



Volume 20

# Fanelo

*"It's Your Right"*

Transforming Society. Securing Rights. Restoring Dignity  
The South African Human Rights Commission Newsletter



01-31 May 2014

## 20 Years of Freedom and voting: ...We review how far we've come



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against racism  
receives thumbs up  
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**SAHRC to spearhead  
National Dialogue  
on Policing and  
Human Rights**

## Africa Day

Africa Day is the annual commemoration on May 25 of the 1963 founding of the Organisation of African Unity (OAU). On this day, leaders of 30 of the 32 independent African states signed a founding charter in Addis Ababa, Ethiopia.[1] In 1991, the OAU established the African Economic Community, and in 2002 the OAU established its own successor, the African Union. However, the name and date of Africa Day has been retained as a celebration of African unity.[2] 2012's theme of Africa Day is "Africa and the Diaspora." The New York celebration was held in New York City on May 31, 2011. In Nairobi, it was celebrated at Uhuru Park Recreational Park. It should also be noted that Africa Day is observed as a public holiday in only five African countries, that is, Ghana,[3] Mali, Namibia, Zambia and Zimbabwe. However, celebrations are held in some African countries, as well as by Africans in the diaspora.



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- **Commissioner Pregs Govender, Deputy Chairperson**
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- **Kebotlhale Motseothata, Visiting student**
- **Tributes to Mamosadi Moletsane**

**Nelson Mandela quotes:**  
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# SAHRC rejects complaint against Prosecutor Adv. Gerrie Nel



**Prosecutor Gerrie Nel leading discussion during Oscar Pistorius Trial**  
Pic: Lusaka Voice

The South African Human Rights Commission (SAHRC) has rejected the complaint filed against the State Prosecutor in the Oscar Pistorius trial currently underway in the North Gauteng High Court in Pretoria.

The complaint, which was lodged on Friday 11 April 2014, asked the SAHRC to investigate and rule on whether the State Prosecutor Adv, Gerrie Nel was permitted to refer to the accused Oscar Pistorius, as “a liar” while he was still on the witness stand.

The complainant believed the statement might have infringed Pistorius’ rights to be presumed innocent until proven guilty; freedom of expression; and human dignity, generally impacting on his right to a fair trial as contained in the Bill of Rights.

The Complaint to the SAHRC has since triggered a number of other complaints to the Commission relating to the trial of Mr. Pistorius. The SAHRC considered the com-

plaint within the context of basic fair trial rights protected in the Constitution. However, on a close assessment of the facts of the matter, international jurisprudence, the Bar Council Rules, its own jurisdiction, and authority of the court, the complaint was rejected.

The SAHRC believes that, while there could be substance to complaints of this nature, the facts informing a particular complaint are material to its assessment. In this regard the SAHRC noted that the court had duly exercised its authority in the course of ongoing proceedings before it.

It noted further that the witness was represented and that a right of recourse was available through the courts to take steps with regard to the proceedings should this be appropriate.

The SAHRC powers in such matters are informed by statute which does not allow it to investigate matters being heard before other

judicial tribunals and forums, including courts of law, unless the matter concerns process.

In this respect the SAHRC has satisfied itself that the authority of the court was appropriately engaged to ensure sanctity of process. It was noted further that the court in which the violation is said to have occurred is still in session and the SAHRC remains mindful and respectful of the authority of the court and its ruling in the matter.

The SAHRC has also taken into account that applicable court procedures and rules aimed at protecting the rights of persons during the trial process are also in place. This includes in the first instance, the protections which are afforded to witnesses through their legal representative and the court itself during court proceedings and secondly, the recourse available through the institution of review and / or appeal proceedings, where circumstances warrant such action.

For these reasons, the SAHRC is satisfied that adequate protections are in place at the level of process and specifically for the witness and has decided not to pursue this matter further. The SAHRC however, urges members of the public to remain respectful of the authority of the court, the rights of commentators to expression, and the need to limit undue circulation of graphic material presented in court out of respect to the decedent and her family.

**Pf**



## Not all Limpopo textbooks delivered, department of Education admits



Limpopo has been facing textbooks challenges for almost three years  
Pic: EWN

**Pretoria** - The Limpopo education department has admitted that textbooks for certain subjects have not yet been delivered to 39 schools in the province.

Community-based organisation, Basic Education for All (BEFA) on Tuesday went back to the North Gauteng High Court to have the textbooks delivered and find a solution to the department's failures.

BEFA also wants a court order which would see the SA Human Rights Commission (SAHRC) policing the delivery of textbooks to the province's schools, but the SAHRC said it did not have the budget to police the delivery of every single textbook.

It would further seek a declaratory order that the non-delivery of textbooks violated the constitutional rights of pupils.

Adila Hassim, for BEFA, on Tuesday, told the court it was willing to accept the department's offer to deliver Caps curriculum textbooks for certain grades by 8 May and the rest by 6 June.

This was despite the fact that BEFA was not satisfied with the deadlines and would have preferred the delivery of all textbooks by the end of May as schools closed on 27 June.

"The position is that we're at the mercy of the respondents. It is not for us to insist that it happens tomorrow," she said.

### **Deliver books first**

Judge Neil Tuchten said it did not seem very useful to give orders in general and not deal with the situation at each of the 39 individual schools.

He urged the parties to first deal with the individual schools and thereafter argue the constitutional issues.

"The most important to me is to see that the children get their books... It seems to me you've come far enough without the need for the court's intervention," he said.

Hassim said the numbers on BEFA and the department's lists differed because the department counted the textbooks

in its warehouse as "delivered" while BEFA did not.

The judge ordered that the case stand down until later on Tuesday so that the parties could draw up a joint document setting out exactly which textbooks were short at which schools.

Civil rights group Section27 in 2012 obtained a court order to force education authorities to deliver all textbooks to Limpopo's schools but had to return to court twice because of the department's failure to comply with the order.

The SAHRC has been monitoring the case at the North Gauteng High Court regarding the non-delivery of textbooks to schools in the Limpopo Province.

The SAHRC is only cited as the 6th Respondent and has never been part of the initial court proceedings initiated by the Section 27 against the department.

The SAHRC, in this court application, is requested to monitor the delivery of textbook— something which is and has always been part of its core functions and mandate as contained in Section 184 of the Constitution.

We submitted in court that the right to education is of pivotal significance in that it enables the exercise of other rights including the right to equality and dignity.

The Department has conceded to the court that there are textbook shortages exceeding roughly 400 000.

What appears to permeate the response by the Department in court is the issue of resources or budgetary constraints, which as the SAHRC believe is a wrong approach by the Department. The proper approach is to recognise that the rights of children come first.

**Pf**

# It's still a journey



**By Adv. Lawrence Mushwana, SAHRC Chairperson**

Former Prime Minister Jawaharlal Nehru of India and the late President Nelson Mandela shared the same words when they stated, “there is no easy walk to freedom”. Twenty years ago when South Africans took the courageous and necessary steps towards freedom and democracy, many would have shared the sentiments expressed by Nehru and Mandela; that the journey towards freedom is a difficult yet inspiring path that every human being must take. Our reflection on freedom, for many South Africans, is both a personal and political reflection. For the majority of previously disenfranchised South Africans, our reflection is deeply political because 27 April 1994 marked the first day, in our history, when we were able to exercise our Constitutional political right. Casting a vote in 1994 for many South Africans; especially Black men and women, will feature as one of the most memorable and significant attainments of their lives. So significant are political rights to our history and country that one of the founding provisions of our Constitution sets out the key value of universal adult suffrage. Finding our voices on 27 April 1994 ended years of silence in which our human rights were denied and as we again prepare to vote on 7 May 2014, we can only be reminded once again of where we have come from and how precious our democracy is.

