

# South African Human Rights Commission



6th Annual Report  
April 2001 to March 2002



Promoting, Protecting and Monitoring  
Human Rights

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

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September 2002

*The Honourable Dr Frene Ginwala, MP  
Speaker of the National Assembly  
Houses of Parliament  
P. O. Box 15  
Cape Town 8000*

*Dear Madam Speaker:*

*Pursuant to the provisions of section 181(5) of the Constitution of the Republic of South Africa (Act No. 108 of 1996), I am pleased to submit the 6<sup>th</sup> Annual Report of the South African Human Rights Commission for the period 1 April 2001 - 31 March 2002. This report is in line with National Treasury Reporting Guidelines, as well as the Public Finance Management Act Guidelines.*

*Yours faithfully,*

A handwritten signature in black ink, appearing to read "S Mabusela".

*Ms S Mabusela  
CHAIRPERSON*



# South African Human Rights Commission

## 6<sup>th</sup> Annual Report

*April 2001 to March 2002*

### List of Abbreviations

CBOs	Community Based Organisations
CDs	Compact Discs
CSVSR	Centre for the Study of Violence and Reconciliation
ERC	Equality Review Committee
FRE	Forum on Racism in Education
IAJ	Institute for the Advancement of Journalism
KLTC	King Luthuli Transformation Centre
LHR	Lawyers for Human Rights
MTEF	Medium Term Expenditure Framework
NACHRET	National Centre for Human Rights Education and Training
NAPSCR	National Action Plan and Strategy to Combat Racism
NCRA	National Consortium on Refugee Affairs
NFDHRE	National Forum for Democracy and Human Rights Education
NGOs	Non Governmental Organisations
NIs	National Institutions
PAIA	Promotion of Access to Information Act
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act
RBX	Roll Back Xenophobia Campaign
RAU	Rand Afrikaans University
SADTU	South African Democratic Teachers Union
SAHRC	South African Human Rights Commission
SAPS	South African Police Services
SRC	Student Representative Council
UNHCR	United Nations High Commissioner for Refugees
WCAR	World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance
WITS	University of the Witwatersrand

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# Introduction

## 1.1 Overview by the Chairperson

The South African Human Rights Commission has pleasure in submitting the Sixth Annual Report to Parliament. The Report is also the last Annual Report submitted during the first term of the Commission, which ends on the 30<sup>th</sup> September 2002.

The Report reflects all the activities that the Commission was engaged in for the financial year 2001-2002 and illustrates how the Commission has succeeded in discharging what has always been a very wide and demanding mandate. At the national level and in terms of outreach and public awareness, the Commission was engaged in a number of strategic interventions in the provinces and met with various political leaders and members of civil society. Commissioners also held a number of consultative meetings with leading experts to influence human rights policy and best practice. The relationship with Parliament remains an area that requires improvement and we certainly hope that there will be greater opportunities for interaction and engagement in the coming year. The visit by the Portfolio Committee on Justice and Constitutional Development was most welcome and we hope that it was of benefit to all involved.

The Commission continues to foster and maintain links around human rights issues at the national and international level. During the year under review, the Commission participated in 29<sup>th</sup> and 30<sup>th</sup> Sessions of the African Commission and attended the Committee Meeting for National Institutions in Africa. In addition, the Commission attended the 57<sup>th</sup> Session of the United Nations Commission for Human Rights. The Commission participated in the structures and activities of the International Coordinating Committee of National Institutions and was invited to host the Secretariat of African National Human Rights Institutions for the next three years. The Commission also rendered technical assistance to other African National Institutions such as the Human Rights Commission of Tanzania, the Standing Committee on Human Rights of Kenya. We also took part in the discussion towards the establishment of a Human Rights Commission in the Democratic Republic of Congo and in the development of guidelines on Public Inquiries in Malawi.

The period under review also saw the extensive involvement of the Commission in the World Conference against Racism and the events preceding it. Commissioners and staff members formed part of the national and international preparatory committee of the Conference. In collaboration with the Office of the High Commission for Human Rights, the Commission organised a pre-WCAR workshop for national institutions around the world to reflect on the role and contribution of national institutions during and after the conference. The outcomes reached at the conclusion of the conference provide a strong basis for a systematic and coordinated approach to eradicating racism and the Commission has already begun work on post WCAR initiatives.

In conclusion, the year under review has been a very good one for the Commission in that there was a significant drive on the part of the Commission to consolidate and expand our work in making human rights relevant for all South Africans. We wish to thank all those who supported us during the year.

South African Human Rights Commission  
Johannesburg  
12<sup>th</sup> August 2002

## 1.2 Introduction by the Chief Executive Officer

The Sixth Annual Report reflects the priorities and activities of the Commission for the period April 2001 to March 2002. The Report complies with the PFMA provisions as well as the National Treasury's reporting guidelines. The format of this report is therefore a departure from previous Annual Reports. The Report reflects the priorities identified, challenges met and successes achieved by the Commission in the past financial year.

In the period under review and in addition to the general programmes and projects of the Commission, we commenced work in terms of the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA) as well as the Promotion of Access to Information Act (PAIA). Both Acts are critical to the advancement of human rights in our country and place a huge responsibility on the Commission. The work completed for the financial year on the Promotion of Access to Information Act (PAIA) and the Equality Act (PEPUDA) is captured under Constitutional Legislation in the Report. A more substantive report on the work done after the 1<sup>st</sup> April 2002 will be included in the next Report.

The Commission launched its third annual Economic and Social Rights Report in fulfilment of its constitutional mandate to monitor and assess the realisation of economic and social rights. The monitoring mandate of the Commission plays an important role in helping organs of state to take appropriate measures in giving effect to these rights and also helps Parliament to discharge its oversight functions of the executive branch of government more effectively. The workshops on economic and social rights conducted by the Commission in all nine provinces also helped to raise awareness of these rights and thus contribute to a human rights based society and to a better quality of life for many South Africans, especially the poor and marginalised sectors of our community.

As part of its mandate to promote the protection of human rights and to provide appropriate redress, the Commission intervened in numerous cases involving dignity, education, equality and other rights in the Bill of Rights. Some that deserves special mention dealt with access to buildings by disabled persons, denial of admission to school on the grounds of religious belief, and the right of the children of refugees to education and the protection of child victims that appear in the electronic media. The Commission has also begun dealing with cases based on the Promotion of Access to Information Act (PAIA).

The education and training activities of the Commission has grown exponentially during the year under review. We have presented 214 workshops and training programmes reaching 8 484 participants. In addition, the Commission conducted 75 seminars and presentations reaching 11 499 people. The institutionalisation of human rights for schools has been a significant achievement.

The plight of those who live and work in farming Communities came under the spotlight in a national inquiry launched by the Commission during Human Rights Week in the Northern Cape. The inquiry was conducted in each of the nine provinces. We hope at the conclusion of the inquiry to be able to submit a report with recommendations that, if implemented, would significantly contribute to the improvement of conditions in farming communities.



The Commission hosted a very successful Annual Human Rights Awards, which sought to recognise the work of high profile, unsung South Africans and the media in advancing human rights. The Human Rights Awards promises to become a significant annual event on the human rights calendar.

The challenges of accessibility continue to beset the Commission. While the establishment of offices in six of the nine provinces has had a significant impact on the work and reach of the Commission, the need remains to open offices in the remaining Provinces and increase the limited capacity in the Provinces where offices have been established.

### **Overview of the Report**

- Chapter 1 is an overview of the period under review, detailing key priorities and major activities undertaken by the Commission, as well as the mandate and mission statement of the commission.
- Chapter 2 consists of a detailed record of work of the Commissioners and the departments of the Commission and sets out the outputs, indicators and performance of the Commission for the financial year under review.
- Chapter 3 sets out the human resource management structure and the programmes and salary expenditure of the Commission.
- Chapter 4 contains the audited financial statement as approved by the Auditor-General.

This Annual Report aims to provide you with a comprehensive overview of the projects, interventions, plans and procedures of the SAHRC. Should you require further information, please contact the SAHRC at the addresses provided on the back cover.

## 1.3 The Mandate of the Commission

In terms of section 184 of the Constitution of the Republic of South Africa:

- The South African Human Rights Commission must -
  - (a) promote respect for human rights and a culture of human rights;
  - (b) promote the protection, development and attainment of human rights; and
  - (c) monitor and assess the observance of human rights in the Republic.
  
- The South African Human Rights Commission has the powers, as regulated by national legislation, necessary to perform its functions, including the power -
  - (a) to investigate and to report on the observance of human rights;
  - (b) to take steps to secure appropriate redress where human rights have been violated;
  - (c) to carry out research; and
  - (d) to educate.
  
- Each year, the South African Human Rights Commission must require relevant organs of state to provide the Commission with information on the measures that they have taken towards the realisation of the rights in the Bill of Rights concerning housing, health care, food, water, social security, education and the environment.
  
- The South African Human Rights Commission has the additional powers and functions prescribed by national legislation.

## 1.4 Mission Statement

The South African Human Rights Commission is the national institution established to entrench constitutional democracy. The purpose of the Commission through its mandate is to promote respect for, observance of and the protection of human rights for everyone in accordance with the values and principles entrenched in the constitution.

The Commission serves all the people in South Africa by providing legal services, research and documentation, advocacy and lobbying and education and training aimed at the promotion, protection and monitoring of human rights.



# Programmes

## 2.1 Programme 1: Commissioners

The work of the Commissioners is interlinked and integrated and spans the activities of the various departments. In this section, the focus is on the work done by Commissioners, and duly assisted by departments and members of staff. In addition to the sub-programmes designated in this section, the Commissioners are also involved in other areas of work including: Complaints Handling; Legislative Monitoring and Special Projects and Inquiries.

### 2.1.1 Sub-programme: Provincial Visits and Support to Provinces

**Aim of the sub-programme:**

- Promote the profile of the Commission in the provinces.

**Objectives:**

- To engage with various stakeholders on human rights issues;
- To ensure strategic interventions on various human rights issues; and
- To provide strategic support to provinces.

**Activities:**

- Hold meetings with the provincial legislature, political leaders and civil society on the work of the Commission; and
- Address human rights violations and complaints in the province.

### 2.1.2 Sub-programme: International Work

**Aim of the sub-programme:**

- Foster and maintain links around human rights issues at national and international level.

**Objectives:**

- To liaise with various role players at national and international level;
- To strengthen the role of National Institutions; and
- To contribute to the body of knowledge around human rights practice.

**Activities:**

- Participation in meetings of the African Commission, Committee for National Institutions in Africa and the United Nations High Commissioner for Human Rights;
- Participation in structures and activities of the International Coordinating Committee of National Institutions; and
- Present and write articles, give speeches, research papers at various meetings.

### 2.1.3 Sub-programme: Support Services

**Aim of the sub-programme:**

- Ensure that the Commission performs its statutory functions within its allocated resources.

**Objectives:**

- Monitor compliance with the PFMA and the financial policies of the Commission.

**Activities:**

- Convene regular meetings with Accounting Authority; and
- Consider monthly reports of the Commission.

### 2.1.4 Sub-programme: Section 5 Committees

Section 5 of the Human Rights Commission Act, No.54 of 1994 allows the Commission to establish committees to advise the Commission on human rights issues. The Committees are made up of members of the Commission and other persons invited to serve on the Committees. In pursuance thereof, the Commission has established the following committees:

- International Standards
- Government and Parliamentary Liaison
- Rights of the Child
- Disability
- Older Persons
- NGOs and CBOs and Statutory Bodies Liaison

**Aim of the sub-programme:**

- Advise the Commission on human rights issues within the designated areas.

**Objectives:**

- To provide strategic advice on appropriate interventions on human rights issues by the Commission.

**Activities:**

- Consultative meetings with experts; and
- Contribution to policy development of the Commission on various human rights issues.

## **2.1.5 Sub-programme: The Rights of Victims**

**Aim of the sub-programme:**

- Promote the rights of victims of crime.

**Objectives:**

- To set out the rights, obligations and expectations of victims of crime in relation to the services provided to them.

**Activities:**

- Participated in a drafting team with the Department of Justice and the South African Law Commission to develop a victims charter.

## **2.1.6 Sub-programme: The Rights of Older Persons**

**Aim of the sub-programme:**

- Promote and protect the rights of older persons.

**Objectives:**

- To raise awareness on human rights with stakeholder bodies working with older persons; and
- To prevent the abuse, neglect and ill-treatment of older persons.

**Activities:**

- Monitor the rights of older persons in general and in particular that of old age homes, pension grants and pension payout points; and
- Advocate and lobby around the rights of older persons with various stakeholders.

## **2.1.7 Sub-programme: The Rights of Non-nationals including Refugees, Asylum-Seekers and Migrants**

**Aim of the sub-programme:**

- Promote and protect the rights of non-nationals.

**Objectives:**

- To contribute to national policy development on the rights of non-nationals.

**Activities:**

- Consultations and advice to government officials and NGOs; and
- Chair the National Consortium of Refugee Agencies, an umbrella body of refugee organisations.

