

Report on Human Rights Week

17 ~ 21 March 2006



RUSTENBURG - NORTH WEST PROVINCE

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SECTION 1

Background

The South African Human Rights Commission (Commission) is the national institution established by section 184 of the Constitution of South Africa Act 108 of 1996, and the South African Human Rights Commission Act 54 of 1994 to entrench constitutional democracy and human rights.

The constitutional mandate of the Commission is to:

- Promote human rights through education and training and raising public awareness
- Protect human rights through addressing human rights violations and seeking appropriate redress
- Monitoring and assessing the observance of human rights, particularly economic and social rights

The Commission's two focal areas, informed by the strategic objectives, namely the realisation of equality and eradication of poverty, influenced the strong rural community thrust of the 2006 Human Rights Week (HRW) and informed the outreach work done with communities.

The Commission celebrates Human Rights Week annually and uses this occasion to:

- Raise human rights awareness
- Fast-track the delivery of socio-economic rights amongst communities
- Monitor government's provision of access to economic and social rights
- Increase the visibility of the Commission through outreach programmes and the media
- Investigate human rights violations and seek effective redress.

Each year the Commission identifies a particular province as a focus of activities for Human Rights Week. However, the Provincial Offices of the Commission are encouraged to implement separate programmes on a smaller scale.

The following criteria were used to select a province to host the Human Rights Week Celebrations of 2006:

- Provinces that are largely rural
- Provinces where the Commission has not established an office
- Provinces where the Commission wants to support and raise the profile of its provincial office

The year 2006 marked the tenth year of the South African Constitution.

This afforded the Human Rights Week 2006 campaign an opportunity to focus on and assess the impact of the constitution on rural communities. The theme for the 2006 Human Rights Week campaign in Rustenburg was "1996 - 2006 Ten Years of the Constitution, Living the Constitution Today".

SECTION 2

HUMAN RIGHTS WEEK PLANNING

The National Centre for Human Rights Education and Training (NACHRET), which is the training provider of the Commission, was tasked with identifying an appropriate province for the launch of HRW 2006 and developing a programme.

After a period of consultations and discussions within the Commission, it was recommended that the geographical focus for HRW 2006 should be the Rustenburg Local Municipality in the North-West Province. This was supported by the following factors:

- Rustenburg is considered the fastest growing city in Africa, due to its mining industry.
- With this rapid growth, Rustenburg was experiencing serious human rights challenges.
- The Commission did not yet establish an office in the province.

RUSTENBURG PROFILE

“The Platinum Region of North-West”

The area is divided into two municipalities, there is a local municipality and a district municipality, which interact through inter governmental relations.

Rustenburg area has the following townships and villages:

1. Tlhabane
2. Phokeng
3. Kanana
4. Mmakau
5. Mogwase
6. Marikana/ Mooinoi

LOCAL POLITICS

All municipalities are under the African National Congress. Other political parties are UCDP, Freedom Front, DA, PAC, PPP

THE INFORMATION CENTRE FOR RUSTENBURG AREA

The Information and Investment arm of the North-West is Invest Northwest. The institution’s mandate is to facilitate investment in North-West Province, thereby providing information about opportunities in the area and social empowerment of local emerging businesses. The head office is situated in Rustenburg town.

RUSTENBURG LOCAL MUNICIPALITY

The Rustenburg Local Municipality is located within Bojanala District Municipality in North West province. It comprises of five chieftainship of the following dikgosi: Kgosi Mathope; Kgosi Monnakgotla; Kgosi Molotlegi; Kgosi Mamogale; and Kgosi Ramokoka. The geographical area of the municipality is 3423,2310 km² subdivided into 36 wards for political and administrative purpose.

The area is characterised by its mining activities and is as such known as the platinum municipality. Even though Rustenburg city is regarded as one of the fastest growing cities in Africa the Rustenburg Local Municipality is still vastly rural.

The surrounding regions:

1. Zeerust area, which is about 130 kms away south of Rustenburg.
2. Swartruggens that is about 80kms also south east of Rustenburg.
3. Mafikeng region, which is about 180 kms away.