The freedom to make decisions and choices in our personal and political lives is one that we must celebrate. It is when we are faced with choices, even difficult choices, that this elusive concept of freedom is often appreciated. In 1994, South Africans, when they went to exercise their right to vote, were presented with a choice of nineteen political parties. Almost twenty million South Africans made their political choices known and chose their political parties which would walk with them on the new found road called ‘Freedom’. Twenty years later, our political landscape of Constitutional democracy, has opened the space for more political parties to emerge and thus creating more choices for people. This is one testament to what freedom has meant over the past twenty years.

Freedom places an enormous responsibility on those who are free. Our freedom from hunger, fear or

and requires us to take responsibility for those without access to income generating activities and employment opportunities. It includes those who are employed but work in inhumane and exploitative conditions. It is this freedom that brings a stakeholder which is often forgotten in the debate; namely the business community. Our reflections on twenty years of democracy often begins and ends with an analysis of government and we often ignore the pivotal role that business stakeholders, both domestically and internationally, have played in our quest for freedom.

The South African Human Rights Commission (SAHRC) has a responsibility to promote and protect the human rights of those who are yet to enjoy economic freedom and live in poverty, which often has devastating impacts on people’s dignity. In carrying out its responsibilities, the SAHRC has chosen the theme of Business



**Dawn of democracy: People went in their numbers to cast votes for the first time in 1994**

ignorance, have partially been addressed through various government programmes. However, the freedom from poverty for all in South Africa is one that we must still overcome. Freedom from poverty entails economic freedom which enables individuals to have financial control of their lives

and Human Rights, which it will focus on during 2014/2015. Our reflection of what freedom means in the context of our mandate and theme, requires the SAHRC to engage with various stakeholders in order to consider the impact that business has had on



## Remembering our Freedom, Celebrating how far we have come

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human rights in South Africa. We will approach our work through a business and human rights lens and seek to understand and reflect on what business has done to advance economic freedom for everyone in our country.

Intrinsically linked to freedom is human dignity. This concept features strongly through our Constitution. It also featured as a thread throughout all of the rich tapestry of teachings from Nelson Mandela. During his first State of the Nation address in May 1994, Mandela laid the foundation for ensuring that government would entrench the notion of freedom and human dignity, in all of its policies and interventions. In its reflection of 20 years of democracy, government's report; (issued by the Department of Performance Monitoring and Evaluation in February 2014) lauds some of the significant achievements. Included among these achievements is the establishment of the SAHRC. As with all institutions that support constitutional democracy, they require the necessary financial support from government in order to be fully independent. It is through this independence that they will enjoy the support and respect of their various stakeholders. Indeed, the Constitution elaborates on this support and states specifically that the SAHRC and similar institutions supporting constitutional democracy must be 'assisted and protected by organs of state .... to ensure their impartiality, dignity and effectiveness'. State institutions supporting constitutional democracy were created specifically to nurture our democracy and there is still much work that needs to be done in order to ensure that everyone's human rights are promoted, respected and protected.

The SAHRC will be marking its own twenty years of existence in 2015. We too will use our 20th anniversary as an opportunity to reflect on how

far we have come in delivering on our constitutional mandate. We will reflect both externally on the impact that our work has had in the daily lives of people in South Africa, as well as to what extent we have achieved an institution that reflects the values of the constitution internally. We are looking forward to this process and are confident that it will strengthen us in our work going forward. However and more immediately all of us at the SAHRC will join with everyone in South Africa to celebrate this very



**Nelson Mandela voting for the first time in 1994. Pic NYpost**

### Remembering our Freedom, Celebrating how far we have come

Today is the day that we, as a country, celebrate the freedom day in our country. It is a day that black people were given the opportunity to vote. It is the day that South Africa became a democratic country. As the elections are close like this, this shows that South Africa has acquired freedom and it must be celebrated. For further celebration, this year marks the 20th year of democracy in our country, which makes this day a special one. It is the day that we should remember those who died in order for this country to acquire democracy, and with that we have this day that we call Freedom Day. The road to freedom has been a long and hard one. Of course the remembrance of the people who died during the apart-

heid laws gives this country grief and for some the memories remain with them. But, this day is also here for this country to look at where we have been as a non-democratic country and what we are now as a democratic country, and to ensure not to repeat history.

Our first democratically elected president, Nelson Mandela, as we celebrate his life and his soul rest in peace, as we are free, once said:

"The birth of our South African nation has, like any other, passed through a long and often painful process. The ultimate goal of a better life has yet to be realised. But if any one day marked the crossing of the divide from a past of conflict and division to the possibility of unity and peace; from inequality to equality; from a history of oppression to a future of freedom, it is 27 April 1994." As a country we have achieved a lot. We have the Constitution that we call the "Supreme law", which comes with the Human Rights that are fundamental to a person's human dignity. We have laws that, as a result of the Apartheid laws, ensure that no one can be discriminated against, which ensures equality. We are involved with international institutions that ensure that the international obligation to protect human rights is fulfilled. For the Commission, our job is to make sure that the laws that have been passed to protect the human rights are used properly and that human rights are protected.

Although we have achieved a lot as a democratic country, we still have challenges. There continues to be human rights violations. Yes we are free as a country from oppression and discrimination, but we will really be free when there are no violations of human rights or when everyone has access to the rights that are entrenched upon by the constitution. This is upon the government and the institutions like the Commission, which are mandated to protect the rights of the people, to ensure that the freedom that we fought for and the legacy of the people who died for freedom is lived upon and ensured that people don't go back to being oppressed but continue to be free.

**Pf**

## SAHRC to spearhead National Dialogue on Policing and Human Rights

**National Police Commissioner Ria Phiyega welcomes SAHRC's proposal as an opportunity to put views on the table to find common ground.**

The South African Human Rights Commission (SAHRC) and the South African Police Services (SAPS) held a successful meeting to mitigate challenges on issues of policing and human rights.

The meeting came at the backdrop of police brutality cases that were reported during protests. Recently, protesters were killed by police in Mothutlung outside Brits in the North West. The incident followed the death of Miners in Marikana, Mido Marcia, Andries Tatane and others at the hands of police. These incidents caused uproar and questions on whether our police personnel were adequately trained on human rights based approaches.

Leading the SAHRC delegation, Chairperson Adv Mushwana stated that the Commission's involvement on policing stems from the constitutional mandate to advance the realisation of human rights. "As a Chapter 9 institution, the Commission's role is not to criticize but to assist in finding mechanisms to curb police brutality. The SAHRC has a role to report to Parliament on the state of human rights in the country".

In addition, Commissioner Danny Titus, SAHRC Commissioner responsible for Policing and Human Rights, echoed Mushwana's sentiments that the Commission's role should be seen as an added platform to address challenges holistically. "We would also like to bring all players to respond on their respective roles that lead to a growing number of these incidences," He said.

In response to the Commission's views, National Police Commissioner Ria Phiyega welcomed direct intervention with the SAHRC and acknowledged challenges faced. "We are not



**SAHRC Chairperson Adv Mushwana and National Police Commissioner Ria Phiyega at a meeting on policing and human rights**

angels, there are areas of concern such as brutality but criticism should look at the whole picture. When people heard about Mido Marcia, the country stopped but people forget positive arrests made or the death of police officers at the hands of criminals".

She added "The National Dialogue will assist to map out clear guidelines and accountability of different role players. Local Government has a role to provide services, and spaces for people to raise concerns and map out ways to address shortfalls. However, consultation is not adequate, which results in violent protests. We are called at the end of the process to stop people from burning houses, cars, etc"

In response to the SAHRC Deputy Chairperson, Pregs Govender's question regarding the assumption that criminal justice seems to criminalise the poor compared to the well off, Commissioner Phiyega stated that the SAPS is trying to enforce the law into a society that is more and more violent. "How violent society is growing is not taken into consideration but people are only looking at policing".

The use of force must talk to the level of violence. "More than 80% of protests are preventable had municipalities and other role players done their work of providing services. If others are not fulfill their mandate, it falls on policing".

Gauteng Acting Police Commissioner Lt-Gen Lesetja Mothiba added to views by the National Commissioner, "the police are in a predicament that if arrests are not made, people go on a rampage burning schools, cars, buildings etc. In Bronkhorstspuit where the Mayor refused to meet with the communities, a police station was burnt...SAPS is at the receiving end".