## Outputs and Service Delivery Indicators Programme 1: Commissioners

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Raise the profile of the SAHRC in the provinces	<ul style="list-style-type: none"> <li>• Raise the profile of the SAHRC in the provinces</li> </ul>	<ul style="list-style-type: none"> <li>• Meetings held with provincial legislature, political leaders and civil society - 44 provincial visits</li> </ul>
Linking the SAHRC with the international community	<ul style="list-style-type: none"> <li>• Increased international links</li> </ul>	<p>Attended:</p> <ul style="list-style-type: none"> <li>• 3<sup>rd</sup> International Conference of African National Institutions and presented papers</li> <li>• 29<sup>th</sup> Session of the African Commission, Libya 2001 and presented papers</li> <li>• 30<sup>th</sup> Session of the African Commission, Benin 2001 and presented papers</li> <li>• 57<sup>th</sup> Session of the UN Commission on Human Rights, March-April 2001 and presented papers</li> <li>• Attended 2 special PrepCom Sessions on the World Conference on Racism</li> </ul>
Monitoring compliance with relevant legislation and regulations	<ul style="list-style-type: none"> <li>• Contribute to the production of the MTEF Report, Annual Report and Quarterly Reports</li> </ul>	<ul style="list-style-type: none"> <li>• Input into MTEF Report</li> <li>• Input into Annual Report</li> <li>• Quarterly reports to Plenary</li> </ul>
Section 5 Committees - advisory meetings to assist in the development policy	<ul style="list-style-type: none"> <li>• Consultative meetings with experts - set meetings per annum</li> </ul>	<ul style="list-style-type: none"> <li>• 4 meetings per Committee per annum</li> <li>• International Standards – policy position on international human rights and foreign affairs</li> <li>• Government and Parliamentary Liaison – policy position on issues of accountability and monitoring of legislation in respect of human rights</li> <li>• Rights of the child – towards policy position on children’s rights</li> <li>• Disability – towards policy position on accessibility</li> <li>• Older persons – towards policy position on the abuse of older persons</li> <li>• NGOs &amp; CBOs and Statutory Bodies Liaison – towards policy position on links/partnerships with the Commission</li> </ul>

## Outputs and Service Delivery Indicators Programme 1: Commissioners

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Monitoring the rights of victims	<ul style="list-style-type: none"> <li>• Document the rights, obligations and expectations of victims of crime</li> </ul>	<ul style="list-style-type: none"> <li>• Participated in drafting report on victims of crime with Department of Justice and SA Law Commission</li> </ul>
<p>The monitoring and protection of the rights of older persons with Department of Social Development</p> <p>Develop policy position around the rights of older persons</p>	<ul style="list-style-type: none"> <li>• Investigate the abuse, neglect and ill-treatment of older persons through site visits to old age homes, hospitals, clinics and pension payout points</li> <li>• Produce report</li> </ul>	<ul style="list-style-type: none"> <li>• Visits to hospitals, old age homes, and clinics in all 9 provinces</li> <li>• Served on and chaired the Ministerial Committee which conducted investigations into the abuse, neglect and ill-treatment of older persons in all nine provinces</li> <li>• Produced report on the findings of the investigation of the Ministerial Committee with recommendations and submitted Report to the Minister of Social Development for implementation</li> <li>• Developed a policy position for the Commission on the rights of older persons</li> </ul>
<p>Training and monitoring of policy development in respect of non-nationals including refugees, asylum-seekers and migrants</p> <p>Develop policy guidelines on access to education for refugee children</p> <p>Input on Immigration Bill</p>	<ul style="list-style-type: none"> <li>• Contribution to policy guidelines and Immigration Bill</li> </ul>	<ul style="list-style-type: none"> <li>• Consulted with Department of Home Affairs, Provincial and Local Government Departments, UNHCR, NCRA and other NGOs on the rights of non-nationals</li> <li>• Participated in three workshops convened by Refugee Relief Board to produce Draft Policy Framework Document on Social Assistance to refugees</li> <li>• Prepared preliminary report: Policy Guidelines on Education for refugee children</li> <li>• 2 submissions to Immigration Bill</li> <li>• Networking with service delivery NGOs and liaising with Department of Home Affairs</li> <li>• Regular monitoring of Lindela Detention Facility, Johannesburg International Airport, police holding cells, refugee reception offices</li> </ul>

## 2.2 Programme 2: Management

This programme consists of the Office of the Chief Executive Officer and the Finance and Administration Department.

The overall aim of the programme is to provide effective, efficient, transparent and cost-effective secretarial functions to the Commission, by inter-alia ensuring compliance with the provisions of PFMA and other statutory requirements, maintenance of internal audit systems, strategic planning, spearheading projects, securing donor funding, interaction with the external stakeholders (both local and international) and other sister organisations, developing and updating staff regulations in consultation with the Department of Justice and Constitutional Development within relevant legislative framework.

### 2.2.1 Sub-programme: Human Resource Management

**Aim of the sub-programme:**

- Provide human resource services to the Commission.

**Objectives:**

- To develop an integrated human resource management system.

**Activities:**

- Review of performance management system;
- Undertake recruitment, selection and placement process;
- Implement a job evaluation system;
- Implement a training and development policy;
- Draft labour relation and employment equity policies and procedures;
- Implement occupational, health and safety policies and procedures; and
- Administer payroll and employee benefits.

### 2.2.2 Sub-programme: Information Technology

**Aim of the sub-programme:**

- Ensure the Commission is at the cutting edge of information technology.

**Objectives:**

- To develop and maintain high-level information technology systems.

**Activities:**

- Review IT master systems plan;
- Install a data recovery and back-up system;
- Manage IT systems and network;
- Monitor IT security systems; and
- Maintain hardware and software.

### 2.2.3 Sub-programme: Finance

**Aim of the sub-programme:**

- Provide efficient financial services to the Commission and financial reports to the stakeholders.

**Objectives:**

- To administer and manage the Commission's finances in terms of the provisions of the PFMA, Treasury Regulations and internal policies and procedures.

**Activities:**

- Produce monthly expenditure and budget reports;
- Prepare and submit annual financial statement within two months after the end of the financial year;
- Prepare and submit financial reports to donors;
- Prepare and submit 3-year MTEF budget submission;
- Process and administer payment, invoices, claims and requisitions;
- Control petty cash; and
- Monitor and implement risk and fraud prevention plan.

### 2.2.4 Sub-programme: Procurement and Administrative Support Services

**Aim of the sub-programme:**

- Provide administrative support and procurement services to the Commission.

**Objectives:**

- To ensure the effective and efficient procurement and administrative support services within the Commission.

**Activities:**

- Finalise internal tender procedures;
- Maintain a computerised fixed assets register;
- Ensure proper utilisation and maintenance of Commission resources;
- Develop and maintain tendering and procurement procedure;
- Ensure provision of safety and security to the Commission; and
- Undertake procurement and provisioning process.

## Outputs and Service Delivery Indicators Programme 2: Management

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Integrated human resource management system	<ul style="list-style-type: none"> <li>• Job evaluation</li> <li>• Performance management system</li> <li>• Training and development policy</li> </ul>	<ul style="list-style-type: none"> <li>• Development of               <ul style="list-style-type: none"> <li>- Job evaluation policy</li> <li>- Performance management system</li> <li>- Training and development policy</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>• Employment equity plan</li> </ul>	<ul style="list-style-type: none"> <li>• Implemented employment equity plan</li> </ul>
Information Technology system	<ul style="list-style-type: none"> <li>• IT security policy and Master</li> </ul>	<ul style="list-style-type: none"> <li>• Installed data recovery and backup system</li> <li>• Reviewed IT master plans system</li> </ul>
Audited annual financial statements	<ul style="list-style-type: none"> <li>• Monthly management reports</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly expenditure report produced</li> </ul>
	<ul style="list-style-type: none"> <li>• Annual audited reports</li> </ul>	<ul style="list-style-type: none"> <li>• Financials prepared for auditing</li> </ul>
MTEF input report	<ul style="list-style-type: none"> <li>• MTEF input</li> </ul>	<ul style="list-style-type: none"> <li>• Three year MTEF document submitted</li> </ul>
Reports to donors	<ul style="list-style-type: none"> <li>• Financial reports to donors</li> </ul>	<ul style="list-style-type: none"> <li>• Financial reports prepared and submitted to donors</li> </ul>
Risk assessments and prevention plan	<ul style="list-style-type: none"> <li>• Risk assessment report</li> </ul>	<ul style="list-style-type: none"> <li>• Risk assessment and fraud prevention plan being implemented</li> </ul>
Procurement and Administrative Support system	<ul style="list-style-type: none"> <li>• Procurement and procedure manual</li> </ul>	<ul style="list-style-type: none"> <li>• Internal tender processes finalised</li> </ul>
Complete fixed assets register	<ul style="list-style-type: none"> <li>• Update fixed assets register</li> </ul>	<ul style="list-style-type: none"> <li>• Computerised fixed assets register maintained</li> </ul>



## 2.3 Programme 3: Advocacy

The objectives of the Advocacy Department are to promote respect for human rights and to develop a culture of human rights in South Africa by developing public education programmes through the medium of Communications, Media Liaison and Campaigns.

### 2.3.1 Sub-programme: Human Rights Awards

**Aim of the sub-programme:**

- Encourage all people in South Africa to be involved in human rights work.

**Objectives:**

- To identify outstanding individuals and institutions that work in the areas of human rights; and
- To profile the contribution of individuals and institutions.

**Activities:**

- Develop public strategies to promote the human rights awards;
- Develop selection criteria and call for nominations in various categories;
- Identify the winner in each category; and
- Host an awards ceremony.

### 2.3.2 Sub-programme: Observing National and International Human Rights Calendar Days

**Aim of the sub-programme:**

- Raise awareness of the significance of specific human rights calendar days.

**Objectives:**

- To commemorate human rights days such as: South Africa's Human Rights Day; Africa Human Rights Day; International Children's Day; Disability Day and International Human Rights Day.

**Activities:**

- Host public seminars and events around human rights calendar days; and
- Develop public outreach programmes around human rights calendar days.

### 2.3.3 Sub-programme: Publications and Communications

**Aim of the sub-programme:**

- Promote human rights awareness through various publications and a communications strategy.

**Objectives:**

- To provide organisations and individuals with written material on human rights issues; and
- To communicate the work that the Commission is currently engaged in through print and electronic media.

**Activities:**

- Produce Kopanong newsletter;
- Produce Annual Report;
- Produce various pamphlets, brochures and posters according to campaign needs;
- Issue media statements and press releases;
- Conduct media interviews and media briefings; and
- Produce feature articles for publication.

### 2.3.4 Sub-programme: Campaign Activities

**Aim of the sub-programme:**

- Develop broad-based campaigns in order to promote specific human rights issues.

**Objectives:**

- To create human rights awareness around particular issues or projects;
- To inform the South African public of their rights; and
- To highlight specific human rights violations.

**Activities:**

- Promote human rights awareness around specific activities such as: Inquiry into Farming Communities; Child Rights; Disability Rights and the Rights of Older Persons.

### 2.3.5 Sub-programme: Roll Back Xenophobia Campaign

The Roll Back Xenophobia Campaign is a joint initiative of the National Consortium on Refugee Affairs, the United Nations High Commissioner for Refugees and the South African Human Rights Commission.

**Aim of the sub-programme:**

- Promote human rights and address xenophobia and xenophobic related violence in South Africa.

**Objectives:**

- To raise awareness on the rights and responsibilities of migrants in South Africa;
- To facilitate local integration for refugees and migrants in South Africa; and
- To liaise with the media on refugee and migrant-related issues.

**Activities:**

- Develop training and awareness programmes for learners, curriculum developers and educators;
- Conduct workshops with the South African Police Services on the rights of migrants and refugees;
- Intervene and mediate in conflict situations between nationals and non-nationals;
- Liaise with the media and assist with programmes and interviews on xenophobia;
- Host seminars with journalists on refugee issues;
- Develop public awareness and education programmes;
- Involve refugees and asylum seekers in projects related to them; and
- Produce relevant publications and training material.