THE POPULATION AND DEMOGRAPHICS

Rustenburg is inhabited by about 3 000 000 people, majority of which are Tswana-speaking. The largest tribe is the Bafokeng, who have contributed to the economy of the region by ownership of the mines. This is added by the biggest hotel casino in South Africa, The Sun City, which is also in the land of the Bafokeng tribe.

Ethnic/racial groups in the area

Bafokeng
Barolong
Batlhaping
Xhosa
Zulu
Tsonga
Venda
Sotho
Indians

Other groups found in mining towns are mainly migrant workers from other provinces and neighbouring countries, such as Lesotho, Zimbabwe and Mozambique.

Bojanala-Rustenburg region is covered in natural bushveld vegetation. With the added attraction of the Magaliesberg. This region has much to offer to the eco-tourist. It is a natural game area with a number of fine game parks.

There is a large variety of historical and cultural interests to be found in the area, such as the German community of Kroondal that dates back to 1857, the indigenous Bafokeng, Bakgatla and Botswana tribes with their totemic and other tribal traditions.

HUMAN RIGHTS AND SOCIO-ECONOMIC CHALLENGES

The Human Rights Week campaign was preceded by two community profiling omnibuses and an analysis of the information gathered highlighted the following human rights challenges:

- Racism and Xenophobia
- Child Prostitution
- HIV/AIDS
- Labour Exploitation in the farms
- Child Labour
- Lack of service delivery
- High rate of illiteracy
- Lack of women empowerment
- Poverty

PRINCIPLES FOR HUMAN RIGHTS WEEK

- Community participation and empowerment
- Diversity
- Collaboration (building synergies within the Commission and with other stakeholders)
- Social responsibility

OBJECTIVES

- To develop awareness of human rights and the work of the Commission
- To build relationships with communities, duty bearers and stakeholders and promote their active involvement and participation in the work of the Commission
- To assess the impact and influence of the Constitution on the lives of communities, duty bearers and stakeholders
- To facilitate access and delivery of resources for communities and help address human rights issues

APPROACH

The Human Rights Week team consisted of members from the different departments within the Commission. The team was further sub-divided into teams, which comprised of a legal officer, a researcher and a training officer.

During the campaign, the researchers monitored the economic and social conditions of the communities, whilst legal officers recorded human rights violations and also provided legal advice.

The activities of Human Rights Week were further strengthened by the active participation of the Commissioners in the programme.

RESOURCES FOR HUMAN RIGHTS WEEK

The allocated budget by the Commission for Human Rights Week activities was R199 000 which was used for advocacy and promotional materials, advocacy equipment, travelling, accommodation and meals.

Promotional Materials

Printed Golf-shirts (For national and provincial offices)

Caps

Rulers

Advocacy material included flyers, booklets and posters on different thematic areas.

Equipment

- Branded gazebos
- Branded camp chairs
- First Aid Kits

HUMAN RIGHTS WEEK ACTIVITIES

Summary of Human Rights Week 2006 activities

1. Visits and presentations to government institutions
2. Walk-about and information sessions in the communities
3. Presentations for various communities
4. Meetings with stakeholders
5. The Launch of Human Rights Day Celebration and the North West Human Rights Puisano (Dialogue)

<p>Day One 17 March 2006</p>	<p>Community presentations and meetings at Phokeng with community members and police officers</p> <p>Walk-about and information sessions in Karlienpark and Zinniaville</p> <p>Site visits at Phokeng High School</p> <p>Meeting with performers</p>
<p>Day Two 18 March 2006</p>	<p>Meeting with service providers</p> <p>Walk-about and information session at Nkaneng village and Rustenburg taxi rank.</p> <p>Community presentations Zakhele, Boitekong and Geelhoutpark</p>
<p>Day Three 19 March 2006</p>	<p>Community presentations at Boitekong and Tlhabane</p> <p>Community outreach and excursion in Mogwase, Sun City and Manyane Game Lodge</p>
<p>Day four 20 March 2006</p>	<p>Site visits and presentations at Rustenburg Juvenile Prison and Rustenburg Hospice</p> <p>Walkabouts and information sessions at Freedom Park</p> <p>Community Presentation at Meriting</p>
<p>Day Five 21 March 2006</p>	<p>The Launch of North-West Puisano (Dialogue)</p>