However, he commended the idea of a national dialogue to provide an opportunity for all parties to account for their respective roles. "There have been no consequences for people who deliberately disregard their mandate, which in turn causes violent protests" he said.

*On the question of whether SAPS training accommodates SA human rights element:*

Police are trained on human rights but other elements should be brought in. Police officers come from the same violent societies and some resort to using same amount of violence during protests etc.

Police are trained on professional conduct and added modules such as anger management.

The SAHRC and SAPS will enter into a Memorandum of Understanding on roles and responsibilities in advancing

## Remembering the Rwandan Genocide

*On 9 April 2014, Adv. Mbedle L Mushwana, the Chairperson of the South African Human Rights Commission, delivered the keynote address at the Johannesburg Holocaust & Genocide Centre in honour of victims and survivors of the Rwandan Genocide that occurred twenty years ago.*



Thousands were killed in Rwanda in 1994 Pic: The Guardian

I am truly humbled to have been bestowed with the opportunity to deliver the Keynote address at this commemorative event. As we sit here this evening, we recall how two decades ago, Rwanda was in the midst of genocidal violence that took place at a pace never experienced before in the history of humankind.

It has become trite knowledge that in the space of 100 days, an estimated 800,000 Rwandans lost their lives in unspeakable ways simply due to their Tutsi ethnicity or because they were moderate Hutu's.

Many many more people were injured; women in particular were victims of rape, sexual torture and abuse. Most survivors suffered severe trauma from the atrocities that they witnessed, which was

intensified by the precarious situation they found themselves in, whilst fleeing for their lives.

I am certain that for those of us sitting here and who were not in Rwanda at the time, it is unfathomable to imagine the carnage, terror and intense human pain and suffering that was unleashed and so rapidly spread like a raging fire out of control - fanned by radio propaganda in all directions across the country.

And so, it is important that we come together to remember those who died and pay tribute to and acknowledge the bravery and resilience of those who survived and carry the memories with them.

It is important that, no matter how difficult these memories may be,

we keep them alive as a reminder that we must all be constantly vigilant to ensure that no group of persons, no matter who they are, will become victims of genocide.

In 1994, the international community collectively failed the people of Rwanda by not intervening early enough to prevent the genocide. As in all instances of genocide the warnings were present for many months and no one can say that what happened was unexpected or that more could not have been done to prevent the genocide.

Post-assessment of the causes of genocide in Armenia, the Holocaust, Cambodia, the former Yugoslavia, Rwanda and Darfur have always found that there were ample warnings and that genocide never occurs without warning.

The genocides that have occurred since the Holocaust come after the adoption of the UN Convention on the Prevention and Punishment of the crime of Genocide. This was the first human rights treaty adopted by the United Nations system and we are currently commemorating its 65th anniversary. The passing of the Genocide Convention was the culmination of years of work by the renowned Polish-Jewish jurist, Raphael Lemkin, who is regarded as the father of The Genocide Convention, which establishes the clear and unequivocal norm that States have the responsibility to prevent genocide.

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# Thousands died during genocide

From page 08

In addressing genocide, at an international level we have seen a number of steps being taken to ensure accountability and that there is no impunity for the perpetrators of genocide. We have seen the establishment of the ad hoc International Criminal Tribunals for the former Yugoslavia and Rwanda to address the genocides that occurred in these countries. We have also seen the passing of the Rome Statute and the establishment of the International Criminal Court which currently has 122 States Parties, 34 of which are African States.

In relation to the prevention of genocide we have seen in direct response to the Rwandan genocide the establishment of a Special Advisor to the UN Secretary-General on the Prevention of Genocide. This position is currently held by Mr. Adama Dieng of Senegal. It is a joint office held together with the Special Advisor with the Responsibility to Protect. States have recognised as an emerging norm firmly grounded in international law that they have an individual and collective responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Preventive action in a timely and decisive way to prevent genocide lies at the core of the responsibility to protect.

In ensuring prevention, much work has been done around the creation of early warning systems and markers. Yet despite these steps, we are currently receiving deeply concerning reports of the possible imminent outbreak of genocide in the Central African Republic. In fact, the UN Secretary-General, Ban Ki Moon, on a visit to that country just 2 days ago, issued a warning of a potential repeat of what occurred in Rwanda. It is now anticipated that tomorrow the UN Security Council will pass a resolu-



Child sitting amidst those killed during the Rwanda genocide Pic: Ryot

tion authorising the deployment of troops in the country, but will this be too little and too late? Within the context of prevention, more could be said about ensuring the long term sustainability of institutions within a country that seek to promote non-discrimination and provide protection to people who are victims of discrimination. In particular I am referring to the role of national human rights institutions.

The South African Human Rights Commission is recognised as a national human rights institution at an international level and in fact we are currently the Chair of the International Coordinating Committee of national institutions for the promotion and protection of human rights throughout the world. National institutions are independent state institutions established at a domestic level to promote and protect human rights. They are relatively new actors with most being

established during the 1990s and onwards.

Increasingly they are becoming more and more recognised as the bridge between civil society and government and between the international and the domestic systems of human rights.

As independent bodies they hold a unique space to bring parties together, provide credible independent information to government and international bodies and to monitor the human rights situation on the ground.

National institutions are recognised by the treaty body system and by the Human Rights Councils' Universal Periodic Review process as separate and distinct bodies from government and civil society. They are accorded a special status and by participating can thereby contribute towards ensuring the

## Strong, effective, independent and adequately funded national human rights institutions have a key role to play in the prevention of genocide and mass atrocities.

### From page 09

effectiveness of the international human rights system.

History has taught us that genocide is the culmination of a long period of acts of discrimination that have not been adequately addressed and in which systems and institutions have failed. Strong, effective, independent and adequately funded national human rights institutions have a key role to play in the prevention of genocide and mass atrocities.

The South African Human Rights Commission receives complaints about discrimination and addresses these through its complaints handling process. It has also held inquiries when there have been instances of systematic discrimination. For example, after the outbreak of xenophobic violence in 2008, which resulted in the deaths

of 69 people, injuring many others and displacing some 200 000 persons, the Commission conducted an inquiry into the Rule of Law, Justice and Impunity. The Commission has also been involved at a number of levels in relation to the targeted attacks against members of our lesbian and gay community.

Navi Pillay, the High Commissioner for Human Rights, reminisced from her time at the Rwanda Tribunal this past month during a High Level Panel Discussion at the UN that a survivor of the Rwandan genocide described the build up to it as, "It was like a pool of petrol forming drop by drop, until a flash of violence set the whole country alight"s.

Therefore as we listen tonight to the testimonies of survivors and acknowledge the bravery of those who risked their lives to save children during the Rwandan geno-

cide, let us not be complacent but rather use it as an opportunity to reflect on what it is that each one of us has done to ensure that we do not, through our actions or failure to act or speak out against discrimination, contribute towards the formation of a pool of petrol forming in our own community.

### Did you know?

*Genocide was defined as a crime against humanity in 1948 when the UN adopted its first human rights treaty, the UN Convention on the Prevention and Punishment of the Crime of Genocide. Yet more than 65 years later, Cambodia, the former Yugoslavia, Rwanda, and Darfur bear scars of genocide and now the Central African Republic is on the throes of a genocidal eruption.*

Pf

## Alice and Emmanuel: A story of reconciliation in post-genocide Rwanda

**Head of Communications Isaac Mangena visited Rwanda as a journalist in 2012, and can only remember an extraordinary story of reconciliation between a perpetrator of genocide and one of his victims.**

Emotional scenes played out in Rwanda this week as the country commemorated 20 years since the genocide that left close to a million people dead.

April 1994 is a long time ago, but physical and emotional scars remain fresh.

One wonders, every time the word Rwanda is mentioned, how the country managed to pull itself out of one of the darkest periods in the

history of human existence.