## Outputs and Service Delivery Indicators

### Programme 3: Advocacy

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Human Rights Awards	<ul style="list-style-type: none"> <li>• Advertise and call for nominations on human rights awards in the electronic and print media - through national and local newspapers</li> </ul>	<ul style="list-style-type: none"> <li>• Advertised in and called for nominations in three major newspapers</li> <li>• Advertised and called for nominations via electronic media</li> </ul>
	<ul style="list-style-type: none"> <li>• Develop categories for the awards</li> </ul>	<ul style="list-style-type: none"> <li>• Presented awards in the following three categories: Lifetime Award; Human Rights Advocacy; Human Rights Journalism: Electronic and Print Media</li> </ul>
	<ul style="list-style-type: none"> <li>• Host awards ceremony</li> </ul>	<ul style="list-style-type: none"> <li>• Awards ceremony at Vodaworld, 10<sup>th</sup> December 2001 for 500 guests</li> <li>• Printed 1000 copies of Human Rights Awards report</li> </ul>
Observing National and International Human Rights Calendar Day	<ul style="list-style-type: none"> <li>• Mark calendar day through particular event:               <ul style="list-style-type: none"> <li>- Human Rights Week</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• “Working the Land with Dignity” 18-22/03/2001</li> <li>• Conducted:               <ul style="list-style-type: none"> <li>Provincial programmes</li> <li>National programme in Northern Cape</li> </ul> </li> <li>• Produced publicity materials</li> <li>• Produced “My Rights your Rights” in all official languages</li> <li>• Translated complaints forms</li> <li>• Produced radio shows and road shows</li> </ul>
	<ul style="list-style-type: none"> <li>- Africa Human Rights Day Celebrated poster competition</li> </ul>	<ul style="list-style-type: none"> <li>• Developed “Different but Equal” campaign around Africa Human Rights Day</li> <li>• Produced publicity materials: posters, pamphlets, flyers, caps and T-shirts</li> </ul>
	<ul style="list-style-type: none"> <li>- International Children’s Day National information exhibition in Polokwane</li> </ul>	<ul style="list-style-type: none"> <li>• Distributed Child Rights Posters, Bill of Rights Posters and “My Rights your Rights” publication</li> </ul>
	<ul style="list-style-type: none"> <li>- 5<sup>th</sup> Anniversary of the Constitution “Celebrating our Constitutional Democracy”</li> </ul>	<ul style="list-style-type: none"> <li>• Produced 10 000 copies of the resource booklet of all chapter nine institutions; 10 000 copies of protecting your constitution booklet and 15 000 copies of the framework document</li> </ul>
Production of publications	<ul style="list-style-type: none"> <li>• Publish quarterly newsletter</li> </ul>	<ul style="list-style-type: none"> <li>• Published 4 issues of Kopanong quarterly 5000 x 4</li> </ul>
	<ul style="list-style-type: none"> <li>• Publish Annual Report</li> </ul>	<ul style="list-style-type: none"> <li>• 5000 copies of Annual Report</li> </ul>
	<ul style="list-style-type: none"> <li>• Other Commission Reports</li> </ul>	<ul style="list-style-type: none"> <li>• 1500 copies Child sexual offences</li> </ul>

## Outputs and Service Delivery Indicators Programme 3: Advocacy

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Media Liaison	<ul style="list-style-type: none"> <li>• Produce media statements, press releases, launches and feature articles for the different projects of the Commission</li> </ul>	<ul style="list-style-type: none"> <li>• Media articles and interviews in the print and electronic media on human rights issues</li> <li>• Published feature articles in various major newspapers</li> <li>• Held launches for various inquiries and publications</li> </ul>
Public Awareness Campaign around the Inquiry into Human Rights in Farming Communities	<ul style="list-style-type: none"> <li>• Develop public awareness through print and electronic media</li> </ul>	<ul style="list-style-type: none"> <li>• Developed 9 provincial public participation programmes</li> </ul>
	<ul style="list-style-type: none"> <li>• Produce public awareness campaign</li> </ul>	<ul style="list-style-type: none"> <li>• Produced In-house flyers which were translated to all languages</li> </ul>
WCAR Co-ordination of National Institutions	<ul style="list-style-type: none"> <li>• Develop public awareness, exhibition and publicity for 2 National consultative conferences in Johannesburg and Cape Town</li> <li>• Co-ordinate WCAR activities for National Institutions delegation at the WCAR, Durban</li> </ul>	<ul style="list-style-type: none"> <li>• Produced writing materials, banners folders, posters publications caps and T-shirts as part of the WCAR promotional drive</li> <li>• Produced 20 copies of “What is SAHRC” video</li> </ul>
RBX Education Campaign	<ul style="list-style-type: none"> <li>• Creative writing competition</li> <li>• Drawing competition</li> </ul>	<ul style="list-style-type: none"> <li>• National competition through The Teacher newspaper, Love-Life Y centres and libraries in all 9 provinces</li> </ul>
- Targeting all levels in the education sector	<ul style="list-style-type: none"> <li>• Training material for curriculum developers</li> </ul>	<ul style="list-style-type: none"> <li>• Through NACHRET – RBX was engaged in the process of drafting a document titled: “Strengthening and Streamlining C2005”</li> <li>• Heinemann produced 5000 copies of activities book on cultural understanding and diversity</li> <li>• Soul City developed material with assistance from RBX 2000 copies</li> </ul>
- Targeting tertiary institutions		<ul style="list-style-type: none"> <li>• Meeting with the student representatives councils of RAU, VISTA and WITS to carry forward the message</li> <li>• Distributed 500 of “We are all brothers and sisters posters”</li> </ul>
- Training of police and other civil servants	<ul style="list-style-type: none"> <li>• Border police training pilot project, in partnership with the SAPS, NACHRET and CSV</li> </ul>	<ul style="list-style-type: none"> <li>• One 3-day workshop in - Johannesburg, Badplaas and Paarl</li> <li>• Produced 100 training manuals</li> </ul>

## Outputs and Service Delivery Indicators Programme 3: Advocacy

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
RBX Training of police and other civil servants	<ul style="list-style-type: none"> <li>• Workshops with senior Health officials, superintendents, CEO, and matrons at hospitals at the provincial level</li> </ul>	<ul style="list-style-type: none"> <li>• One day workshop in Johannesburg, Port Elizabeth, Cape Town and Durban</li> <li>• 120 training manuals produced and distributed</li> </ul>
Training of Legal Service Providers	<ul style="list-style-type: none"> <li>• Workshop</li> </ul>	<ul style="list-style-type: none"> <li>• One 2-day workshop in Durban</li> </ul>
Media Liaison	<ul style="list-style-type: none"> <li>• Participate in the development of programs for talk shows, current affairs, community radio stations and newspapers</li> </ul>	<ul style="list-style-type: none"> <li>• Assisted in the production of FMS Productions, Two Way, Soul City, Soul Buddyz, Special Assignment, Global Community Radio</li> </ul>
	<ul style="list-style-type: none"> <li>• Journalists seminars: On the nature and causes of conflict in some of the countries that are producing refugees</li> </ul>	<ul style="list-style-type: none"> <li>• Journalists seminars nationally, To place xenophobia on the media agenda. In partnership with the Institute for the advancement of Journalism - IAJ</li> </ul>
	<ul style="list-style-type: none"> <li>• Focused feature article on xenophobia</li> </ul>	<ul style="list-style-type: none"> <li>• Feature article published in The Teacher newspaper, the voice-SADTU publication, the Refuge-an academic journal based at the York University in Canada and The Youth Development Network</li> </ul>
RBX public awareness, education and publications	<ul style="list-style-type: none"> <li>• Publications</li> </ul>	<ul style="list-style-type: none"> <li>• Contributed to the distribution of the publication, "We came for Mandela"</li> <li>• Produced photographic exhibition which is now hosted nationally - 250 enlarged and laminated Photographs Port Elizabeth, Pretoria and Johannesburg</li> <li>• 10 Gauteng Townships. Distr. 300 training manuals 1500 posters and 1000 pamphlets</li> <li>• 2 500 training manuals different target groups,</li> <li>• 10 000 pamphlet on the rights of migrants and refugees, and how to apply for asylum in South Africa</li> <li>• 2000 Creative writing posters</li> </ul>

## 2.4 Programme 4: Legal Services

To investigate human rights violations and provide effective redress.

### 2.4.1 Sub-programme: Complaints handling

**Aim of the sub-programme:**

- Redress of human rights violations.

**Objectives:**

- To provide constitutional redress for complaints relating to human rights violations through mediation and by making findings and recommendations; and
- To monitor the implementation of recommendations;

**Activities:**

- Receive and address complaints, of individual and systemic violations of human rights; and
- Proactively investigate and address human rights violations.

### 2.4.2 Sub-programme: Litigation

**Aims of the sub-programme:**

- Promote effective redress around human rights violations and develop human rights jurisprudence.

**Objectives:**

- To ensure an effective development of human rights jurisprudence; and
- To provide remedial measures in cases of violations.

**Activities:**

- Undertake litigation in the various courts and tribunals where necessary; and
- Research and identify human rights issues for litigation.

## Outputs and Service Delivery Indicators Programme 4: Legal Services

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Complaints handling	<ul style="list-style-type: none"> <li>• Numbers received</li> <li>• Numbers dealt with</li> <li>• Numbers referred</li> <li>• Numbers outstanding</li> </ul>	<ul style="list-style-type: none"> <li>• Complaints outstanding: 515</li> <li>• Complaints dealt with: 969</li> <li>• Complaints referred: 1508</li> <li>• Complaints rejected: 320</li> <li>see page 24 for detailed breakdowns</li> </ul>
Litigation	<ul style="list-style-type: none"> <li>• Identify matters for litigation</li> <li>• Matters being prepared for litigation</li> <li>• Matters litigated</li> </ul>	<ul style="list-style-type: none"> <li>• 8 matters for litigation</li> <li>• 4 matters being prepared for litigation</li> <li>• 0 matters litigated</li> </ul>



## Complaints Handling

Nature of Complaints	Numbers Received	Numbers Dealt With	Numbers Referred	Numbers Outstanding	Open cases received prior to this financial year (head office)	Rejected Complaints
Equality	233	197	0	70	82	
Human Dignity	94	84	0	35	7	
Life	5	1	0	5	4	
Freedom and Security of the Person	86	68	0	28	5	
Privacy	9	9	0	3	1	
Freedom of Expression	2	1	0	1	2	
Political Rights	0	0	0	0	1	
Freedom of Association	2	2	0	1		
Citizenship	4	3	0	2	3	
Freedom of Movement and Residence	8	1	0	7	4	
Freedom of Trade, Occupation and Profession	7	5	0	4	2	
Labour Relations	173	64	50	10	22	
Environment	7	6	0	1	3	
Property	29	23	0	7	2	
Housing	30	18	0	14	5	
Health Care, Food, water and Social Security	24	19	0	5	24	
Education	25	15	0	13	18	
Language and Culture	7	5	0	2	2	
Access to Information	40	29	0	11	9	
Just Administrative Action	136	134	0	20	9	
Access to Courts	70	49	0	27	26	
Arrested, Detained and Accused persons	84	25	63	11	7	
More information Required from Complainant	211	211				
Complaints belonging to other forums	1395		1395			
No violations of humanrights (outright rejections)	320					320
<b>TOTAL</b>	<b>3001</b>	<b>969</b>	<b>1508</b>	<b>277</b>	<b>238</b>	<b>320</b>

## Litigation

Nature of rights	Nature of litigation matter	Progress	Outcome
Equality	• Transportation issues pertaining to people with disabilities	• To serve papers	• Pending
	• Insurance rights for people living with HIV/AIDS	• Agreement reached	• Court process held in abeyance for draft policy
	• Discrimination against African women born out of marriage	• To serve papers	• Pending
	• Discrimination based on sexual orientation		• Department of Health to do further research
	• Denial of the right to assembly/association on the basis of race	• To serve papers	• Pending
Environment	• Denial of environmental rights	• Department of Water Affairs agreed to close the dam	• Matter settled out of court

## 2.5 Programme 5: Research and Documentation

To monitor and assess observance of human rights in South Africa and provide human rights information services for the Commission.

### 2.5.1 Sub-programme: Economic and Social Rights

**Aim of the sub-programme:**

- Advance the attainment of economic and social rights in South Africa.

**Objectives:**

- To monitor and assess the observance of economic and social rights;
- To secure appropriate redress of violations of economic and social rights;
- To conduct research on relevant economic and social rights issues; and
- To educate and raise awareness on economic and social rights issues.

**Activities:**

- Preparation of the 3<sup>rd</sup> and 4<sup>th</sup> Economic and Social Rights Reports;
- Conducting seminars and workshops; and
- Development of research papers.

### 2.5.2 Sub-programme: Library and Documentation Centre

**Aim of the sub-programme:**

- Development and management of a comprehensive documentation facility.

**Objective:**

- To provide access for staff and the public to documentation on human rights and other related fields.

**Activities:**

- Providing information services to the Commission and public;
- Renewing journals and law reports subscriptions;
- Buying new books, journals, law reports database such as CDs, and any other information on human and related fields;
- Providing access to library material through loans to Commissioners and Staff and access to members of the public for general usage; and
- Supporting the research and training needs of the Commission.