SECTION 3

KEY FINDINGS

Economic and Social Rights Report Rapid Survey (Rustenburg Local Municipality, North West)

Introduction

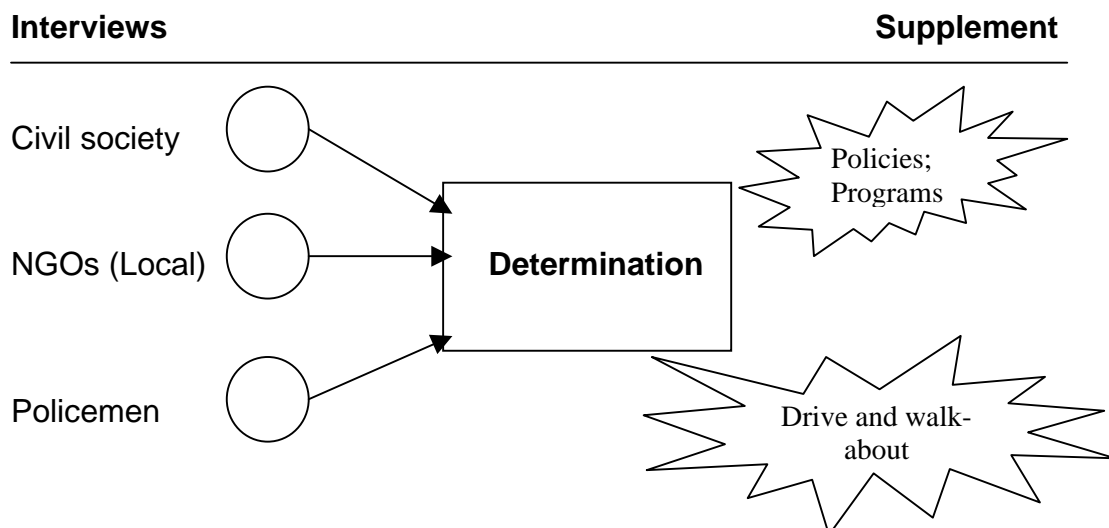
The Bill of Rights is the cornerstone of democracy in South Africa. It enshrines the right of all people in our country and affirms the democratic values of human dignity, equality and freedom. The state must respect, protect, promote and fulfil the rights in the Bill of rights.

To ensure the observance to human rights the Constitution mandated the South African Human Rights Commission (hereinafter, the Commission) to promote respect for human rights and a culture of human rights; promote the protection, development and attainment of human rights; monitor and assess the observance of human rights within the republic. With regard to the discharge of this mandate the Commission conducted a research on the observance of the socio-economic rights and the extent of their realisation within the Rustenburg Local Municipality (NW 373) situated in Bojanala District Municipality North West Province.

Thus, the main objective of the survey was to determine the extent of which the rights in the Bill of Rights (focusing on socio-economic rights) were respected, protected, promoted and fulfilled.

METHODOLOGY

A three-pronged methodology approach was adopted and conducted. Structured and semi-structured interviews were held with members of the civil society, councillors, community development workers and members of the South African Police Services. The data gathered was supplemented by site visits, that is, drive and walk-about to selected localities. This is illustrated below.



EXISTING SETTLEMENTS AND CONDITIONS

The following settlements were visited over a period of five days: Nkaneng (informal settlement); Phokeng (traditional settlement¹); Zakhele (informal settlement), Freedom Park (informal settlement), Meriting and Luka, Zinniaville and Karlien Park (townships).

Zakhele

Zakhele is a mining informal settlement with an approximate number of more than 500 households. The settlement is well planned with plots clearly marked and demarcated. There are access roads and streets are quite clear. In fact the area could only be classified as informal settlement due to dwelling unit types, which are made of highly flammable materials such as heavy-duty plastic sheets, wood and wood products and second hand corrugated irons.

There are no water pipes and as such, no on-yard or off-yard water taps. Residents buy water at R2, 50c per 20 litre from local vendors. This is besides the fact that water and gas pipes pass at the edge of the settlement to the nearby mining shaft. The settlement does not have electricity – even though power lines pass through the settlement – and sanitation facilities. The nearby bush is used to satisfy sanitation needs.