Even more astounding is how people in Rwanda managed to find each other, forgive and bridge the gap that was left by the ethnic cleansing that happened 20 years ago.

Other nations are still struggling to find themselves almost a century after wars.

But Rwanda's is a miracle of unimaginable scale. I know this because I walked the roads the killers walked and visited the sites of mass murders, where only skulls and bloodied garments now bear testimony to the gruesome events that began in April 1994.

I saw this miracle in the eyes of Alice Mukarurinda when she spoke of her

boyfriend, Emmanuel Ndayisaba. Theirs is a tale of post-genocide forgiveness.

I met the two in June 2012 when I was a guest of the Rwandan president during the closure of the Gacaca courts – a locally-brewed justice system where trials were held publicly and community members, including women, were elected as judges. It was modelled on South Africa's Truth and Reconciliation Commission but had better results.

During 2001 until they closed in June 2012, the Gacaca courts heard over two million cases and in the process healed the wounds of many. Even at the closing function,



## Remembering Rwanda

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more Rwandans were still wishing it would remain operational.

Locals from the Kigali's Gikondo District One attend a session of the Gacaca grassroots tribunal on March 28 2004. (Pic: AFP)

Although criticised by few human rights organisations for not subscribing to minimum legal standards, the courts not only heard many cases which would have taken a conventional court years to finish, but they were far cheaper to maintain. Compare it to the International Criminal Tribunal for Rwanda, which in 2012 had cost \$1.7-billion to run, having only tried 60 suspects in its 17 years of existence.

Most of the people I spoke to in Rwanda in 2012, both victims and perpetrators, were happy with the Gacaca tribunal process thus far. This was despite the fact that many families still didn't know how their family members were killed or where they were buried. Mass graves were still being discovered in June 2012, which disputes the 800 000 fixed figure of those killed.

In Nyamwata, at a church in which hundreds were killed as they sought safety from the Hutus, families were still coming through to clean the recently exhumed bones in bags which they believe belong to their loved ones.

I asked how they knew the bones belonged to their families members, and they said just by cleaning the bones, it gave them some kind of closure. They felt they had paid their last respects to those they loved, those they will never see again.

But it was how forgiveness brought people from tribal divides together that fascinated me.

I met Alice at one of the functions held to bring down the curtain on

these special courts in 2012. Alice still bears machete scars on her head, cheek and neck, and only has half of her arm. The other half was cut off. All this happened one day in April 1994 when Hutu militia came to her village and went on a killing spree of anyone who was slimmer and taller – an indication that they were Tutsis.

Within a few minutes, 33 members of her family were killed in front of her, including her nine-month-old daughter.

During the killing spree, one bearded Hutu man unleashed a machete several times on Alice's head, and blood gushed onto her face. He tried to finish her, but she managed to use her right arm to block the machete. Her arm got cut, severed just above the wrist. The bearded man sliced her face. His colleague pierced a spear through her left shoulder.

She fainted. The men thought she was dead, and left. She was found alive three days later.

The bearded man who severed Alice's arm with a machete is Emmanuel Ndayisaba. He is her boyfriend now. The two met during one of the Gacaca court sessions. They were standing on opposing sides – Emmanuel, a genocide perpetrator and Alice, the victim who needed answers.

That day, he confessed to the court what he did to Alice and her family. In fact he was surprised to see her alive. She remembered him because of his beard, the same beard he had when he killed her family members, and the same beard that always came to mind when someone asked her about the killings.

Alice told me at first that it was difficult to forgive Emmanuel. She cried until she had no more tears. But she forgave Emmanuel and today the two are very close. "I have learnt to forgive, even the one who tried to kill me," she told me.

Alice and Emmanuel continue to spread the message of forgiveness at forums where they talk about reconciliation. They hope that this will help heal the wounds of the past atrocities. They have become an inspiration for those who believe in the impossibility of reconciliation after brutal ethnic conflict such as the one that happened in Rwanda.

While theirs is an extraordinary story of reconciliation and forgiveness, it remains to be seen if this will inspire the nation to put its past behind it. Two decades later, many hope that Rwandan leaders and residents will give meaning to the messages of "Never Again" and chart the country to extraordinary healing and hope. To me, that is what is there for Rwanda to celebrate as it commemorates 20 years.



Emmanuel Ndayisaba and Alice Mukarurinda sit in Alice's home in Nyamwata, Rwanda. (Pic: AP Exchange)

# There's no dismantling of apartheid's economic system: Pregs Governder



Deputy Chairperson Pregs Governder

*Pregs Governder recently visited India to give the Tejeshwar Singh Memorial Lecture. She spoke with Srijana Mitra Das, from Times of India, about gender equity, human dignity — and why apartheid hasn't ended yet:*

**You're a feminist. With multiple marriages and rape charges, President Zuma is not. How do such public figures impact a struggle for dignity?**

The role of public figures is critical. If you have, as we do, a very strong Constitution with commitments to substantive gender equality, and you have someone in political office whose conduct contradicts those values, it sends a very worrying message, particularly to men.

Rights aren't just about getting into Constitutions and laws — it's about changing people's minds and behaviour. Public office occupied by a President must uphold values of the Constitution and laws.

**Even after apartheid's end, why does South Africa still have such**

**discrimination?**

A key reason is the fact that whilst we dismantled apartheid as a political system, there was no dismantling of apartheid as an economic system. White South Africans wealthy under apartheid are even wealthier today. They've been joined by a tiny black elite — but the structural underpinnings of apartheid have not changed. Apartheid's spatial geography remains intact — those who don't experience their rights live in apartheid's former homelands and settlements.

Meanwhile, mining companies, who benefited from South Africa's labour system, did not pay compensation or even recognise their role in apartheid during the Truth and Reconciliation Commission. They rejected Archbishop Tutu's call for a minimal tax despite making millions at the cost of the land and people whose lives were destroyed. There was no response to President Mandela's call for reconciliation either.

**Why wasn't more pressure put?**

There was the real threat of violence by apartheid's security forces, supported by Western governments, from Thatcher to Reagan and Israel. And there was the power of international capital — many mining companies which benefited during apartheid de-listed from the Johannesburg Stock Exchange and went to London. They had billions which belonged to our country but was taken out.

This continues today — huge mining profits are taken out of South Africa while the companies leave behind massive pollution, arsenic poisoning of water, etc., with few consequences. Agribusiness, which uses 60% of our water, is its biggest waster. But corporates act with impunity because they have bigger budgets than entire countries.

We give them subsidised water, land and electricity, thinking we'll get FDI, jobs and growth — but what kind of growth and who's benefiting from it are problems we're seeing in South Africa.

It remains one of the most economically unequal countries in the world. On farms, people will produce the grapes of some of South Africa's best wines — yet, there are no toilets for the workers.

**You've worked on human dignity — is there one area in India you'd like to see change?**

I'd like to see the culture of servitude changed. In South Africa, we fought hard to change this. Here, it's taken for granted. I'm struck by domestic workers' wages, conditions and lack of protection for the poorest by the state.

There has to be equal care. Between a diplomat and domestic worker, a country must show the same concern for both the diplomat and worker.

**Pf**



## OPINION: Grateful to live in democratic country



Kebotlhale Motseothata,  
Visiting student

South Africa has come a long way. These past 20 years have been nothing but a miracle and as a first time voter, I am truly grateful to be a part of it.

There was a time when my people amounted to nothing. A time where they had no voice and their suffering looked eternal. But then something amazing happened, amidst all that turmoil of our violent past, valiant leaders were born. Men and women who dedicated their entire lives to making sure that their people amounted to something emerged and fought.

There was a time when our people were nothing but dogs. We had no voices, no worth or right to be in this country. We were seen as savages, peasants and the scums of the earth. We had no place in society except to contribute to the economy with manual labour and our minds had no value. We could not move without restrictions, were told which music to listen to, which places to go to, which books to read and with whom to associate.