## Outputs and Service Delivery Indicators Programme 5: Research

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Economic and Social Rights Report	<ul style="list-style-type: none"> <li>• 3<sup>rd</sup> Annual Economic and Social Rights Report</li> </ul>	<ul style="list-style-type: none"> <li>• Developed the 3<sup>rd</sup> economic and social rights report</li> <li>• The report was launched on 20 November 2002</li> <li>• One thousand reports were published and distributed to government departments, the National Assembly, organs of civil society and the public</li> </ul>
	<ul style="list-style-type: none"> <li>• Protocols for the 4<sup>th</sup> report</li> </ul>	<ul style="list-style-type: none"> <li>• The protocols for the 4<sup>th</sup> report were developed and submitted to 89 organs of state in March 2002 with the return date as May 2002. The return date was later extended to June 2002.</li> </ul>
	<ul style="list-style-type: none"> <li>• Economic and social rights workshops</li> </ul>	<ul style="list-style-type: none"> <li>• The Department conducted 9 workshops in all the nine provinces between 20 June and 13 September 2001. Over 360 delegates attended the workshops.</li> </ul>
	<ul style="list-style-type: none"> <li>• Seminars</li> </ul>	<ul style="list-style-type: none"> <li>• A seminar on the Grootboom judgment was held by the Department on 24 May 2001 and 50 participants from government and organs of civil society attended</li> </ul>
	<ul style="list-style-type: none"> <li>• Papers</li> </ul>	<ul style="list-style-type: none"> <li>• The Department has produced 4 papers on socio-economic rights presented in national and international workshops and seminars</li> </ul>
Development and management of the Library and Documentation Centre	<ul style="list-style-type: none"> <li>• Acquisition of new materials</li> <li>• Renewal of subscriptions</li> <li>• Providing access to library material through loans to Commissioners and staff</li> <li>• Supporting the research and training needs of the Commission</li> <li>• Public usage</li> </ul>	<ul style="list-style-type: none"> <li>• 365 books (purchased and donated)</li> <li>• Renewal subscription to 73 overseas titles (journals, loose leaf publications and law reports)</li> <li>• Renewed subscription to 17 South titles (journals, loose leaf publication and law reports)</li> <li>• 1485 titles were borrowed from the library</li> <li>• Number of members of the public that used the facility: 24</li> </ul>

## 2.6 Programme 6: Human Rights Education and Training

To contribute to the development of a sustainable culture of human rights through education and training.

### 2.6.1 Sub-programme: Seminars and Discussions

**Aim of the sub-programme:**

- Promote dialogue on human rights issues.

**Objectives:**

- To enhance an understanding of human rights issues.

**Activities:**

- Plan and conduct seminars and roundtables.

### 2.6.2 Sub-programme: Training on Human Rights

**Aim of the sub-programme:**

- Training on human rights and development of materials and programmes.

**Objectives:**

- To provide training and materials on human rights.

**Activities:**

- Respond to requests for training;
- Training on equality;
- Training for police;
- Accredited training programmes;
- In-house capacity building; and
- Development and production of human rights material.

### 2.6.3 Sub-programme: Quality Assurance

**Aim of the sub-programme:**

- Setting standards for human rights education and training delivery and implementation.

**Objectives:**

- To ensure the effective implementation of human rights education and training programme on a national and provincial level;
- To promote quality of delivery;
- To assess and evaluate the performances of education officers against agreed upon standards; and
- To support education and training activities and to meet developmental needs.

**Activities:**

- Developing Quality Assurance Instruments;
- Evaluation sessions;
- Peer assessment;
- Training and capacity building;
- Dialogues, engagements and consultation; and
- Negotiating recommendations.

## **2.6.4 Sub-programme: Partnerships and Fora**

**Aim of the sub-programme:**

- Establishing networks of human rights education initiatives.

**Objectives:**

- To develop workable links with partner organisations for enhanced implementation of human rights education work.

**Activities:**

- Convene Forum on Racism in Education; and
- Co-convene National Forum on Democracy and Human Rights Education.

## **2.6.5 Sub-programme: Institutionalisation of Human Rights Education in Formal Curricula**

**Aim of the sub-programme:**

- Infusion of human rights education into curricula.

**Objectives:**

- To ensure the integration of a culture of human rights in formalised education and training processes such as schooling.

**Activities:**

- Curriculum development; and
- Learning programme development.

## Outputs and Service Delivery Indicators

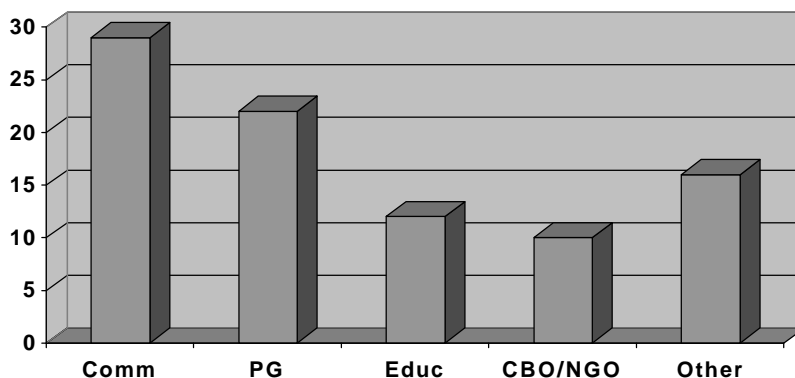
### Programme 6: Human Rights Education and Training

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Seminars and Roundtables convened with partners	<ul style="list-style-type: none"> <li>• Number of seminars</li> <li>• Number of Roundtables</li> </ul>	<ul style="list-style-type: none"> <li>• 7 seminars and roundtables conducted and co-convened</li> </ul>
2-day Training Programmes (Training on Equality)	<ul style="list-style-type: none"> <li>• Number of Training Programmes</li> </ul>	<ul style="list-style-type: none"> <li>• The following workshops have been conducted: <ul style="list-style-type: none"> <li>• 5 on children</li> <li>• 9 on equality</li> <li>• 2 on disability</li> <li>• 6 on xenophobia</li> </ul> </li> </ul>
3-day Training Programmes (Training for Police)	<ul style="list-style-type: none"> <li>• Number of Training Programmes</li> </ul>	<ul style="list-style-type: none"> <li>• 5 programmes conducted</li> </ul>
1-day Workshops (Requests for Training)	<ul style="list-style-type: none"> <li>• Number of workshops</li> </ul>	<ul style="list-style-type: none"> <li>• 7 workshops conducted per month</li> </ul>
Development and design of training manuals (Training Materials)	<ul style="list-style-type: none"> <li>• Number of manuals</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing materials development</li> </ul>
Quality Assurance	<ul style="list-style-type: none"> <li>• Appraisal and assessment instrument</li> <li>• Report with analysis</li> <li>• Recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation, assessment and completion of report with recommendations</li> </ul>
Established partnered projects (Partnerships and Forums)	<ul style="list-style-type: none"> <li>• Number of partnered projects, forums and campaigns</li> </ul>	<ul style="list-style-type: none"> <li>• Hosted 2 meetings of Forum on Racism in Education</li> <li>• Co-convened 3 meetings of NFDHRE</li> <li>• Two partnered projects</li> </ul>
Formalisation of Training Programmes	<ul style="list-style-type: none"> <li>• Number of accredited courses</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>
In-house capacity building	<ul style="list-style-type: none"> <li>• Number of in-house capacity building programmes</li> </ul>	<ul style="list-style-type: none"> <li>• 6 in-house programmes</li> </ul>
Prospectus, databases and acquisition of training materials	<ul style="list-style-type: none"> <li>• Completed database and prospectus</li> <li>• Volume/number of materials, books and manuals</li> </ul>	<ul style="list-style-type: none"> <li>• Completed</li> </ul>
Institutionalisation of Human Rights Education in Formal Curricula	<ul style="list-style-type: none"> <li>• Human Rights Infusion in Curriculum</li> </ul>	<ul style="list-style-type: none"> <li>• Ensured human rights infusion in curriculum for grades 0-9</li> </ul>

## Education and Training Interventions

### National Office

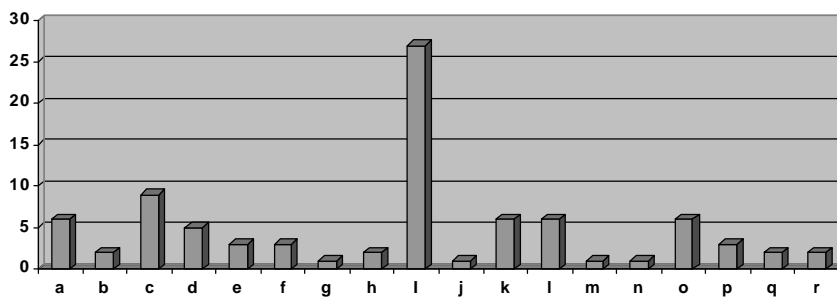
#### Workshops per Target Group



Comm = Communities/ PG = Professional Groups (Police, Social Workers, Health Care Personnel)/ Educ = Educators

- 89 workshops were conducted reaching 2783 participants
- 7 workshops pm on average
- 31 participants per workshop on average

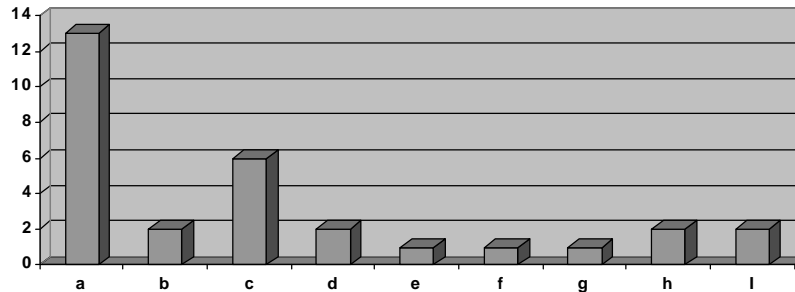
#### Workshops per Theme



a = Refugees/ b = HR and Crime/ c = Diversity and Anti-Discrimination/ d = Children/ e = Gender/ f = Disability/ g = HR Education/ h = Aids/ i = Basic HR/ j = Health/ k = Train the Trainer/ l = Corporal Punishment/ m = Conflict Resolution/ n = Labour Relations/ o = Xenophobia/ p = HR and Curriculum/ q = Rights of the Aged/ r = Social Security



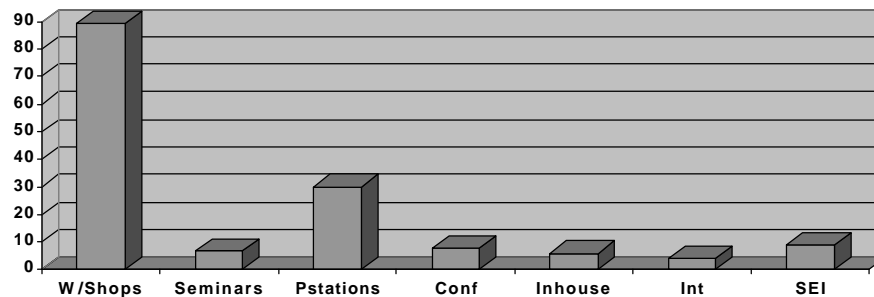
### Presentations per Theme



a = Equality/ b = Paralegal/ c = Curriculum/ d = Basic HE/ e = Women/ f = Sexuality Education/ g = HIV/AIDS/ h = Access to Information/ i = The rights of the aged

- In total 30 presentations were made at 2.5 per month on average reaching a total of 3182 participants

### Overview



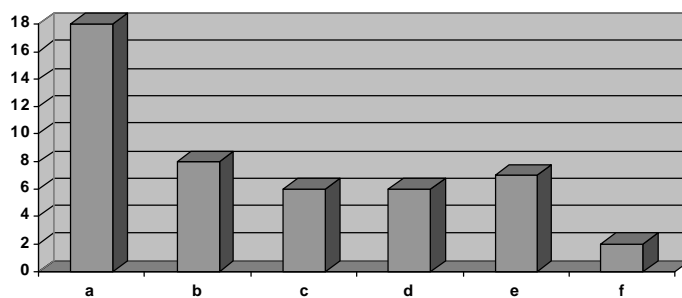
- 89 workshops conducted reaching 2783 participants
- 7 Seminars conducted and co-convened reaching 204 participants
- 30 Presentations reaching 3182 participants
- 8 Conferences participated in reaching 2900 participants
- 6 In-house programmes arranged and/or facilitated
- 4 International HRE initiatives as resource persons and/or participants
- 9 Special educational interventions

### Special Educational Interventions

- Human Rights and the Curriculum/ Training for Educators
- Human Rights and the National Qualifications Framework
- Anti-Discrimination Training for Vryburg Police
- Infusion of Human Rights into National Curriculum Statement for General Education and Training
- Infusion of Human Rights into Curriculum for Further Education and Training
- Celebrating Difference Campaign (with Electoral Institute of South Africa)
- Education for Democracy (with the Teacher Trust)
- Discussion and Consultative Forum on Racism in Education (with non-governmental organisations, academic institutions, teacher formations and education departments)
- National Forum for Democracy and Human Rights Education (with non-governmental organisations)

### Kwazulu-Natal Office \*

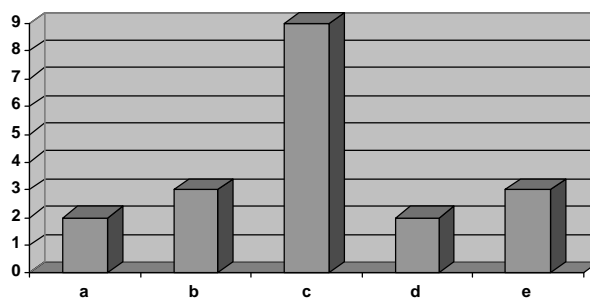
#### Workshops per Theme



a = SAHRC and Bill of Rights/ b = Human Rights and HIV/AIDS/ c = Equality and Diversity/ d = Children/  
e = Women and Gender/ f = Other

