Mahlatse Ngobeni - 19th (LMP)

Mandy Mashele - 20th (HO)

Pavershree Padayachee - 21st (KZN)

Lorinda Lynn - 22nd (HO)

Matimba Ndhlovu & Mokgadi Nyuswa - 23rd (HO)

Tsepang Sebulela - 24th (HO)

Nhloso Magwaza - 26th (KZN)

Kathleen Hardy - 28th (HO)

Rhulani Khuvutlu - 29th (HO)

Yolokazi Mvovo - 30th (EC)

TALK TO US...



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33 Hoofd Street,
Braamfontein, 2017**

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