Community members indicated to the team that there is high incidence of social ills prevalent within the community. Some of which include alcohol abuse, high prevalence of HIV/AIDS, criminal activities, prostitution, etc. Interviews conducted revealed that females are not allowed to enter into a nearby mining hostel, catering only for men and thereby dividing the family structure. This arrangement has forced some of them to build informal dwelling units outside the hostel, in Zakhele. Others have simply build their shacks to use them as brothels.

The team was also informed that Xhosa-speaking people are discriminated against when accessing public services. It is alleged that they are informed to go back to the Eastern Cape. The observance is that Xhosa-speaking people are accused of stealing job opportunities that by virtue of their location should be a preserve of Tswana speaking people.

Nkaneng

Nkaneng is an informal settlement situated close to one of the mining shafts. The area is densely populated than Zakhele but boundaries are clearly marked, this phenomenon could be attributed to the fact that some community members have rented out some of the dwellings within their plots.

There are no water taps within the area. The local government has provided two 5 000 litre tanks of water, which are filled twice a week. Unfortunately this arrangement did not take into cognisance the number of people within the settlement

¹ Traditional settlement is a place wherein a chief is in control and has the powers to allocate land for residential and other purposes.

and as such proved to be insufficient as people buy water at R2, 80c per 20 litres from local dealers. Other community members complained that the tanks are located far from their dwelling units.

Also in Nkaneng, Xhosa-speaking people are allegedly being discriminated against. They are seen to be taking away jobs that should have been given to Tswana-speaking people. They are even refused use of basic public facilities.

Phokeng

Phokeng is a traditional settlement under the jurisdiction of the Royal Bafokeng Traditional Authority and is one of the richest tribes in the country. The settlement pattern is characterised by huge stands, which could enable the owners to engage in backyard gardens and other income-generating activities, albeit at a small scale.

The dwelling unit types dominant are formal, although, old². Households do have on-ward water taps and electricity. The area has a community centre, stadium and a shopping mall belonging to the Bafokeng tribe. Community members interviewed indicated, however, that the facilities are not being fully enjoyed by all members of the community, but by members of the royal family only. The team was also informed that the proceeds or profits from mining activities do not benefit ordinary members of the community.

Members of the community also revealed to the team that they do not get the 6-kilolitre free water as services fall under the Royal Bafokeng Traditional Authority. It is also alleged that residents are required to pay rates to the traditional authority. In addition community members found it difficult to get services from the municipality as they are always regarded as rich people. It is apparent that to get basic services in the area takes time, as the chief and the local council must reach an agreement first.

The venue chosen for community presentation was the Civic Centre in Phokeng. Over 70 people from Phokeng and the surrounding areas attended the session. Due to time constraints, the Legal Services Department was unable to record complaints. However, ward councillors offered to assist community members in lodging their complaints using the complaint forms provided and ensured that the forms would be returned to the Commission for evaluation.

Phokeng Police Station

One team had a meeting with Captain Modiba of Phokeng Police Station while other teams conducted site visits in the vicinity. Phokeng Police Station has a Victim Support Centre that is headed by three social workers. Victims of rape and domestic violence are referred to the Centre.

The station receives almost 15 cases per day ranging from assault, robbery to housebreaking. It was estimated that two to three rape cases are reported every five days. Only female police officers are assigned to take statements from rape victims.

On each shift there are eight officers: three female and five male officers.

² It seems as though households within the area of Phokeng are not advancing economically or they are worse off than they were previously. This is evidenced by old houses, which are not being revived.

The station does not have holding cells but has one big room that serves as a detention area and a separate room is used for women detainees.

It was stated by Captain Modiba that there is a high rate of rape, murder and assault from Freedom Park, which is a settlement for non-nationals in Rustenburg. Although there is a satellite police station in Freedom Park, cases reported there are also registered at Phokeng Police Station.

The Royal Bafokeng Tribal Authority and the SAPS have a good and sustainable working relationship. In a situation where any person is accused of committing an offence/crime by community members, the tribal court intervenes by reporting such an allegation to SAPS.

Police Officers are not trained on human rights nor are there programmes on human rights and policing.