- 47 workshops conducted reaching 1827 participants
- 39 participants per workshop on average

#### Seminars and Presentations per Theme



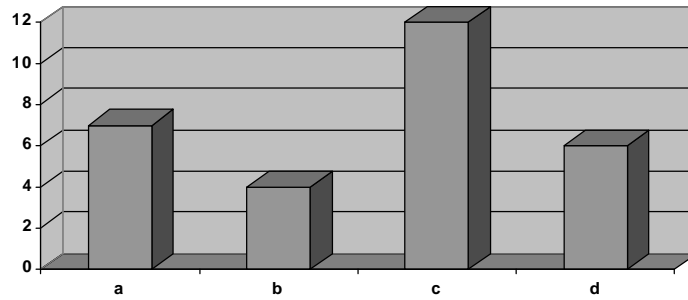
a = Children/ b = Equality and Diversity/ c = SAHRC and Bill of Rights/ d = Women and Gender/ e = Other

- 19 seminars and presentations reaching 3237 people
- 170 people per seminar and presentation on average

\* See Programme 7: Provinces - page 39

### Western Cape Office \*

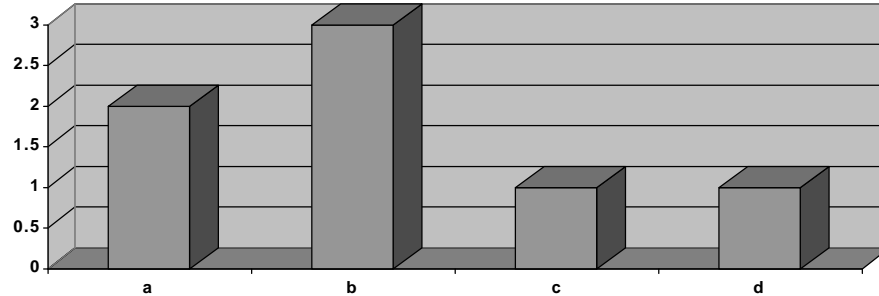
#### Workshops per Theme



a = SAHRC and Bill of Rights/ b = Human Rights and Health/ c = Equality and Diversity/ d = Other

- 29 workshops conducted reaching 981 participants
- 34 participants per workshop on average

#### Seminars and Presentations per Theme

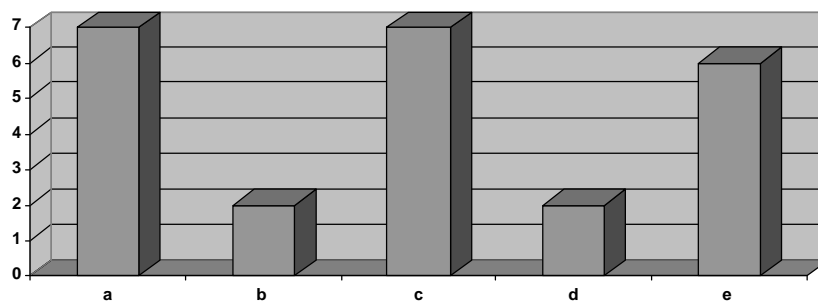


a = Equality and Diversity/ b = Children/ c = SAHRC and Bill of Rights/ d = Rights of Older Persons

- 7 seminars and presentations reaching 2700 people
- 386 people per seminar and presentation on average

### Free State Office \*

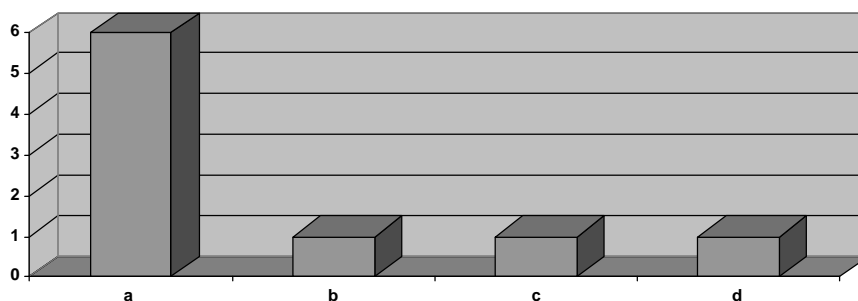
#### Workshops per Theme



a = SAHRC and Bill of Rights/ b = Human Rights and Farming Communities/ c = Children/  
d = Socio-economic Rights/ e = Other

- 24 workshops conducted reaching 1848 participants
- 77 participants per workshop on average

#### Seminars and Presentations per Theme



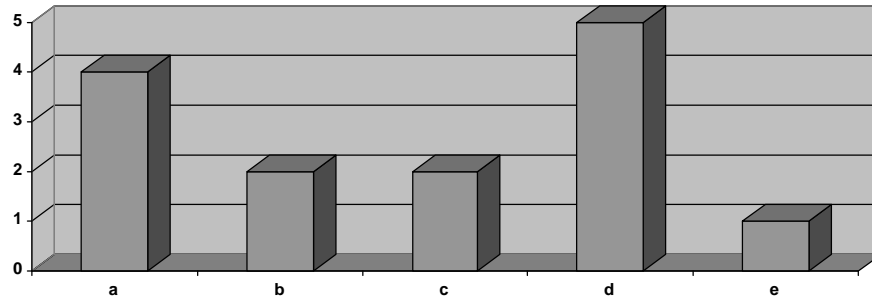
a = Equality and Diversity/ b = Domestic Violence/ c = Women and Gender/ d = Other

- 9 seminars and presentations reaching 2001 people
- 222 people per seminar and presentation on average

\* See Programme 7: Provinces - page 39

### Limpopo Office \*

#### Workshops per Theme

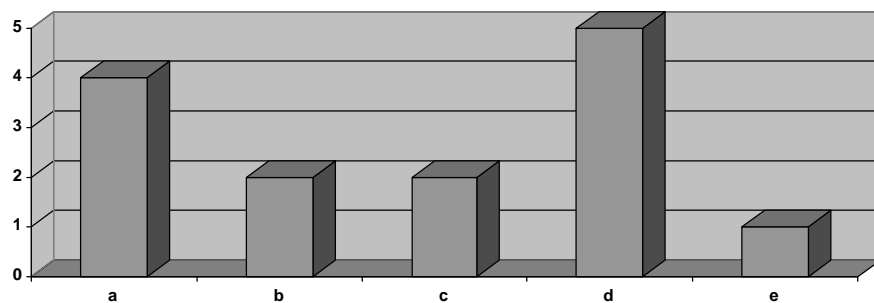


a = Human Rights and HIV/AIDS/ b = Health and Patient's Rights/ c = Corporal Punishment/ d = Children/  
e = SAHRC and Bill of Rights

- *14 workshops conducted reaching 319 participants*
- *23 participants per workshop on average*
- *The office participated in 25 radio talk shows on human rights issues*

### Eastern Cape Office \*

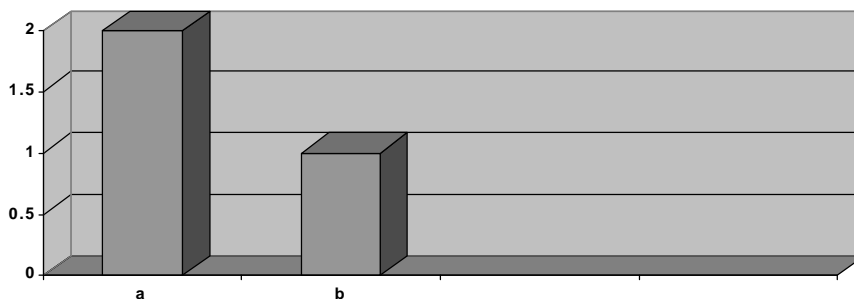
Workshops per Theme



a = Human Rights and Education/ b = Equality and Diversity/ c = SAHRC and Bill of Rights/ d = Other

- 11 workshops conducted reaching 646 participants
- 59 participants per workshop on average

Seminars and Presentations per Theme



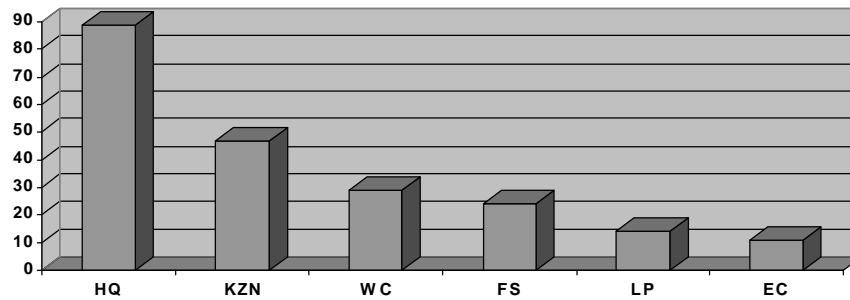
a = Refugees and Non-nationals/ b = Children

- 3 seminars and presentations reaching 175 people
- 58 people per seminar and presentation on average
- The office participated in 5 radio talk shows on human rights issues

\* See Programme 7: Provinces - page 39

## Summary (National and Provincial Offices)

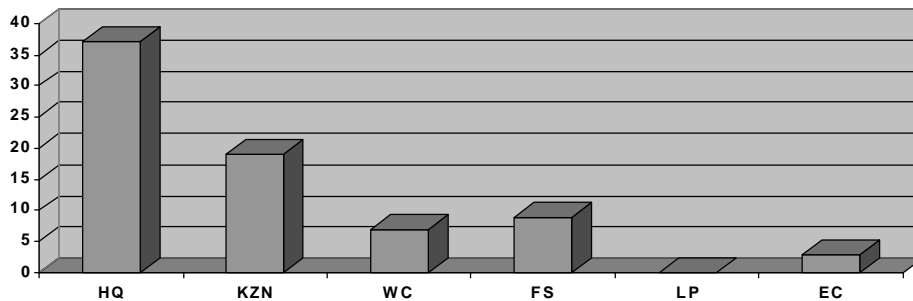
### Workshops/Training



HQ = National Office/ KZN = Kwazulu-Natal/ WC = Western Cape/ FS = Free State/ LP = Limpopo/ EC = Eastern Cape

- 214 workshops conducted reaching 8484 participants
- 18 workshops conducted per month
- 40 participants per workshop on average

### Seminars and Presentations



HQ = National Office/ KZN = Kwazulu-Natal/ WC = Western Cape/ FS = Free State/ LP = Limpopo/ EC = Eastern Cape

- 75 seminars and presentations reaching 11 499 people
- 153 people per seminar and presentation on average

## 2.7 Programme 7: Provincial Offices

The Commission has 5 provincial offices, situated in Limpopo, Free State, Western Cape, KwaZulu Natal and the Eastern Cape. The head office is situated in Gauteng. Provincial offices contribute to the capacity and ability of the Commission to raise awareness of human rights and to deal with violations of human rights at a local level.

### 2.7.1 Sub-programme: Complaints handling

**Aim of the sub-programme:**

- Redress of human rights violations.

**Objectives:**

- To provide constitutional redress for complaints relating to human rights violations through mediation and by making findings and recommendations; and
- To monitor the implementation of recommendations;

**Activities:**

- Receive and address complaints, of individual and systemic violations of human rights; and
- Proactively investigate and address human rights violations.

### 2.7.2 Sub-programme: Education and Training

**Aim of the sub-programme:**

- Training on human rights.

**Objectives:**

- To provide training and materials on human rights.

**Activities:**

- Conduct workshops, seminars and information sessions;
- Conduct media interviews;
- Disseminate information; and
- Participation in joint activities with other stakeholders.



### 2.7.3 Sub-programme: Advocacy

**Aim of the sub-programme:**

- Raise the profile of the work Commission within the province.

**Objectives:**

- To promote respect for human rights.

**Activities:**

- Commemorate Human Rights Week: March 2002;
- Conducting workshops; and
- Networking and public relations.

**Outputs and Service Delivery Indicators  
Programme 7: Provincial Offices**

OUTPUTS	SERVICE DELIVERY and ACTUAL PERFORMANCE INDICATORS
Complaints Handling	The outputs, service delivery indicators and actual performance are reflected in Programme 4: Legal Services
Education and Training	The outputs, service delivery indicators and actual performance are reflected in Programme 6: Human Rights Education and Training
Advocacy	The outputs, service delivery indicators and actual performance are reflected in Programme 3: Advocacy

## 2.8 Programme 8: Legislation Compliance

To ensure that legislation complies with human rights norms and standards.

### 2.8.1 Sub-programme: Legislation Monitoring

**Aim of the sub-programme:**

- Monitor proposed national and provincial legislation.

**Objectives:**

- To promote human rights by ensuring that proposed legislation complies with human rights norms and standards.