There was a time in this country, when the colour of your skin determined the value of your life. A time where another man saw it fit to torture another just because his nose was different from his. Where children witnessed their families being torn apart. Where they had to bare the sight of their fathers being killed and taken away from them, and their mothers being beaten in front of them.

There was a time in our land when the acquisition of a good education was only a dream to many of our people. A time when they did not believe that they too could get a chance at life and become the architects of Africa's utopia. A time when hunger, anger, violence and constant abuse were all they knew.

There is a time in our history when great thinkers like Steve Biko, Robert Sobukwe, Albert Luthuli, Albertina Sisulu and many others walked on the rich soil of this country with hope that things would change. They gave their lives to the struggle for liberation and fought until roses grew on concrete.

South Africa's history alone is enough for me to value my right to vote. Regardless of any political party and any other negative issue that taints the beautiful image of my country, I experience more light and hope than what others in the past experienced.

I will cast my mark on that ballot because it is a privilege and an honour. My people's voice matters. My voice matters and I too have been given the opportunity

to bring change. This matters a lot to me.

The impossible has happened and that is enough to believe that our country is indeed alive with possibilities. Voting is extremely important and our participation ensures our passion for our land. By having the right to choose, we provide platforms for innovation and renovation.

There are a lot of horrible things happening in the country. The crime, the confusion in politics, the economy and the youth's lack of opportunities. None of these issues frighten me because I know that they will pass and peace of mind will reign in South Africa and Africa.

Our country is a piece of art composed of all the divine elements of nature. We have the whole world in one country. We are multi-cultural and diverse. Nothing amazes me more than living on this land and nothing humbles me more than the gift of freedom amongst my people. The gift of voting gives us faith and it is through this faith that I know that one day things are going to be even better than they are now. There will one day be no uneducated child, there will be no hungry child and no abused child.

Our land will grow into the masterpiece it was born to become and as the foot of Africa, our entire continent will walk extraordinary journeys that none of us have ever imagined. This is the vision that the power of voting provides.

Pf

## Easy guide to 2014 elections

*With the National Elections looming, we give you an easy guide on the elections and how to vote.*



Check your registration details online, SMS your ID number to 32810 (R1.00 per sms), or call 0800 11 8000 (Mon - Fri, 8am - 5pm).

### Voting

#### How it works

On election day, go to the voting station at which you're registered (check your voter registration status to find out where you're registered). During national and provincial elections, you can vote at any station countrywide but, if you vote at a station outside the province in which you're registered, you can only vote in the national election.

Show your green, bar-coded, South African ID book or a temporary identification certificate to the voting officer.

The voting officer checks that your name appears on the voters' roll. If you are not on the voters' roll, but have proof that you have registered (e.g. registration sticker), the Presiding Officer must validate your proof of registration. If he/she is satisfied with the proof, you must complete a VEC4 form (national elections) or MEC7 form (municipal elections) and will then be allowed to continue as an ordinary voter.

Once the voting officer is satisfied that you have the correct ID, are a registered voter and have not already voted, your name is marked off the roll, your ID is stamped on the second page and your thumb-nail is inked.

The voting officer stamps the back of the correct number of official ballot papers (one per election) and gives them to you.

Take your ballot paper/s to an empty ballot booth, mark the ballot paper, fold it so that your choice isn't visible and place the ballot paper in the ballot box.

Note: You can only vote once in each election.

#### Observers

Observers, both foreign and domestic, are extremely valuable to the electoral process.

Neutral outsiders, who have been present and seen what has happened during voting, counting and the determination of results, can tell the world that the process was transparent, free and fair. The opinion of an impartial witness carries a great deal of weight.

It's also possible that the presence of observers has a stabilising effect on would-be troublemakers and ensures that everyone concerned is on their best behaviour. International observers, from organisations such as the Organisation of African Unity (OAU) and the Commonwealth, often have vast experience of elections in various parts of the world and are able to give us invaluable advice and support.

Observers keep an eye on voting procedures, the counting of

### Parties contesting the 2014 National Elections

- # AFRICAN CHRISTIAN DEMOCRATIC PARTY
- # AFRICAN INDEPENDENT CONGRESS
- # AFRICAN NATIONAL CONGRESS
- # AFRICAN PEOPLE'S CONVENTION
- # AGANG SOUTH AFRICA
- # AL JAMA-AH
- # AZANIAN PEOPLE'S ORGANISATION
- # BUSHBUCKRIDGE RESIDENTS ASSOCIATION
- # CONGRESS OF THE PEOPLE
- # DEMOCRATIC ALLIANCE
- # ECONOMIC FREEDOM FIGHTERS
- # FIRST NATION LIBERATION ALLIANCE
- # FRONT NASIONAAL/FRONT NATIONAL
- # INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA
- # INKATHA FREEDOM PARTY
- # KEEP IT STRAIGHT AND SIMPLE
- # KINGDOM GOVERNANCE MOVEMENT
- # MINORITY FRONT
- # NATIONAL FREEDOM PARTY
- # PAN AFRICANIST CONGRESS OF AZANIA
- # PAN AFRICANIST MOVEMENT
- # PATRIOTIC ALLIANCE
- # PEOPLES ALLIANCE
- # UBUNTU PARTY
- # UNITED CHRISTIAN DEMOCRATIC PARTY
- # UNITED CONGRESS
- # UNITED DEMOCRATIC MOVEMENT
- # VRYHEIDSFONT PLUS
- # WORKERS AND SOCIALIST PARTY

votes, and the determination and declaration of results.

National office  
Call centre: 0800 11 8000 / +27 11 654 1000  
webmaster@elections.org.za  
Election House  
Riverside Office Park  
1303 Heuwel Avenue  
Centurion  
0157





# In the seat with Muzi Ngwenya

*Education Officer Officer, Mpumalanga*



*Tell us about Muzi in a nutshell?*

I think of myself as a simple guy; who eats most things [if you know what that means].

*Where were you born and how was it for you growing up?*

I was born and bred in Johannesburg, Soweto. I spent most of my youth in Diepkloof Z6, Orlando East and Chiawelo Ext. 3.

I'm fourth in a family of six – five boys and one girl.

I grew up in what I call the most interesting and dynamic times of socio-political space in South Africa. I'm privileged that I experienced a lot of the events that are

in our history books today. I witnessed the political uprisings of the 1980s all the way to the civil violence of the 1990s'.

Some of the things I'd like to highlight include the: neck-lacing of Maki Skosana; the death of young Scelo Dlomo in 1988; the release of the first group of political prisoners from Robben Island, and then, followed by the release of Nelson Mandela in 1990. I thought I was going to go mad that day. Later in the years, the assassination of Chris Hani. Finally, the 27th April 1994. I'm glad I witnessed this extraordinary transition. That is why I place so much value into this country.

I voted for the first time at a school where I started my education. I'll never forget that day.

*Educational background?*

I did most of my schooling in Soweto. I have a degree in Development Studies from University of Johannesburg and an Honours Level course in Social Research Methods from Wits University. What many people do not know is that I am also a qualified Occupational Health and Safety Officer – having recently completed a SAMTRAC Course with NOSA. Over and above formal qualifications, I believe my life's experiences make me have a lot of stories to tell. I normally refer to my life's experiences as my best education.

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

On a primary level, as a HuRA Officer for the Commissions' Mpumalanga Provincial Office, I carry out the promotion mandate of the Commission in Mpumalanga. On paper, it simply means extending the strategic vision and the mandate of the Commission to our constituencies. On face value, one can think that the beneficiaries are limited to the poor and the marginalized only. Yet of late, I have noticed that even those in government that are supposed to deliver their responsibilities to the communities need to be made aware about human rights. As one old lady put it in one of my workshops:

"Wena ngane yami. Thina siyawazi amalungelo ethu. Kungani ungahambi uyofundisa izisebenzi zikahulumeni, ekuyizo ezihlukumenza amalungelo ethu" (My son, we know our rights. What we think you need to do is to go and teach government officials about human rights).