Bafokeng High School

Bafokeng High School caters for learners mainly from Phokeng and also those from the neighbouring villages like Lefaragatlhe and Buamptja. The school accommodates grades 10–12 and has 900 learners. According to the principal there is a need for teacher training on alternative discipline methods and on safe schools.

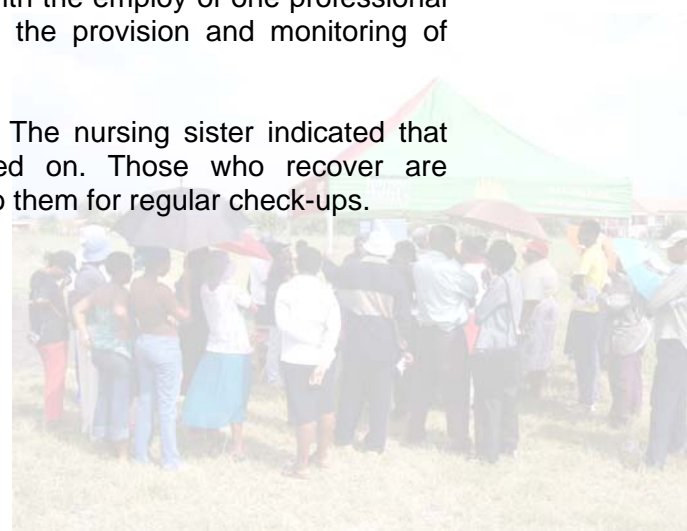
In terms of exemptions on school fees, parents were provided with the necessary information, although only about 10 percent of the parents applied for it. In as far as the infrastructure is concerned the school is well off, i.e. the school has piped-water, electricity and flush toilets. However, the science laboratory, biology laboratory and the library are in a very poor condition. The geography laboratory's ceiling had fallen. The classrooms are small and overcrowded. On the contrary, the Home Economics class is well-equipped.

The School Governing Body (SGB) has been trained albeit late in 2005. There is no feeding scheme programme. It was also found that the school has discipline problems that are attributed to drugs. Through the interview it was found that teachers are frustrated by ill-disciplined learners and thus resort to corporal punishment.

Tapologo Hospice

The Tapologo is an HIV/AIDS home established by the Catholic Church. It is divided into a male and a female section. The centre is an 18 capacity facility and has a separate section for babies. Although the Catholics established the centre, it is open to the greater public. It provides 24-hour service with the employ of one professional nurse and two carers. They are responsible for the provision and monitoring of treatment of the patients.

One doctor comes regularly to see the patients. The nursing sister indicated that between 2004–2006 about 200 patients passed on. Those who recover are discharged and referred to the other clinics close to them for regular check-ups.



Freedom Park



The Freedom Park area is a mining informal settlement, which is divided into two areas, namely, the informal and formal settlement demarcated by a road from Meriting to one of the shafts. The area is in close proximity to employment opportunities and the mining clinic and satellite police station are located within.

Informal side of Freedom Park

Some dwelling units are built out of highly flammable materials, such as wood products, heavy plastic metals and second-hand corrugated material. Other sections of the settlement are dense in such a way that they would pose danger to the large segment of the community. The area does not have water and residents buy water at R2,50 per 20 litres from local sellers.

Interviews conducted revealed that there are some women who relocated to Freedom Park informal settlement with the sole purpose of engaging in prostitution targeting mining employees. This is so possible because the mining hostel does not provide for family units and females are not allowed to enter or reside.

RDP houses of Freedom Park

The government has provided a significant number of Reconstruction and Development Programme (RDP) houses, which are partitioned into two. Toilet and in-house water taps come as part of the package. The yards are of significant size and could enable residents to engage in other socio-economic activities, such as day care facility, backyard gardens and backyard rental accommodation.

The team came across sewage leaks and interviews conducted revealed that toilets and sewerage pipes are always blocked as people use newspapers instead of toilet papers.

Interviews with members of the community revealed that there are no ambulance services and community members had to use hired vehicles to transport patients, paying exorbitant amounts which range from R200 to R250.

Community members also indicated that they experience difficulties in accessing the settlement when it rains because of the type of the soil in the area.