**Activities:**

- To monitor legislative development; and
- To draft and submit submissions to government departments, South African Law Commission and relevant legislative structures.

### 2.8.2 Sub-programme: Civil Society Liaison

**Aim of the sub-programme:**

- Maintain civil society liaison on human rights discourse.

**Objectives:**

- To attend relevant civil society events that pertain to the promotion, protection and monitoring of human rights;
- To lay a basis for future co-operation around legislative processes; and
- To enhance the profile of the Commission and the work that it does;

**Activities:**

- Attend and participate in events on human rights issues.

**Outputs and Service Delivery Indicators**  
**Programme 8: Legislation Monitoring**

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Monitoring legislation and submissions	<ul style="list-style-type: none"> <li>• Review legislation, government gazette and website</li> <li>• Draft submissions for the Commission</li> <li>• Develop memoranda and Reports on legislative developments to be compiled for Commissioners and Senior Staff</li> </ul>	<ul style="list-style-type: none"> <li>• 3 submissions completed</li> <li>• 2 presentations made</li> <li>• 10 pieces of legislation monitored</li> <li>• 10 memoranda and reports completed</li> <li>• 15 Parliamentary Committee Meetings attended</li> <li>• Conducted a seminar on the Immigration Act</li> </ul>
Civil Society Liaison	<ul style="list-style-type: none"> <li>• Engage with stakeholders on legislation and human rights issues</li> </ul>	<ul style="list-style-type: none"> <li>• Attended 22 workshops and conferences</li> </ul>

## 2.9 Constitutional Legislation

To ensure that the Commission complies with its obligations in terms of relevant constitutional legislation.

### 2.9.1 Sub-programme: Access to information

**Aim of the sub-programme:**

- Give effect to the Commission's obligation in terms of the Promotion of Access to Information Act (PAIA).

**Objectives:**

- To raise awareness on the Act;
- To provide necessary support to persons wishing to exercise their rights under the Act;
- To ensure that public and private bodies are ready to meet their legislative obligations under the Act; and
- To monitor the implementation of the Act.

**Activities:**

- Conduct national and provincial workshops and briefing sessions on the Act;
- Receive and deal with complaints on human rights violations in relation to the Act;
- Prepare the requisite manual in terms of section 14 of the Act; and
- Mediate in areas of conflict between those seeking information and those holding information.

### 2.9.2 Sub Programme: Equality Legislation

**Aim of the sub-programme:**

- Give effect to the Commission's obligation in terms of the Prevention of Unfair Discrimination and Promotion of Equality Act (PEPUDA).

**Objectives:**

- To raise awareness on the Act;
- To provide necessary support to persons wishing to exercise their rights under the Act;
- To ensure that public and private bodies are ready to meet their legislative obligations under the Act; and
- To monitor the implementation of the Act.

**Activities:**

- Conduct national and provincial workshops and briefing sessions on the Act;
- Receive and deal with human rights violations in relation to the Act; and
- Conduct necessary research under the Act.

## Outputs and Service Delivery Indicators Constitutional Legislation

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
To conduct national and provincial workshops and briefing sessions on PAIA	<ul style="list-style-type: none"> <li>• Workshops</li> <li>• Briefings</li> <li>• Training materials</li> </ul>	<ul style="list-style-type: none"> <li>• A resource manual on PAIA was developed by the Training Centre NB. Rest of the activities have taken place in the 2002-2003 financial year</li> </ul>
To receive and deal with human rights violations in relation to the Act	<ul style="list-style-type: none"> <li>• Complaints and Requests</li> </ul>	<ul style="list-style-type: none"> <li>• Refer to Programme 4: Legal Services (complaints table page 24)</li> </ul>
To prepare the requisite manual in terms of section 14 of the Act	<ul style="list-style-type: none"> <li>• Section 14 Manual</li> </ul>	<ul style="list-style-type: none"> <li>• Prepared and launched but only in current financial year</li> </ul>
To conduct research on PEPUDA	<ul style="list-style-type: none"> <li>• Research report on additional grounds of unfair discrimination</li> <li>• Research report on criminalisation of unfair discrimination</li> <li>• Development of draft regulation on the promotional aspect of the equality legislation</li> </ul>	<ul style="list-style-type: none"> <li>• A national workshop on the draft research reports and regulations was held on 4-5 October 2001</li> <li>• Sixty delegates attended the workshop</li> <li>• Draft research reports and regulations were submitted to the Department of Justice and Constitutional Development and to members of the Equality Review Committee in March 2002</li> </ul>
Training of the Judiciary on PEPUDA	<ul style="list-style-type: none"> <li>• Workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Two presentations made to High Court judges</li> <li>• Seven presentations made to magistrates</li> </ul>

## 2.10 Projects and Inquiries

The Projects and Inquiries are cross-cutting activities which assist in the achievement of the Commission's constitutional mandate. They provide a contextual understanding of human rights issues in specific sectors. They are primarily led by Commissioners with the assistance of the various departments.

### 2.10.1 Sub-programme: World Conference Against Racism (WCAR)

#### Aim of the sub-programme:

- Prepare and participate in WCAR activities.

#### Objectives:

- To co-ordinate the work of National Institutions (NIs) at the WCAR;
- To assist government with inputs into the declaration and programme of action;
- To conduct a national pre-WCAR consultative process;
- To develop a framework for a National Action Plan and Strategy to combat racism;
- To conduct seminars at the WCAR; and
- To develop a basis for the follow-up to the WCAR.

#### Activities:

- National and provincial consultations and conferences;
- Seminars at WCAR;
- Logistical centre for NI's at WCAR;
- Workshop for NI's;
- Exhibition at WCAR;
- Voices Forum at WCAR;
- National Action and Strategy to Combat Racism (NAPSCR); and
- Production of newsletters.

### 2.10.2 Sub-programme: Inquiry into Sexual Offences Against Children

#### Aim of the sub-programme:

- Fulfil the Commission's mandate with regard to children – with special emphasis on sexual violence against children.

#### Objectives:

- To organise and hold an inquiry into child sexual offences against children; and
- To propose recommendations to government on how the criminal justice system can improve the services it offers to children.

#### Activities:

- Consult with various stakeholders;
- Research undertaken around the issues of the sexual abuse of children in the community;
- Public hearings conducted in Gauteng; and
- Preparation and dissemination of the inquiry report.

### **2.10.3 Sub-programme: Investigation into Racism in the Department of Justice and Constitutional Development**

**Aim of the sub-programme:**

- Conduct an investigation into the incidence of racism in the Department of Justice.

**Objectives:**

- To assist the Department of Justice in its attempts at eliminating racism.

**Activities:**

- Research, submissions and interviews; and
- Preparation of report which was submitted to the Minister of Justice.

### **2.10.4 Sub-programme: Racism in the Media**

**Aim of the sub-programme:**

- Take forward recommendations from the inquiry into racism in the media contained in the 'Faultlines Report'.

**Objectives:**

- To ensure media sensitivity around issues of equality and race; and
- To review the adequacy of existing self-regulatory mechanisms.

**Activities:**

- Two-day workshop;
- Develop a post workshop plan for monitoring by the Commission; and
- Produce workshop report.

### **2.10.5 Sub-Programme: Inquiry into Human Rights In Farming Communities**

**Aim of the sub-programme:**

- Investigate human rights in farming communities.

**Objectives:**

- To identify the trends and patterns of human rights abuses in farming communities; and
- To make recommendations and findings on the evidence presented before the Commission.

**Activities:**

- Launch of the inquiry at national level and in all nine provinces;
- Conduct research in all provinces;
- Receive and analyse submissions;
- Conduct public consultations in various provinces.

## **2.10.6 Sub-programme: Re-sentencing of death penalty prisoners**

### **Aim of the sub-programme:**

- Review sentencing of prisoners previously on death row.

### **Objectives:**

- To facilitate the re-sentencing of prisoners previously on death row.

### **Activities:**

- Conduct an investigation; and
- Produce a report.



## Outputs and Service Delivery Indicators Projects and Inquiries

OUTPUTS	SERVICE DELIVERY INDICATORS	ACTUAL PERFORMANCE
Preparatory activities and participation in WCAR	• Conduct national and provincial workshops	• 2 regional conferences • 13 Provincial and local consultations
	• Conducted seminars	• 4 seminars at WCAR
	• Establish help centre	• Required support provided to NIs
	• Hold exhibition	• 10-day exhibition • 50-70 visitors per day
	• Assist in the production of the Voices Forum	• Daily programmes completed on time • 300-400 people in attendance daily
	• Develop statement for NIs	• Delivered statement at main plenary session of WCAR
	• Develop framework document	• Completed framework document in February 2002
	• Produced newsletter	• 5 newsletters produced and circulated to delegates at WCAR
Inquiry into Sexual Offences Against Children.	• To investigate whether or not the criminal justice system delivers efficient services to children who have been sexually abused	• Public hearings conducted in the Gauteng province • Report produced with recommendations
Investigation into Racism in the Department of Justice	• Call for submissions, conduct research and interviews in preparation of a report for the Minister of Justice	• Report submitted to the Minister of Justice with recommendations
Racism in the Media	• To take forward recommendations of the Faultlines Report	• A two day workshop held with various stakeholders in the media (print and electronic) • Report produced for monitoring
Monitoring and assessment of human rights in the South African farming community	• Develop background research for report in 9 provinces	• Compiled the research report that was finalised in January 2002
Review sentencing of prisoners previously on death row	• Conduct investigation into re-sentencing of death penalty prisoners	• Conducted research and investigation into the re-sentencing of death penalty prisoners • Report in process of being compiled

# Human Resource Management

## 3.1 Expenditure

The following tables summarise final audited expenditure by programme (Table 3.1.1) and by salary level (Table 3.1.2). In particular, it provides an indication of the amount spent on personnel costs in terms of each of the programmes or salary level within the Commission.

**TABLE 3.1.1 – Personnel costs by programme, 2001/ 02**

Programme	Total Expenditure (R'000)	Personnel Expenditure (R'000)	Administrative Expenditure (R'000)	Professional and Special Services (R'000)	Personnel cost as a percent of total expenditure	Average personnel cost per employee (R'000)
Commission	4,898	3,727	1,089	82	76%	338
Management	5,900	2,520	3,039	341	43%	315
Advocacy	2,571	1,509	146	916	59%	188
Legal	2,395	2,009	132	254	84%	167
Research	1,933	1,296	140	497	67%	216
Training	1,537	969	79	489	63%	194
Provinces	3,413	2,770	643	-	81%	138
<b>TOTAL</b>	<b>22,647</b>	<b>14,800</b>	<b>5,268</b>	<b>2,579</b>	<b>65%</b>	<b>174</b>

**TABLE 3.1.2 – Personnel costs by salary level, 2001/ 02**

Salary levels	Personnel expenditure (R'000)	Average personnel cost per employee (R'000)
Salary levels 1-2	369	36
Salary levels 3-5	499	42
Salary levels 6-8	3,488	151
Salary levels 9-12	4,197	167
Senior Management	2,520	315
Commissioners	3,727	338
<b>TOTAL</b>	<b>14,800</b>	<b>174</b>

**TABLE 3.1.3 – Overtime, Allowances, and benefits by programme, 2001/ 02**

Programme	Overtime		Allowances	
	Amount (R)	% of personnel costs	Amount (R'000)	% of personnel costs
Commission	–	–	1,510	33%
Management	4,000	0.1%	687	26%
Advocacy	266	0.02%	266	22%
Legal	897	0.05%	347	20%
Research	–	–	230	20%
Training	845	0.09%	205	22%
Provinces	–	–	377	15%
<b>TOTAL</b>	<b>6,008</b>	<b>0.04%</b>	<b>3,622</b>	<b>24%</b>

**TABLE 3.1.4 – Overtime, Allowances, and benefits by salary level, 2001/ 02**

Programme	Overtime		Allowances	
	Amount (R)	% of personnel costs	Amount (R'000)	% of personnel costs
Salary levels 1-2	306	0.1%	74	27%
Salary levels 3-5	367	0.09%	140	33%
Salary levels 6-8	2,127	0.07%	688	22%
Salary levels 9-12	3,208	0.08%	616	16%
Senior management	–	–	950	28%
Commissioners	–	–	1,154	29%
<b>TOTAL</b>	<b>6,008</b>	<b>0.04%</b>	<b>3,622</b>	<b>24%</b>

## 3.2 Employment and Vacancies

The tables in this section summarise the position with regard to employment and vacancies. The approved establishment is the number of approved posts to carry out the core and support functions of the Commission. The first table (table 3.2.1) provides an estimate of the size of the establishment over the MTEF period.

**TABLE 3.2.1 – Approved establishment by programme**

Programme	Approved Establishment		Medium-term establishment estimate	
	1 April 2001	31 March 2002	31 March 2003	31 March 2004
Commission	18	15	20	20
Management	18	15	19	24
Advocacy	8	6	8	10
Legal	12	11	13	14
Research	6	5	6	14
Training	5	6	6	8
Provinces	20	21	26	36
<b>TOTAL</b>	<b>87</b>	<b>79</b>	<b>98</b>	<b>126</b>

The following tables summarise the number of posts on the establishment, the number of employees, the vacancy rate, and whether there are any staff that are additional to the establishment.