*In a summary can you take us through your day at the Commission?*

I see every single day in the office as an expression of my passion for human rights, community development and social trans-

**Continues to page 16**



formation. As a provincial office, we strive to achieve the provincial performance targets. At the same time we receive numerous requests for presentations; etc. So, each day involves being proactive on my work or reactive to the demands of the communities we serve.

### *Day outside office?*

I spend most of my days outside the office with my two families. If I am not with my wife and daughter, I am usually with my colleagues. I have to say that I'm truly blessed to be surrounded by such a bunch of lovely people. My days of clubbing and being a socialite are very thin now. I now rarely go out with friends.

### *What motivates you and what inspires you?*

The work that I do is very inspirational. To go out there and get all the wisdom from the communities; and meet different people, and allow them to share their life's experiences is priceless. In addition to this, to receive constant, good feedback from the communities is also phenomenal in the work that I do. I usually share that with my colleagues when we have lunch.

I also work with a bunch of hard workers in this office. That alone is very motivational because it has created a very positive work ethic in the office.



**Muzi Ngwenya with Chairperson Adv Mushwana during farm eviction investigation in Mkhondo, Mpumalanga**

“ I also work with a bunch of hard workers in this office. That alone is very motivational because it has created a very positive work ethic in the office”.

Also, the Sunday afternoon, sunset walks in the area where I live are great energizers for the start of my weeks in the office.

### *Favourite activities?*

I find cooking therapeutic lately. I enjoy the fact that I extend my spirit of adventure in the kitchen. Quite often, the results are disastrous. So I keep some money handy for a take away. And of course lots of excuses why it didn't go according to plan.

### *Any interesting thing that people don't know about you?*

I still watch cartoons [if that's interesting].

### *Tell us more.....*

I'm a big Kaizer Chiefs fan – who is about to be disappointed that my team did not win the league this season – especially after all the talking. lol!

**Pf**



# SAHRC's fight against racism receives thumbs up from Parliament



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

**NATIONAL COUNCIL OF PROVINCES**  
**THE CHAIRPERSON**

PO Box 15 Cape Town 8000 Republic of South Africa  
Tel: 27 (21) 403 2321/3126 Fax: 27 (21) 461 9460  
[www.parliament.gov.za](http://www.parliament.gov.za)

13 March 2014

**Mr Kayum Ahmed**  
**Chief Executive Officer**  
**South African Human Rights Commission (SAHRC)**  
**Braampark Forum 3**  
**33 Hoofd Street**  
**Braamfontein**

Dear Mr Ahmed

## **MOTION OF SUPPORT**

On 25 February 2014, the National Council of Provinces adopted a motion supporting the SAHRC on its undertaking to investigate a reported racist attack on black students at the University of Free State.

The Council supports the SA Human Rights Commission (SAHRC) for taking this matter serious and hopes that it will do everything in its power to root out all forms of racism and intolerance particularly at the University of the Free State.

A copy of the Minutes of Proceedings of the National Council of Provinces dated 25 February 2014, containing the full text of the motion, is attached.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'M J MAHLANGU'.

**M J MAHLANGU, MP**  
**Chairperson of the National Council of Provinces**

# In loving memory of Mamosadi Moletsane

## 1961 - 2014

The SAHRC has lost one of the galant human rights ambassadors in Mamosadi Moletsane.

*Pfanelo* dedicate two pages as part of reminiscing the life that was.

### Obituary

Mamosadi Moletsane, 53, who stayed in Edenvale Johannesburg passed away on Wednesday April 23, 2014.

Sadi was born in Molapo Soweto, Johannesburg on March 7th 1961 and was the seventh child to the late Gloria and Abner Leopeng. Sadi attended primary school at Sifika and Issacson primary schools before going on to matriculate at Morris Isaacson high school. She continued to study a Bachelors degree in Accounting at the University of The North in Polokwane.

She married Thekiso Moletsane and is survived by her two children; Tumelo and Keoa-hile Moletsane.

Sadi was passionate about good health and led an all rounded active lifestyle. She took part in and completed numerous marathons as well as several awareness initiatives.

Sadi was an exceptional human being, very caring and considerate, while always ready to put others first. She will be remembered for her endless desire to be everything to her family as well as her devotion to her children.



### Sadi remembered in pictures



Continues to page 19





Continues to page 20



## Sadi was my right-hand person : Adv Mushwana

I want to start by recognising the presence amongst us of the Moletsane family, friends and relatives, in particular the husband and children of Mamosadi, our fallen colleague, esteemed mourners, Commissioners and staff members of the South African Human Rights Commission and colleagues from other chapter 9 institutions.

I rise to address you on behalf of the South African Human Rights Commission on this sad occasion where we remember our beloved sister, colleague and friend who left us too soon, and for many of us, so unexpectedly last week.

The news of Mamosadi's passing came as a shock to many of us as we did not know the extent of her illness or that it would progress so rapidly. The news cast a dark grey cloud across the Commission and the sadness was tangible in the air.

In fact news of her passing has spread throughout the human rights fraternity here within South Africa and in particular to the Chapter 9 institutions and the Department of Justice and Constitutional Development with whom she had much contact.

Due to the nature of her work Sadi, as she was known affectionately to many of us, was well-known within the broader international human rights community and news of her untimely death is still spreading and we are receiving messages from around the globe.

On behalf of the Commission I wish to extend all of our deep and heartfelt condolences to the Moletsane family. We know that no amount of words can ease the pain, sorrow, hardship and loneliness that you must be feeling in this moment.

May you all find some comfort in the



**Mourners came in their numbers to pay respect to Mamosadi**

knowledge that you are not alone during this difficult time of grief.

You are being held in the thoughts and prayers of the extended Commission family; both here within the head office, where Mamosadi worked and was most well-known; and also by the staff in all of our 9 provincial offices throughout the country.

The lingering memories of losing such a wonderful and loving family member, a friend, a colleague is weighing hard on all of us as we each confront the reality in terms of our own religious, cultural and traditional ways. Let us embrace each other and find comfort in the diversity of our grieving. May the gaping void of her absence be filled with happy memories and may the pain of our mourning be lightened as we celebrate her life. As we mourn her passing on we also celebrate the end of the excruciating pain that she was enduring. Sadi was a trusted and highly valued staff member of the Commission.

Prior to my arrival, she had been the able personal assistant to my predecessor Jody Kollapen. I wish to say a few words about the Sadi that I know and remember. I am certain that what I say will be different from others that will speak or have spoken today.

However, through our different voices we will build a collective memory of our dear colleague. I was fortunate to have had the opportunity to have Sadi working closely with me on a day-to-day basis for the past 4 ½ years.

Sadi was my personal assistant, a position which brings with it much responsibility. It is a position that is much more than a secretary, she had to become acquainted with many aspects of my life in order to fulfil her duties. She needed to do this discreetly and in confidence. She came to know many things about me which I'm sure that many- other than my closest family and friends do not know.

It is therefore a working relationship that demands a high degree of professionalism which she displayed and also a relationship that is close and at times even personal.

I did not realise until her death the extent to which Sadi had interacted with my family and come to know many of them. I therefore feel that I also need to express special condolences from the whole Mushwana family to the Moletsane family.

When I lost my brother, she, together with other staff members attended

**Continues to page 21**

## From page 18

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**CEO Kayum Ahmed at the memorial**

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May you all find some comfort in the knowledge that you are not alone during this difficult time of grief.

You are being held in the thoughts and prayers of the extended Commission family; both here within the head office, where Mamosadi



# Mother, sister, confidant, motivator....

## How Mamosadi impacted on my life

### Deputy Chairperson Pregs Govender

I met Sadi in 2009 and was struck by the petite, feisty woman she was...clearly in charge of both the Chairs (Jody Kollapen and Lawrence Mushwana) she worked for...a strong, direct, no-nonsense woman without malice...she looked years younger than she was and encouraged others to do as she did and be regular at gym class...I clearly remember Sadi's vigorous and energetic presence in the Commission...may her family and friends be comforted in knowing that Sadi inspired deep respect in many who encountered her.