There are serious corruption practices within the area. Some community members complained that they are getting water and electricity bills for houses that are occupied by other people. Thus, a house is allocated to a person who is not the legitimate owner as per Department of Housing, whilst the legitimate owner is still waiting for his or her house.

Boitekong

Boitekong is a combination of a formal (RDP houses) and an informal settlement, which is divided into Extensions 1-6, 7, and 14. The inhabitants are South Africans (Batswana, AmaXhosa, AmaZulu, Batsonga) and foreigners from the neighbouring countries.

Education

Boitekong has 4 schools (3 primary and 1 high school) and one Adult Basic Education and Training Centre (ABET). The 3 primary schools are Tshirologang Primary (in Extension 2), Letsibogo Primary (in Extension 2) and Abana Primary (in Extension 5). Boitekong Secondary School and the ABET are housed in Tsholofelo Community College (in Extension 4). At the time of the interview Boitekong Secondary School was under construction and most of the learners were attending school in the neighbouring areas.

- **Health**

There is only one clinic that opens from 07h00 to 17h00 for emergencies only. After 17h00, patients are referred to Kanana Hospital, which is about 5km away. According to community members this is very costly because hiring a car to Kanana costs R100. Another challenge is that there is no public transport after hours.

- **Community Outreach**

Two community meetings organised by the Councillors were held on 18 and 19 March 2006. Both meetings were well attended. The Commission was given an opportunity to make a presentation on the role of SAHRC. Members of the community mentioned some of the challenges in their area, among others, are that there is only one clinic for the whole community and there is a shortage of schools and houses.



Zinniaville

Zinniaville Secondary School

Zinniaville Secondary School, formerly an Indian school, is combined with grades 0–12, has 29 classrooms and a 43 educators sharing 1 025 learners. According to the principal, the school is one of the most racially integrated in the country.

In 2005 almost 150 parents applied for school fee exemptions but fewer than 100 were granted. Each year the school manages to raise 90 percent of the funds which are used to build more classrooms. It was also revealed that 70 percent of learners have dropped out of school.

In as far as the infrastructure is concerned the school has piped water, electricity, flush toilets, science laboratory, a library (needs upgrading) and a computer laboratory (sponsored by the Mine).

It was also found that there is lack of involvement of parents in school activities. Most of the parents are reluctant to attend Annual General Meetings. Lastly, it was found that teachers are struggling to come up with disciplinary measures for learners. As a result, an emergency meeting was held with parents on 16 March 2006. Some of the parents believed that corporal punishment should be reinstated.

The school has a feeding scheme that operates daily at 10h00. However, most Muslim learners do not use the programme but prefer to cater for themselves.

Rustenburg Correctional Centre

The Rustenburg Correctional Centre has 4 sections and a total of 629 sentenced inmates and 7 awaiting trial³. It is divided into 2 institutions namely; the Centre for Excellence and the Juvenile Section. The Centre for Excellence keeps inmates with sentences of up to 6 years' imprisonment and the Juvenile Centre keeps those with maximum and short-term sentences. The offences for which the inmates are sentenced are rape, robbery, murder and house breaking. The acting Head of Prison indicated that they have various programmes aimed at changing the mindsets of the inmates. They also run HIV/AIDS programmes and antiretrovirals are available for those who are infected.

The Centre for Excellence has normal school programmes and Adult Basic Education and Training (ABET) level 1–3. The ABET classes are conducted from on Mondays to Fridays from 08h00 am to 11h00 am. The inmates attending the physics classes complained about not being able to do experiments while others about the bad working conditions of the lights, which affects their evening studies. They also complained about the toilets that were not working at the school⁴

Additionally there are workshops for pottery, bricklaying, auto valet and upholstery. Another activity that the inmates involve themselves in is music. The school has two teachers employed.

³ This was the number of inmates on 20 March 2006 when the SAHRC visited the prison.

⁴ The prison cells are used as classrooms for the school.

Tlhabane



- **Community Outreach**

The team set up mobile office (promotional equipment in the form of gazebo, chairs, music to attract attention, etc) at a street corner in Tlhabane next to Foro Spar. The aim was to raise awareness on the role of the Commission.