**TABLE 3.2.2 – Employment and vacancies by programme, 31 March 2002**

Programme	Establishment	Number of employees	Vacancy Rate	Additional to the establishment
Commission	18	15	20%	0
Management	18	13	27.7%	0
Advocacy	8	6	25%	0
Legal	12	11	8.3%	0
Research	6	5	16.7%	0
Training	5	6	16.7%	0
Provinces	20	21	5%	0
<b>TOTAL</b>	<b>87</b>	<b>77</b>	<b>9.7%</b>	<b>0</b>

**TABLE 3.2.3 – Employment and vacancies by salary band, 31 March 2002**

Salary Band	Establishment	Number of employees	Vacancy Rate	Additional to the establishment
Salary levels 1-2	9	9	0	0
Salary levels 3-5	12	12	0	0
Salary levels 6-8	27	27	0	0
Salary levels 9-12	21	21	0	0
Senior Management	8	8	0	0
Commissioners	8	6	0	0
<b>TOTAL</b>	<b>85</b>	<b>83</b>	<b>0</b>	<b>0</b>

### 3.3 Job Evaluation

The Commission started the process of implementing a job evaluation system with the kind assistance of the Job Evaluation Unit at the Department of Justice and Constitutional Development. Senior managers (panel members) and human resources employees (job analysts) underwent extensive training in January 2002. Draft policy guidelines on job evaluation have been compiled and its adoption will be preceded by consultations with employees. It is envisaged that system will be implemented during the first or second quarter of the 2002/03 financial year.

### 3.4 Employment changes

This section provides information on changes in employment over the financial year. Table 3.4.1 summarises appointments, promotions and service terminations by race, gender, and disability. In addition, the table provides an indication of the impact of these changes on the employment profile of the Commission.

**TABLE 3.4.1 – Appointments, promotions, and terminations,  
1 April 2001 - 31 March 2002**

	Employees, 1 April 2001	Appointments	Promotions	Terminations	Net % change
<b>African</b>	<b>69</b>	<b>6</b>	<b>1</b>	<b>12</b>	<b>16</b>
Male	24	2	1	8	31
Female	45	4	0	4	8
<b>Asian</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>17</b>
Male	2	0	0	0	0
Female	2	2	0	1	50
<b>Coloured</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Male	2	0	0	0	0
Female	3	0	0	0	0
<b>White</b>	<b>8</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>25</b>
Male	2	0	0	0	0
Female	6	1	0	2	33.3
Employees with a disability	2	0	0	0	0
<b>TOTAL</b>	<b>86</b>	<b>9</b>	<b>1</b>	<b>15</b>	<b>16</b>

The following tables provide a summary of turnover rates by salary band

**TABLE 3.4.2 – Annual turnover rates by salary band**

Salary Band	Appointments	Terminations	Turnover rate
Levels 1-2	9	1	11%
Levels 3-5	12	0	0%
Levels 6-8	23	4	13%
Levels 9-12	25	7	28%
Senior Management	8	0	0%
Commissioners	7	3	38%
<b>TOTALS</b>	<b>84</b>	<b>15</b>	<b>18%</b>

**TABLE 3.4.3 – Reasons why staff are leaving the department**

Termination Type	Number
Death	0
Resignation	15
Expiry of contract	0
Dismissal – operational changes	0
Dismissal – misconduct	0
Dismissal – inefficiency	0
Discharged due to ill-health	0
Retirement	0
Other	0

### 3.5 Affirmative Action

The following tables describe changes in the composition of the Commission for employees in terms of race, gender, and disability.

**TABLE 3.5.1 – Progress made with respect to affirmative action, 2001/ 02**

	Progress – 2001/ 02	
	1 April 2001	Actual number at 31 March 2002
<b>African</b>	<b>69</b>	<b>63</b>
Male	24	28
Female	45	35
<b>Asian</b>	<b>4</b>	<b>5</b>
Male	2	2
Female	2	3
<b>Coloured</b>	<b>5</b>	<b>5</b>
Male	2	2
Female	3	3
<b>White</b>	<b>8</b>	<b>6</b>
Male	2	2
Female	6	4
<b>Employees with a disability</b>	<b>2</b>	<b>2</b>
<b>TOTAL</b>	<b>88</b>	<b>81</b>

## 3.6 Performance Rewards

To encourage good performance, the Commission has granted the following performance rewards during the year under review. The information is presented in terms of race, gender, and disability (Table 3.6.1) and salary levels (table 3.6.2).

**TABLE 3.6.1 – Performance rewards by race, gender, and disability,  
1 April 2001 to 31 March 2002**

	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost (R)	Per capita cost
<b>African</b>	<b>10</b>	<b>60</b>	<b>17</b>	<b>25,000</b>	<b>2,500</b>
Male	2	21	9	9,000	4,500
Female	8	39	20	16,000	2,000
<b>Asian</b>	<b>1</b>	<b>5</b>	<b>20</b>	<b>4,000</b>	<b>4,000</b>
Male	0	2	–	–	–
Female	1	3	33	4,000	4,000
<b>Coloured</b>	<b>3</b>	<b>4</b>	<b>75</b>	<b>12,000</b>	<b>4,000</b>
Male	2	2	100	11,000	5,500
Female	1	2	50	1,000	1,000
<b>White</b>	<b>2</b>	<b>7</b>	<b>29</b>	<b>7,000</b>	<b>3,500</b>
Male	1	2	50	4,000	4,000
Female	1	5	20	3,000	3,000
Employees with a disability	0	2	–	–	–
<b>TOTAL</b>	<b>16</b>	<b>76</b>	<b>22</b>	<b>48,000</b>	<b>14,000</b>



**TABLE 3.6.2 – Performance Rewards by salary level, 1 April 2001 to 31 March 2002**

	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost (R)	Per capita cost
Levels 1-2	5	9	50	4,000	800
Levels 3-5	–	12	–	–	–
Levels 6-8	3	23	13	7,000	2,300
Levels 9-12	2	25	8	8,000	4,000
Senior management	4	9	44	22,000	5,500
Commissioners	–	7	–	–	–
<b>TOTAL</b>	<b>14</b>	<b>85</b>	<b>16</b>	<b>41,000</b>	<b>2,900</b>

### 3.7 Foreign Workers

The Commission employed one foreign national as Executive Assistant to the Chairperson (level 11) with effect from 2 May 2001 on a two-year contract.

## 3.8 Leave

The following table provides an indication of the use of sick leave and the estimated cost of the leave is also provided.

**TABLE 3.8.1 – Sick leave, 1 April 2001 to 31 March 2002**

GRADE (salary band)	Total days	Number of Employees	Number of Employees using leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R)
Levels 1-2	15	9	4	44%	3.8	2,345
Levels 3-5	12	12	5	42%	2.4	2,719
Levels 6-8	22	27	7	26%	3.1	9,138
Levels 9-12	16	21	5	24%	3.2	13,266
Senior management	70	8	5	63%	14	94,467
Commissioners	5	8	1	13%	5.0	6,155
<b>TOTAL</b>	<b>140</b>	<b>85</b>	<b>27</b>	<b>32%</b>	<b>5.1</b>	<b>128,090</b>

**TABLE 3.8.2 – Annual Leave, 1 April 2001 to 31 March 2002**

GRADE (salary band)	Total days taken in grade	Number of Employees	Average days per employee
Levels 1-2	110	9	12
Levels 3-5	57	12	5
Levels 6-8	609	27	21
Levels 9-12	447	21	21
Senior management	215	8	27
Commissioners	189	8	24
<b>TOTAL</b>	<b>1,627</b>	<b>85</b>	<b>19</b>

## 3.9 Labour Relations

### 3.9.1 Collective agreements

Total collective agreements – 2001/02	None
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### 3.9.2 – Misconduct and discipline

Disciplinary hearings – 2001/ 02	None
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## 3.10 Skills development

This section highlights the efforts of the Commission with regard to skills development.

**TABLE 3.10.1 – Skills development by salary band, 1 April 2001 to 31 March 2002**

GRADE (salary band)	Internal Training		External Training		Expenditure	
	Training day equivalents	Average days per employee	Training day equivalents	Average days per employee	Total expenditure (R'000)	Average per employee
Levels 1-2	0	0	0	0	0	0
Levels 3-5	1	1	2	2	R258	R258
Levels 6-8	20	1.5	30	1.5	R20 000	R1 000
Levels 9-12	8	2	14	2	R38 385	R 4 798
Senior management	18	3	54	3	R121 914	R6 773
<b>TOTAL</b>	<b>47</b>	<b>8</b>	<b>100</b>	<b>8</b>	<b>R180 557</b>	<b>R3 841</b>

The following table provides a summary of the various training areas where staff were provided with skills training.

**TABLE 3.10.2 – Skills development by type of training, 1 April 2001 to 31 March 2002**

Type of training	Training				Expenditure	
	Number of beneficiaries	Training day equivalents	Average days per person	% of total	Total expenditure (R'000)	Average per beneficiary
Internal training	0	0	0	0	0	0
Formal training	0	0	0	0	0	0
Computer training	2	4	2	50	R14 631	R7 316
Management development	18	54	3	5.5	R121 914	R6 773
Office-based training	20	30	1.5	5	R20 000	R1 000
Policy-specific training	0	0	0	0	0	0
ABET	0	0	0	0	0	0
Other	8	12	1.5	12.5	R24 012	R3 001
<b>TOTAL</b>	<b>48</b>	<b>100</b>	<b>8</b>	<b>8</b>	<b>R180 557</b>	<b>R3 762</b>

### 3.11 Bursaries

Bursaries granted by salary level, 1 April 2001 to 31 March 2002 - No bursaries were granted to any employee during the period under review.

### 3.12 Injury on duty

No employee was injured on duty during the year under review.

# Audited Financial Reports

## 4.1 Accounting Officer's approval of the Financial Statements

### Approval of the Financial Statements For the year ended 31 March 2002

The financial statements of the South African Human Rights Commission are the responsibility of the accounting officer of the commission.

The accounting officer fulfills this responsibility primarily by established and maintaining accounting systems and practices adequately supported by systems of internal control. Such controls provide assurance that the assets of the commission are adequately safeguarded, transactions are executed in accordance with the commission's policies and procedures and that the financial records are reliable.

The financial statements have been prepared by management in accordance with generally accepted accounting practice.

The financial statements appear on pages 65 to 71 were approved by the commission on 27<sup>th</sup> May 2002 and signed on their behalf.



Ms S Mabusela  
CHAIRPERSON



Ms L Mokate  
CHIEF EXECUTIVE OFFICER

## 4.2 Report of the Auditor-General



### REPORT OF THE AUDITOR-GENERAL TO MEMBERS OF PARLIAMENT ON THE FINANCIAL STATEMENTS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION FOR THE YEAR ENDED 31 MARCH 2002

#### 1. AUDIT ASSIGNMENT

The financial statements as set out on pages 65 to 77, for the year ended 31 March 2002, have been audited in terms of section 188 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), read with sections 3 and 5 of the Auditor-General Act, 1995 (Act No. 12 of 1995) and section 16(2) of the Human Rights Commission Act, 1994 (Act No. 54 of 1994). These financial statements, the maintenance of effective control measures and compliance with relevant laws and regulations are the responsibility of the accounting officer. My responsibility is to express an opinion on these financial statements, based on the audit.

#### 2. NATURE AND SCOPE

##### Audit of financial statements

The audit was conducted in accordance with Statements of South African Auditing Standards. Those standards require that I plan and perform the audit to obtain reasonable assurance that the financial statements are free of material misstatement.

An audit includes:

- examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements,
- assessing the accounting principles used and significant estimates made by management, and
- evaluating the overall financial statement presentation.

Furthermore, an audit includes an examination, on a test basis, of evidence supporting compliance in all material respects with the relevant laws and regulations, which came to my attention and are applicable to financial matters.

I believe that the audit provides a reasonable basis for my opinion.

**3. AUDIT OPINION**

**Audit of financial statements**

In my opinion, the financial statements fairly present, in all material respects, the financial position of the South African Human Rights Commission at 31 March 2002 and the results of its operation and cash flow for the year then ended in accordance with generally accepted accounting practice.

**4. EMPHASIS OF MATTER**

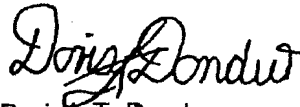
Without qualifying the audit opinion expressed above, attention is drawn to the following matter:

**Internal audit and audit committee**

Although an internal audit department and audit committee was established no internal audit work had been executed.

**5. APPRECIATION**

The assistance rendered by the staff of the Commission during the audit is sincerely appreciated.



Doris L.T. Dondur  
**for Auditor-General**  
Johannesburg  
5 July 2002

## 4.3 Report of the Chief Executive Officer

### Report of the Chief Executive Officer For the year ended 31 March 2002

The Chief Executive Officer presents her report for the year ended 31 March 2002.