### Sizakele Ntoyi

Mama Sadi and the Chairperson called me speed-fire. When I would go to her office to greet and she would shout at me saying "speed-fire, you can't just walk in and not go in to greet the Chairperson". Then later explained that that was the new name they had given me.

### Sebongile Mutlwane

I am confident I say and willing rather to be absent from the body and to be present with the lord. I will remember her saying to me I must keep up the spirit and remain young, forgetting that age is just a number and the body is moving along while the age is re-tiring.



Modimo o ne a moadimile bophelo mme o boetse o bonkile. Ga mowa wa gage o robale ka kagisho

### Musa Mchunu

When I was sitting at Switchboard she would make sure she informs me when she was leaving the office for me to take messages for the Chairperson's office and would confirm when she is back. When she was not happy about something she would tell you face

to face as well as when she was impressed. All the time when I come back from KZN she would ask about my family. She hardly called me by my name without starting with boet, (Boet Musa) and I found that shocking for somebody who is older than I yet giving such respect.

### Angela Kariuki

"I always saw Sadi as my Mum away from home. She gave me all the best advice and encouraged me when I felt downcast. Sadi and I would bump into each other at the gym now and then and she would take me under her wing and assume the role of personal trainer for me. In spite of her relentless encouragement and insistence, I was just never able to keep up with Sadi's tremendous strength and stamina! She had the startling toned body of a lithe 20-year old, and her passion for health and fitness was absolutely inspiring. I loved how a simple "Good morning Sadi" would turn into an hour long conversation about life, work, and everything else; and would leave me feeling enthused and invigorated. She was likely the only person in our



Continues to page 23



## Sadisk, a dear sister...

### From page 20

unit who appreciated my weird and wacky homemade spinach and kale juices. Sadi loved to talk – and she talked a mile a minute! From our conversations, it was clear to me that Sadi had taken on her own trials with a patience I had not seen in anyone else at the office. She performed gracefully under pressure without compromising her routine. Experiencing death never gets easier. I know what it's like to lose someone I care so much about. I know what it's like to walk around the spaces they occupied as though they are still there. In many ways, I'm not sure it ever gets easier.

When I heard the news that Sadi had passed, the notion of the beauty of the world momentarily perished. Leaving only the understanding that it has two edges, one of laughter, and one of anguish; tearing the heart asunder. I pray for the incredible children she left behind. I pray that they find strength. What I (and all of us at the Commission) have been feeling since we heard the news is absolutely NOTHING, compared to the hurt their hearts are experiencing. May the sadness not last forever."

### Nobantu Sobekwa

"Sadi was like those fully depreciated assets of the Commission that cannot be removed/disposed from the Asset Register. You may try to remove her from all angles saved and closed. But the next time you open the AR you will find her there with the same barcode. Sadi cannot be replaceable. She was not an ignorable person. When she talks to you she needed the whole of your attention, like it or not. May her spirit and soul rest in

peace until we meet again"

### Yuri Ramkisoorn

Sadi made me feel very welcome when I first joined the Commission and helped a lot with learning the protocol for liaising with Commissioners. She often made sure my documents were signed by Jody Kollapen or our current chairperson, even when I was late in submitting them. She would regularly pop in to my office to check if I was exercising regularly and would berate me for not doing so. She would also ask if I had any chocolates, for despite her strict eating and exercise regime, she loved chocolate. When I went to Switzerland, I brought her back some chocolates. She hugged me and told me that I was her friend forever. Forever turned out to be a very short time. Sadi, you will be sorely missed.

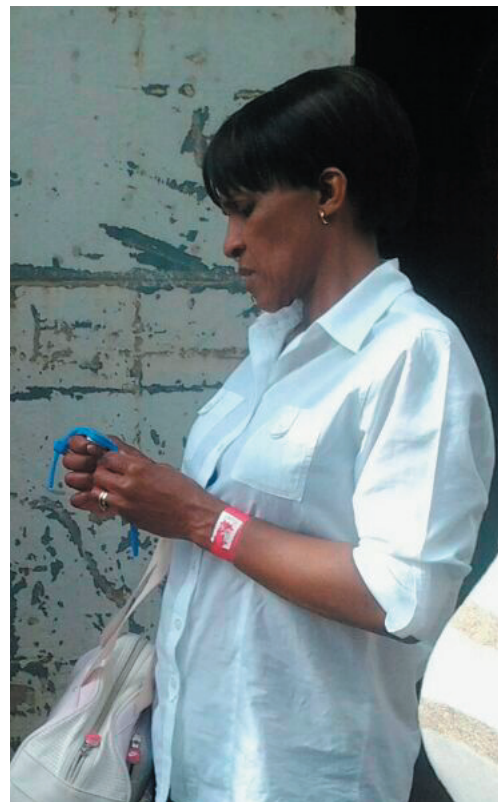
### Martie Muntingh

Sadi was one of those rare and precious gems you came across in life, never to be forgotten. She always treated us with respect and kindness and was a great asset to the commission.

### Mpho Tsoku

I used to call her Sadisk that's how our former Commissioner Tom Manthata used to call her and she will say yes Rre Madikoe and to me she will say Mphoza.

I remember when my ankle twisted it was in the morning on my way to work and I was coming out of a taxi then twisted my ankle outside the yard of Braampark. She found me crying and I was



with Musa, Lionel Khanyile and other colleagues busy massaging my foot and she asked what happened. They told her that I twisted my ankle and all she did was to instruct me to go to the hospital immediately and she even offered me a lift. I refused but she didn't take no for an answer. That's how



## Sadi the disciplinarian.....

### From page 21

strict she was so I had no choice but to go. I went to the hospital with her and Khanyile using her own car. On our arrival at the hospital she did everything organizing a wheel chair and the pushing as well. I then requested her to go back to the office because I was worried about the Chairperson and she just said Mphoza your life comes first okay Chairperson will take care of himself please I just want to see you okay so I'm not going any where. she stayed at the hospital with me till the end and they put a semi cement and was booked off sick for two weeks that's when we went back to work.

On the 24th April in the morning I saw Sadisk. We were in the kitchen at the Commission and she found me eating junk food. She shouted at me saying I should not do that to my body cause I've worked hard to be where I am today same time she made us run. She was wearing her sunglasses and a short as we run, then later I said to her that I'm tired. She said let's go repeatedly and smiling and said to me you shouldn't give up now, please Mphoza, then the alarm rang and unfortunately it was a dream but I was happy. I was going to call her about the dream but unfortunately I was late because we were called to the Chairpersons office and that's where they delivered the sad news. I was shocked I didn't know what to say I just cried.

Sadisk played a very important part in my life. She was a dear sister to me more than a colleague very strict of course but loving at the same time. Encouraging us

to look stunning especially the health conscious part. We used to make jokes and laugh about things and I cherish every single moment I spent with her.

### Isaac Mangena

"I remember her as a very strict person, a disciplinarian who gave tough-love. When I arrived at the Commission my work involved liaising with the Chairperson on many things including media interviews. Sadi always came across as someone who had a steel-fence around Chair. She protected him from the media, I thought. She'd tell me Chair is not available, Chair is going overseas, Chair is tired and he needs a rest. That frustrated me. And I made her aware of that. But one day we sat down in her office to chat, not about work, but life in general. A wonderful soul she was who had a keen interest in people's lives. She asked about family, where I live (She said I should visit her one day when she realized I live in Lyndhurst not far from her in Edenvale), why am I not married, my health – she was starting to sound like my mother now, I silently said. She had a way of slowing you down. Before I could leave she advised me that the next time I want Chair to do anything, I should walk up to her office and she will make sure he is free and its done (I later learnt that she seemed to have a way of twisting Chairperson's arm). She also asked me to help Chair on how to deal with the media, arrange training for him. She was not only a ring-fence for Chair, but also cared for him so much. Another memory of her was when she called me to tell me

Chair wanted to see me ASAP. I was busy, so I pressed "okay button" to pickup which automatically puts her on speaker. "Isaac, Please take me off speaker," she shouted. I tried to hide the fact that she wasn't on speaker it was just my soft voice, she refused to budge, and reminded me that she worked these phones long enough to know the difference. Out of irritation I said "Okay, okay, jeez" before I picked up the phone. She said "don't say jeez to me". I then said: "Oh so you can hear when I say jeez but you can't hear me when I tried to answer?" She went on to teach me phone etiquettes and how to talk to people. We laughed about it. From then on I picked up my phones when she called."

