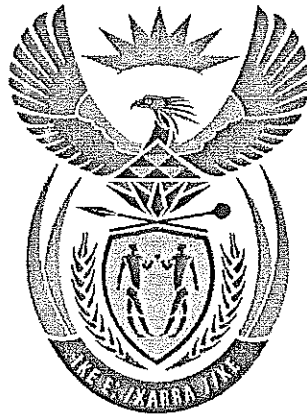


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**STATEMENT BY THE REPUBLIC OF SOUTH AFRICA AT THE 60TH
ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND
PEOPLES' RIGHTS, NIAMEY, REPUBLIC OF NIGER, 8 TO 22 MAY 2017**

**DELIVERED BY
AMBASSADOR NDUMISO NTSHINGA
AMBASSADOR TO THE FEDERAL DEMOCRATIC REPUBLIC OF
ETHIOPIA AND PERMANENT REPRESENTATIVE TO THE AFRICAN
UNION AND THE UNITED NATIONS ECONOMIC COMMISSION FOR
AFRICA**

09 MAY 2017

Chairperson of the African Commission on Human and Peoples' Rights;

Honourable Commissioners;

Distinguished State Delegates;

Representatives of Civil Society Organisations;

All Protocol respectfully observed;

South Africa would like to express its appreciation for the invitation extended to us to participate in this 60th Ordinary Session of the African Commission on Human and Peoples' Rights here in Niamey.

The Government of the Republic of South Africa wishes to take this opportunity to express the utmost and sincere gratitude to the Government of and the People of the Republic of Niger for the warm welcome and hospitality that they have extended to us.

Chairperson,

South Africa wants to reiterate its position that we are committed and continue to support the work of the Commission. The Commission is an important platform for strengthening the African Union agenda on democracy, the rule of law, respect for and promotion of human rights. We would also like to take this opportunity to congratulate you, Chairperson for the commendable work you have done during your term and want to wish you every success with your future endeavours.

South Africa remains steadfast in ensuring the respect for, promotion, protection and fulfilment of all human rights and fundamental freedoms. Human rights remains embedded in our foreign policy. We continue to work towards the entrenchment of democracy and the respect for human rights on the African continent through continental and regional bodies. In this respect, South Africa has been re-elected to the United Nations Human Rights Council and will continue its efforts towards the realisation of economic, social and cultural rights globally.

Chairperson,

On 21 March 2017, South Africa celebrated its Human Rights Day, a day which is of great significance and importance to all South Africans since, it reminds us of the sacrifices that were made for us to attain our freedom and democracy. The theme for our human rights day was: *The year of OR Tambo: Unity in Action in Advancing Human Rights*. Oliver Tambo was an

embodiment of the struggle for democracy, non-racialism, non-sexism and unity.

Chairperson,

Despite the many challenges that South Africa faces, we have made significant progress in the protection and promotion of civil and political rights as well as economic and social rights. With regards to the right to education and the right to be taught in decent schools, government has created the Accelerated Schools Infrastructure delivery Initiative to replace mud schools and other inappropriate structures. Government has also initiated the growth of the Early Childhood Development Programme ensuring that children of the poor and the working class also have a good start in education.

Government has allocated 15.2 billion rand to the National Student Financial Aid Scheme for higher education. The Heher Commission of Inquiry was set up by President Zuma to investigate and make recommendations on different funding models for higher education. The report of the Commission will be presented in June this year.

Chairperson,

The liberation for our women is still central to our struggle for freedom. Women are one of the most vulnerable groups in our society, therefore through the National Development Plan (NDP), South Africa remains committed on realising the empowerment of women and gender equality by 2030.

One of the many issues facing South African women today is domestic violence. In this regard, a number of key law reforms have been implemented aimed at fighting the scourge of violence against women. These include the Children's Act, 2005; Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007; Prevention and Combatting of Trafficking in Persons Act, 2013; and Prohibition and Prevention of Torture Act, 2013. Government has also established Thuthuzela care centres around the country. These care centres are one - stop centres which enable victims to lodge a case with police and receive counselling and medical care. We continue to work on a

holistic and comprehensive approach that is multi-sectoral in order to achieve women empowerment and gender equality.

Chairperson,

South Africa, like many countries around the world is confronted with the challenge of migration. These challenges have recently resulted in the recent attacks by some of our citizens on our non-nationals. We condemn the violence in the strongest possible terms and sincerely apologise to those who were affected.

The decisive action by the South African Government and the South African population at large resulted in no loss of lives during the recent attacks.

The matter is under discussion by the Ministers of the Justice, Crime Prevention and Security Cluster as well as before the Inter-Ministerial Committee on Migration (IMC). These entities have been meeting regularly to come up with measures to ensure that there is no recurrence of the attacks.

Chairperson,

The attacks against foreign nationals in South Africa do not represent the sentiments of a majority of South Africans. Many South Africans spoke out against such acts and there are numerous cases where communities stood up against any attack against foreign nationals. Unfortunately, a lot goes unreported in the local and international media.

Chairperson,

A number of socio-economic issues have been raised by the communities, which include high levels of criminal activity, in particular, drug trafficking; human trafficking and smuggling; prostitution including of children/those under-age and heists. In some instances, illegal immigrants in South Africa have an over representation in the crimes committed, which renders law enforcement useless because those who commit the crimes are not documented therefore untraceable.

Chairperson,

In a country such as South Africa where levels of poverty, unemployment and inequality remain high, fighting over scarce resources becomes inevitable. Unfortunately, incidents of poor people fighting over scarce and limited resources are not unique to South Africa and have been witnessed in other parts of the African continent. The Government published its White Paper on International Migration to manage economic migration in South Africa was tabled before Cabinet during the month of March 2017.

Various other interventions have been undertaken by the South African Government in recent years including the creation of the dispensation of the Zimbabwe Special Permit and the Lesotho Special Permit to help facilitate the documentation of the citizens of these countries in South Africa. We have also continued to improve our reception centres for them to be friendly to asylum seekers and refugee applicants. The recent such improvement is the Marabastad Refugee Centre in Pretoria, now called the Desmond Tutu Reception Centre.

Chairperson,

We believe that in order to address the issue of attacks against foreign nationals we also need to address the very circumstances that lead our nationals to leave their countries for better opportunities in other parts of the world. We must continue to be committed to the various undertakings we have made through various continental frameworks including the African Common Position on Migration and Development. We all have a responsibility to promote social cohesion, peaceful co-existence and good relations in South Africa and the world.

It is important to emphasise that the approach we take to resolve this matter should be guided by the principle of burden sharing. Thus, we must enhance collaboration between the countries of origin, transit and destination/host

countries because without this effort none of the remedies that we come up to address the matter will be sustainable and effective. Without these collaborative efforts between the countries of origin, transit and destination/host countries, this problem will continue to rear its ugly head. Unlike Europe, South Africa does not have the necessary financial resources to throw at this problem, therefore it is imperative that all countries work together to address this problem.

Chairperson,

In conclusion, South Africa is a country that enshrines human rights and dignity. Our Constitution and the laws, policies and programmes of this Government seek to provide opportunities for all, human dignity for all, and equality and freedom for all. South Africa remains committed to the protection, promotion and strengthening of human rights in South Africa, Africa and the World.

Once again South Africa reiterates its continued support to the African Commission on Human and Peoples' Rights and wishes all present here today a fruitful deliberation.

I thank you.