#### 1. General Review

The Commission's business and operations and the results thereof are clearly reflected in the attached financial statements. No material fact or circumstances has occurred between the accounting date and the date of this report.

#### 2. Statements of Responsibility

The Chief Executive Officer is responsible for the maintenance of adequate accounting records and the preparation and integrity of the financial statements and related information. The Auditors are responsible to report on the fair presentation of the financial statements. The financial statements have been prepared in accordance with generally accepted accounting practice.

The Chief Executive Officer is also responsible for the Commission's system of internal financial control. These are designed to provide reasonable, but not absolute, assurance as to the reliability of the financial statements, and to adequately safeguard, verify and maintain accountability of assets, and to prevent and detect misstatement and loss. Nothing has come to the attention of the Chief Executive Officer to indicate that any material breakdown in the functioning of these controls, procedures and systems has occurred during the year under review.

The financial statements have been prepared on the going concern basis, since the Chief executive Officer has every reason to believe that the Commission has adequate resources in place to continue in operation for the foreseeable future.

#### 3. Commissioners

The following persons have served as Commissioners throughout this financial year:

NB Pityana	Chairperson	resigned December 2001
SE Mabusela	Chairperson	effective December 2001
J Kollapen	Deputy Chairperson	effective December 2001
CRM Dlamini	Part time Commissioner	resigned May 2002
K Govender	Part time Commissioner	
Z Majodina	Appointed Full time Commissioner	effective December 2001
T Manthatha	Full time Commissioner	
CV McClain	Full time Commissioner	
J Nkeli	Full time Commissioner	resigned March 2002
FP Tlakula	Full time Commissioner	resigned January 2002
L Wessels	Full time Commissioner	

#### 4. Commission's Address

Entrance 1 , Wilds view, Isle of Houghton, Houghton 2041.  
Private Bag 2700, Houghton, Johannesburg, 2041



#### **5. Bankers**

First National Bank, Parktown.

#### **6. Chief Executive Officer**

The Chief Executive Officer during the year under review was Ms Lindiwe Mokate.

#### **7. Property, plant and equipment**

There has been no major changes in the property, plant and equipment during the period under review or any changes in the policy relating to their use.

#### **8. Subsequent events**

There have been no facts or circumstances of a material nature that have occurred between the accounting date and the date of this report.

#### **9. Auditors**

Office of the Auditor-General.

## 4.4 Financial Statements

### SOUTH AFRICAN HUMAN RIGHTS COMMISSION

#### BALANCE SHEET AT 31 MARCH 2002

	NOTES	2001/02	2000/01
<b>ASSETS</b>			
<b>Non - current assets</b>			
Fixed assets	2	2,845,397	2,365,979
<b>Current assets</b>			
SAHRC Trust		80,266	1,000
Bank & cash		2,692,787	1,049,994
Accounts receivable		276,866	222,550
<b>TOTAL ASSETS</b>		<b>5,895,316</b>	<b>3,639,523</b>
<b>EQUITY &amp; LIABILITIES</b>			
<b>Capital &amp; reserves</b>			
Retained income		1,425,834	1,704,517
<b>Current liabilities</b>			
Department of works		1,597,390	1,458,925
Donations roll-over		2,383,341	0
Staff hospitality fund		9,520	0
Accounts payable		479,231	476,081
<b>TOTAL EQUITY &amp; LIABILITIES</b>		<b>5,895,316</b>	<b>3,639,523</b>

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

**ABRIDGED INCOME STATEMENT FOR THE YEAR ENDED 31 MARCH 2002**

	NOTES	2001/02	2000/01
Operating income		27,880,257	24,539,350
Less: operating expenditure		(29,334,416)	(26,672,466)
Staff costs	4	14,799,835	11,951,538
Depreciation		850,828	1,065,089
Projects	5	6,707,075	5,710,110
Other operating expenditure	6	6,976,678	7,945,729
Surplus (deficit) from operations		(1,454,159)	(2,133,116)
Financing costs		(294)	(215)
<b>Net surplus (deficit) for the period</b>		<b>(1,454,453)</b>	<b>(2,133,331)</b>

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

**STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 31 MARCH 2002**

		<b>2001/02</b>	<b>2000/01</b>
	NOTES		
Accumulated surplus (deficit) - opening balance		1,704,517	3,837,848
Surplus (deficit) for the year		<u>(1,454,453)</u>	<u>(2,133,331)</u>
		<b>250,064</b>	<b>1,704,517</b>
Prior year adjustments	3	1,175,770	-
		<u><b>1,425,834</b></u>	<u><b>1,704,517</b></u>
<b>Accumulated surplus (deficit) - closing balance</b>		<b>1,425,834</b>	<b>1,704,517</b>

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

**CASHFLOW STATEMENT FOR THE YEAR ENDED 31 MARCH 2002**

	NOTES	<b>2001/02</b>	<b>2000/01</b>
<b>Cash generated from operations</b>	<b>7</b>	<b>2,195,140</b>	<b>(1,566,434)</b>
Investment income		248,631	433,187
Interest expense		<u>(294)</u>	<u>(215)</u>
<b>Net cash inflow from operating activities</b>		<b>2,443,477</b>	<b>(1,133,462)</b>
<b>Cash flows from investing activities</b>			
Acquisition of assets		(855,644)	(823,342)
Proceeds on disposal of non-current assets		54,960	-
<b>Net cash outflow from investing activities</b>		<b>(800,684)</b>	<b>(823,342)</b>
<b>Net increase in cash &amp; cash equivalents</b>		<b>1,642,793</b>	<b>(1,956,804)</b>
Opening balance - cash & cash equivalents		1,049,994	3,006,798
<b>Closing balance - cash &amp; cash equivalents</b>		<u><b>2,692,787</b></u>	<u><b>1,049,994</b></u>

## 4.5 Notes to the Financial Statements

### NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED 31 MARCH 2002

#### 1. Accounting policies

The annual financial statements of the South African Human Rights Commission are prepared on the historical cost basis in conformity with generally accepted accounting practice and in accordance with the Human Rights Commission Act, 1994 (Act No. 54 of 1994)

##### 1.1 Income and expenditure

Income and expenditure are accounted for on the accrual basis.

##### 1.2 Government grants

All government grants are accounted for in the Income Statement for the year to which it relates.

##### 1.3 Fixed assets and depreciation

Fixed assets are shown at cost less accumulated depreciation. Fixed assets are depreciated on the straight-line basis at rates which will result in each asset being written off over its useful life.

##### 1.4 Operating income

Operating income includes donations, interest received and government grants.

	2001/02	2000/01
<b>2. Fixed Assets</b>	2,845,397	2,365,979
2.1 Motor vehicles		
Net value	117,455	213,061
Cost	299,515	361,101
Accumulated depreciation	(182,060)	(148,040)
2.2 Computer equipment		
Net value	884,360	462,519
Cost	1,676,041	2,408,228
Accumulated depreciation	(791,681)	(1,945,709)
2.3 Office equipment		
Net value	134,299	199,223
Cost	599,890	550,241
Accumulated depreciation	(465,591)	(351,018)
2.4 Furniture & fittings		
Net value	934,508	1,076,724
Cost	1,661,560	1,638,149
Accumulated depreciation	(727,052)	(561,425)
2.5 Library resources		
Net value	774,775	414,452
<b>3. Prior Year Adjustments</b>		
Rent over-provision	1,458,925	-
Other creditors over-provision	8,985	-
Roll-over funds	(831,761)	-
Difference in balance b/f	36,500	-
Depreciation over-provision - computer equipment	503,120	-
	<b>1,175,770</b>	-
<b>4. Staff costs include Commissioners' remuneration as follows:</b>		
Basic salaries - full-time & part-time	2,622,042	
<b>Other employment benefits</b>		
Car allowance	657,127	
Medical allowance	126,599	
Housing allowance	50,684	
Pension allowance	270,864	
	<b>3,727,316</b>	

<b>5. Projects</b>	<b>2001/02</b>	<b>2000/01</b>
<b>SAHRC projects</b>	<b>1,679,307</b>	<b>1,134,131</b>
Legal	254,006	34,789
Research	496,787	195,404
Advocacy	356,751	342,309
Commissioners	82,428	278,134
Training	489,335	283,495
<b>Special projects</b>	<b>5,027,768</b>	<b>4,575,979</b>
Roll Back Xenophobia	355,163	388,048
Child rights	189,365	134,998
Other Projects	4,224,252	612,612
National Conference on Racism	258,988	3,440,321
	<b>6,707,075</b>	<b>5,710,110</b>

**6. The following have been taken into account when calculating the operating expenditure:**

	<b>2001/02</b>	<b>2000/01</b>
Audit fees	115,761	104,703
Legal fees	-	19,767
Operating lease rental	2,730,678	3,829,016

**7. Cashflow from operating activities**

	<b>2001/02</b>	<b>2000/01</b>
Surplus (deficit) for the year	(1,454,453)	(2,133,331)
Adjustments for the following:		
Depreciation	850,828	1,065,089
Depreciation written back	(503,120)	-
Investment income	(248,631)	(433,187)
Profit on sale of assets	(26,442)	-
Interest expense	294	215
Prior year adjustments	1,175,770	-
<b>Operating surplus (deficit) before:</b>	<b>(205,754)</b>	<b>(1,501,214)</b>
Decrease in debtors	(133,582)	(77,454)
Increase in creditors	2,534,476	12,234
<b>Cash generated from operations</b>	<b>2,195,140</b>	<b>(1,566,434)</b>

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

**DETAILED INCOME STATEMENT FOR THE YEAR ENDED 31 MARCH 2002**

<b>Income</b>	<b>27,880,257</b>	<b>24,539,350</b>
SA Government grant	21,899,000	21,780,000
Donations income	5,611,876	2,326,163
Disposal of assets	26,442	-
Interest received	248,631	433,187
Sundry income	94,309	-
<b>Operating Expenditure</b>	<b>29,334,710</b>	<b>26,672,681</b>
Audit fees	115,761	104,703
Advertising	98,732	199,480
Bank charges	47,083	52,724
Bad debts written off	-	4,107
Books & subscriptions	12,692	12,920
Computer expenses	195,420	239,549
Conference & workshops	191,449	172,245
Consulting fees & insurance	305,390	73,633
Courier & postage	61,254	102,418
Depreciation	850,828	1,065,089
General expenses	105,833	35,055
Interest paid	294	215
Lease & hire expenses	306,489	199,900
Legal fees	-	19,767
Motor vehicle expenses	67,585	81,112
Printing & stationery	333,853	248,958
Refreshments	58,637	45,591
Rent & services	2,730,678	3,829,016
Relocation expenses	38,144	49,957
Repairs & maintenance	23,686	98,287
Salaries & wages	14,799,835	11,951,538
Staff training	256,872	71,318
Telephone & fax	1,242,620	1,357,424
Translations & project costs	6,707,074	5,710,110
Travel & accommodation	784,504	947,564
<b>Surplus (deficit) for the year</b>	<b>(1,454,453)</b>	<b>(2,133,331)</b>



**SOUTH AFRICAN HUMAN RIGHTS COMMISSION  
STATEMENT OF DONATIONS/ FUNDS RECEIVED  
for the year ended 31 March 2002**

Source of funds	Intended use	Balance at 31/03/2002
		836,888.76
Standard Bank foundation Department of Justice UNDP UNDP	Poster Competition Equality Legislation Research Research	
		223,466.62
UNDP - OHCHR Ford Foundation European Union Foundation AUS AID AUS AID UNDP	World Conference Against Racism World Conference Against Racism World Conference Against Racism World Conference Against Racism World Conference Against Racism World Conference Against Racism	
Mott Foundation Foundaton For Human Rights Department of Justice	Discussion forum on Racism in Education Inquiry into human rights in farming communities National Conference on Racism	205,096.30 85,247.11 337,690.65
		544,382.86
UN High Commissioner/ SDC UN High Commissioner For Refugees UN High Commissioner For Refugees UN High Commissioner For Refugees UN High Commissioner For Refugees	Roll Back Xenophobia Campaign Roll Back Xenophobia Campaign Roll Back Xenophobia Campaign Roll Back Xenophobia Campaign Roll Back Xenophobia Campaign	
		111,170.51
Radda Barnen/ UNICEF Radda Barnen/ UNICEF Radda Barnen/ UNICEF	Inquiry into Child Sexual Abuse Project Inquiry into Child Sexual Abuse Project Inquiry into Child Sexual Abuse Project	
Norwegian Institute For human Rights	Socio-economic Rights	29,328.87
		10,068.64
SARB NAP MEDIA NAMPAK IND NEWSPAPER JOHNNIC NETHERLANDS FOUNDATION FOR HR DBSA BILTON BILTON LAND BANK UNSPECIFIED SAB VODACOM MULTICHOICE ESKOM TSOGO SUN SASOL DE BEERS FOUNDATION FOR HR DEPT OF JUSTICE	Duma Nokwe Project Duma Nokwe Project	

**Total**

**2,383,340.32**