Various promotional materials were distributed to members of the public. From the discussions emerged a number of problems and concerns related to older people, school learners and people living in the surrounding squatter areas. What emerged mainly was that most of the people did not have an idea what the Commission does nor their constitutional rights.

SECTION 4

LAUNCH OF HUMAN RIGHTS DAY AND HUMAN RIGHTS PUISANO (DIALOGUE)

Human Rights Week Campaign culminated in the launch of Human Rights Day Celebration and Human Rights Puisano (Dialogue) which was held in Rustenburg Civic Centre on 21 May 2006. More than 700 people from Rustenburg and the surrounding areas attended the launch.

The launch and Dialogue focused more on the impact of the Constitution on rural communities.

The objectives of the North-West Human Rights Puisano (Dialogue) were:

- To assess the impact and influence of the Constitution on the lives of communities, duty bearers and stakeholders
- To develop awareness of human rights and the work of the South African Human Rights Commission
- To build relationships with communities, duty bearers and stakeholders and promote their active involvement and participation in the work of the Commission
- To facilitate access and delivery to resources for communities and help address human rights issues that affect them

The Launch of Human Rights Week and the Dialogue allowed the Commission to raise its profile and confirm its commitment to the people of Rustenburg. This event provided a platform for deliberation between community members, religious and traditional leaders as well as government officials.

As could be judged from the lively debates, the dialogue clearly engaged the interests of the communities and provided further opportunities for community members to interact with the panel consisting of community and religious leaders, government officials and Commissioners.

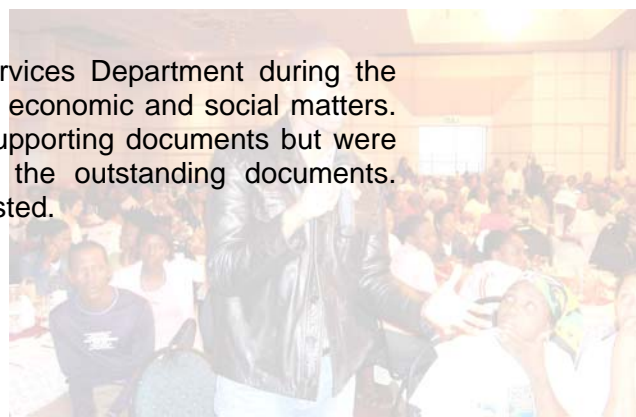
During the Human Rights Week the Commission committed itself to:

- Establishing a Provincial Office in North-West during 2006
- Continued interventions in Rustenburg local municipality
- Responding to the complaints received from communities
- Continued engagements with local and provincial government to ensure that government fulfils its mandate.

On the day of the Dialogue, both the Commission and the Legal Aid Board exhibited their work. Complaints desks were also set up by the two to receive complaints from the audience attending the dialogue.

COMPLAINTS LODGED DURING HUMAN RIGHTS WEEK CAMPAIGN

Complaints received by the Commission's Legal Services Department during the Human Rights Week Campaign varied from labour to economic and social matters. Most of those who lodged complaints did not have supporting documents but were given the Commission's contact details to forward the outstanding documents. Inquiry files were opened and further particulars requested.



SECTION 5

MEDIA COVERAGE OF HUMAN RIGHTS DAY AND HUMAN RIGHTS PUISANO (DIALOGUE)



The Human Rights Day Puisano (dialogue) held on 21 March 2006 was preceded by community outreach programmes, which included site visits to prisons, schools, hospices, etc and also setting up mobile SAHRC offices at various venues. The venues were identified during a pre-inspection phase, where the team, together with a media officer, visited the Rustenburg and the Bojanala District Municipalities.

The main objective, on the part of the media and communications unit, was to identify media to work with in promoting the Human Rights Week 2006 campaign under the theme: Celebrating 10 years of the South African Constitution, Living the Constitution today. It was established by the team during their pre-inspection visits that only one community radio station serviced the area alongside two weekend local newspapers.

As a result of the above, the team had to rely more on the Communication Unit of the Office of the Premier for publicity and further contacts. Negotiations between the Communications Units of the Commission and the Office of the Premier, resulted in the team being offered office space and equipment at the Premiers Offices in Rustenburg.