### Judith Cohen

I am certain that there is a very sombre mood at Head Office today - my thoughts are with everyone. I have known Sadi for 13 years in her position with different Chairs. I cannot believe that her beautiful smile and warm hug will no longer be there when I come to visit.

### Mosotho Moepya, Chief Electoral Officer, IEC

It is with sadness that we acknowledge the news about the loss of Sadi even after her lengthy illness. She will remain engrained in our thoughts. Our condolences go to the SAHRC and the Molet-sane family.

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We were fond of dear Sadi

Ooshara Sewpaul, Chief Director Department of Justice and constitutional Development

We are indeed very very sad. We were all extremely fond of our dear Sadi. Please convey our condolences.

Sheina Tseeke, Financial and Fiscal Commission

My prayers and thoughts are with the Commission and her family.

Sue - Ann Bower

We at DERRANN TRAVEL SATC convey our heartfelt condolences to the SAHRC and her family, she was truly an amazing and wonderful lady.

Chris Roberts Catering Services

Please accept my sympathies, we are saddened by the news. I will always remember her as a warm and kindly person and will surely miss her supervision of the menus.

Gabriella Coutinho

I was filled with great sadness on hearing the tragic news about Sadi. In the short time I knew Sadi, her strength and determination inspired me.

I hope that she is finally at peace and surrounded by all the love and comfort she so rightly deserves.

Pandelis Gregoriou

I met MmeSadi on my first day at the Commission about eight years ago. MmeSadi was a stickler for process and procedure, keeping things in order and above all having a hard work ethic. I immediately felt as though I had met a kindred spirit in MmeSadi.

MmeSadi would be firm and direct but also compassionate and understanding and as time passed MmeSadi became more than a colleague or a friend to me but rather a mother figure.

I recall working late on Fridays when almost all other members of staff would have left the building, MmeSadi would quite often come into my office and reprimand me that I would never find a makoti if I stayed at the office so late and only focusing on work would be detrimental to my health. Knowing that one almost never wins an argument with MmeSadi, I would always concede on the proviso that she would also leave with me. Being the person that she was she would not leave until she sorted out her desk and cleaned her crockery in the kitchen basin. That would inevitably lead to many a conversation which if you know the two of us would last for hours.

I reminisce on many occasions when I would be frustrated with the goings on at work or the personal issues that I would be beset with, I would walk into MmeSadi's office and sit on the red chairs that would face the wall. Notwithstanding her heavy workload and responsibilities, she would

immediately ask about what was concerning me and would listen attentively to what I would have to say. I would quite often feel like a weight was lifted off my shoulders after our discussions and ready to face any challenge.

While MmeSadi has not been in office I found myself, out of habit, walking into the hallway that leads to her office wanting to sit on the red chairs as before. I wanted to talk to her about how she was doing, how Keo was coping at work, whether Tumi had managed to make the first of many millions and so on. When realising that she was not there, I would proceed to immediately send her a text message to find out how she was feeling and whether there was anything any of us could to help. I would express to her how we all missed her greatly and could not wait to see her again. True to the kind hearted and special woman that she was, MmeSadi would always reply that she appreciated the words of support but did not require anything. She would reassure me that she would immediately inform me when she would be ready to see us.

It is with shock and a heavy heart that I read the email which informed us of MmeSadi's tragic passing. The vacuum that MmeSadi leaves behind as a mother, friend and colleague to all of us honestly cannot be filled. I steadfastly hold onto the loving memories we all shared with MmeSadi, knowing full well that her spirit shall forever be present to guide us wherever we may be.





# Snippets

## Public Protector makes Time Magazine's top 100

**Sapa | 24 April, 2014 14:26**

Public Protector Thuli Madonsela has been named in Time magazine's annual list of the most 100 influential people in the world, her office said.

"Humbled by the gesture, the public protector said she was taken by surprise that the modest efforts of her office were not only being recognised at home but elsewhere in the world too," spokeswoman Kgalalelo Masibi said in a statement.

Madonsela said, like other accolades bestowed upon her, her inclusion in the American publication's list was not just a recognition of her contribution as an individual.

"It is an acknowledgement of the selfless efforts of the public protector team at large."

Madonsela said the team would continue to draw inspiration from the fact that their efforts in helping government find and eradicate maladministration did not go unnoticed.

Masibi said that according to Time, the list, now in its 11th year, recognised the activism, innovation and achievement of the world's most influential individuals.

"The magazine describes Time 100 as 'a list of the most influential people in the world' and not a list of the most powerful or smartest

people in the world," she said.

Others included on the list were scientists, philosophers, leaders, icons, artists and visionaries.

"These were people who were 'using their ideas, their visions [and] their actions to transform the world and have an effect on a multitude of people'," Masibi said.

The full list would appear in the May 5 issue of Time.

Madonsela, along with the other people selected for the list, have been invited to attend the Time 100 Gala in New York on Tuesday, April 29, where the list will be officially announced.

Masibi said: "She plans to use the opportunity to meet and share good practice and experiences with the officials from the World Bank's Anti-Corruption Unit, the office of the New York Inspector General and the Washington DC Investigation Unit, among other people."

## Sanitation Summit: "Our dignity is undermined"

News

"Lack of access to water and sanitation is an insult to human dignity," emphasised the Social Justice Coalition (SJC) in a National Sanitation Summit held at Community House in Salt River yesterday.

The SJC, who organised the summit, alleges that the national government is failing to tackle the issue of accessibility to water and

sanitation in the country.

"The state of sanitation in South Africa is one of the most important issues that needs to be addressed urgently by our government," said SJC General Secretary Phumeza Mlungwana. She explained that the aim of the summit was to develop a People's Plan for Sanitation and Dignity, which the SJC hopes to finalize in six months.

The summit also provided an opportunity to engage with the recently released South African Human Rights Commission (SAHRC) water and sanitation report titled, Report on the Right to Access Sufficient Water and Decent Sanitation in South Africa: 2014.

Pregs Govender, the Deputy Chairperson of the South African Human Rights Commission, said the report found that lack of planning, monitoring and accountability by the government was the major factor for the lack of water and sanitation in South Africa.

"The government is failing to address this issue, especially among poor municipalities," said Govender. "Poor communities are invisible when compared to the wealthy ones. There are toilets with no lights and they are inaccessible. And the amount of water allocated to them is inadequate."

Amongst the report's findings were:

Approximately 11% (1.4 million) of households (formal and informal) still have to be provided with sanitation services (these households have never had a government supported sanitation intervention);

**Pf**

# Visitors

Commissioner Ameerma hosted visitors from the United States of America who had come to the Commission to share knowledge and learn best practices experiences



## Happy Birthdays

Kathleen Boyce 04 May    **Judy Hollenbach 05 May**

Abraham Mojapelo 05 May

**Yuri Ramkissoo 12 May**    Amanda Mmari 12 May    **Karam Sing 12 May**

Bebalepile Modise 13 May    **Baneoang Pitso 16 May**    Sthabiso Khuluse 18 May

**Danny Titus 19 May**

**Shafeeqah Salie 25 May**    Angel Zulu 25 May    **Wisani Baloyi 25 May**

Tammy Carter 26 May

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Twitter: SAHRCommission  
Facebook: SAhumanrightscommission

## Human Rights Calendar Days

01 May - International Workers Day

03 May - World Press Freedom Day

08 May - World Red Cross and Red Crescent Day

15 May - International day of families

17 May - World Telecommunications Day

31 May - World No-Tobacco day