News releases and other information regarding the campaign were sent to various papers around the area and to Radio Mafisa, which covered the campaign extensively prior and on Human Rights Day.

The team also met the following objectives:

- Identified targets for human rights week
- Inform stakeholders about the proposed new provincial office of the SAHRC
- Gathered information about the socio-economic challenges faced in the area
- Gained understanding of the needs of the people in the area.

There were no prior media briefings. However, arrangements were made for media representatives to have interviews with commissioners after the Puisano. A media package was made available in the morning of the Puisano.

The office of the premier had organised a big event in the Seiwerskuil, in the Bojanala, Moretele Municipality on Human Rights Day. As a result the media that was supposed to attend our Dialogue were now divided into two to be able to attend the two events.

However, on the day the following media covered the Commission's event:

- SABC TV: Interview with Jody Kollapen
- SABC Radio: Motsweding FM interviewed Commissioner Manthata
Ukhozi FM Interviewed Commissioner Majodina
- E-Tv: Interviewed Tseliso Thipanyane, the CEO of the Commission on Morning Edition

SECTION 6

FINDINGS

Besides the serious shortcomings of the methodology used in conducting this study, the following could nonetheless be regarded as valid findings:

- The mining hostel practice of providing single hostels instead of family units is contributing to the mushrooming of informal settlements within the area.
- Xenophobia by public servants and community members against none Tswana speaking South Africans is rife in the area.
- Lack of co-operation between traditional leadership and the local government hinders service delivery.
- There are serious backlogs in the delivery of basic services such as water, sanitation and electricity in informal settlements.
- The workshops conducted by Nachret revealed beyond doubt that community members do not know much about human rights and the SAHRC. Also most of the people do not have copies of the Constitution and do not even know where to get them.
- Schools still lack some basic resources.

Shortcomings of the methodology used

The following are the shortcomings of the report:

- The researchers were not involved in selecting the visited areas and do not know the sampling method used
- Limited time to plan for the survey

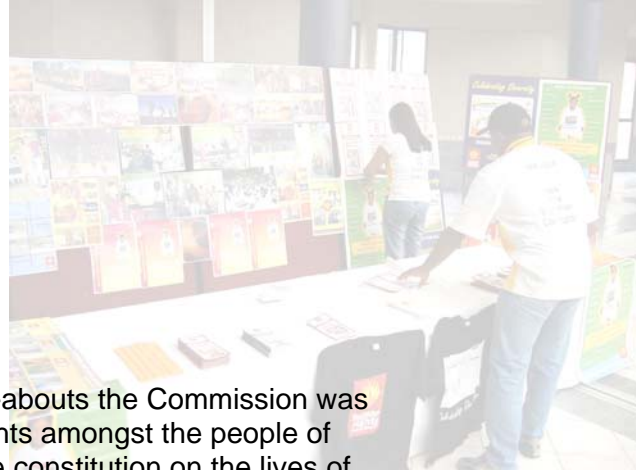
RECOMMENDATIONS

- Taking into cognisance the findings and the assessments therefore it is recommended that the Economic and Social Rights unit, unaccompanied by the NACHRET should go back and conduct a through study in the area, such a study should be complemented by the analysis of government programs, policies and strategies.
- There is a dire need for human rights programmes for, not only Rustenburg communities, but for all public sectors.
- Further investigation is required by the Legal Services Department to assess the role of the tribal authorities in relation to the justice system; this is necessary to ensure constitutional compliance in the tribal court/s in dealing with both the accused and the complainant.
- An interdepartmental coordinating committee should be established to oversee HRW campaign.
- The Commission should develop a programme that allows primary research to be conducted in rural areas upon which the Legal Dept can base its investigations.
- That after identifying an area of focus, arrangements to be made with the local municipality/ premier to inform them and possibly collaborate with them.

CONCLUSION

Through community presentations, site visits and walk-about the Commission was able to promote and entrench awareness of human rights amongst the people of Rustenburg and assess the impact and influence of the constitution on the lives of ordinary people.

The success of the campaign is attributed to the assistance of the Office of the Premier and Rustenburg Community Development Workers who also assisted in the selection of communities for the i



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