



**SUMMARY OF STRATEGIC PLAN (YEAR
THREE) AND ANNUAL PERFORMANCE PLAN
(2013/14) TO THE PORTFOLIO COMMITTEE ON
JUSTICE AND CONSTITUTIONAL
DEVELOPMENT**

APRIL 2013

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PART A: OVERVIEW OF THE STRATEGIC PLAN (2013-2016) AND ANNUAL PERFORMANCE PLAN (2013/14)

1. INTRODUCTION

The development of the South African Human Rights Commission's Strategic Plan and Annual Performance Plan (2013/14) was in the context of consolidating the institutional commitments that were made in the 2011/12 Medium Term Expenditure Framework. Focus in the first year of the 2011/12 medium term expenditure framework was on organisational rethinking through organisational review and business process engineering initiatives in order to channel the Commission's resources to core deliverables on the one hand, and inculcate a performance driven culture on the other. Following that, resources were mobilised in order to position the Commission as the focal point for human rights. Systems and procedures were instituted in order to position the Commission as an impact-driven organisation in discharging its protection, promotion and monitoring mandate. It is in this regard that in the final year of the 2011/12 medium term expenditure framework the Commission aims to consolidate its institutional commitment through plans and activities contained in the Strategic Plan and Annual Performance Plan 2013/14. Crucial to the current financial year's strategic and annual performance plans is the outcomes approach adopted in planning and ultimately reporting in order to allow the Commission to assess the extent of impact of its work and whether the execution of its mandate yields the desirable results.

2. STRATEGIC PLAN 2013-2016

The Commission's strategic goals, priorities and objectives remain the same in the consolidation of its constitutional commitments. These are augmented by the focus areas of the Commissioners which further enhance the Commission's promotion mandate contained in the Constitution.

The Commission's constitutional mandate is carried out through implementation and realisation of six strategic outcome oriented goals, and six strategic objectives and these are aligned with the annual performance plan for implementation, reporting and monitoring purposes.

In order to deliver on its constitutional mandate, the Commission set out five strategic outcome oriented goals that are aligned to its strategic objectives. These outcome oriented goals provide an indication on areas that drive the Commission to be an impact driven organisation.

These goals include the following:

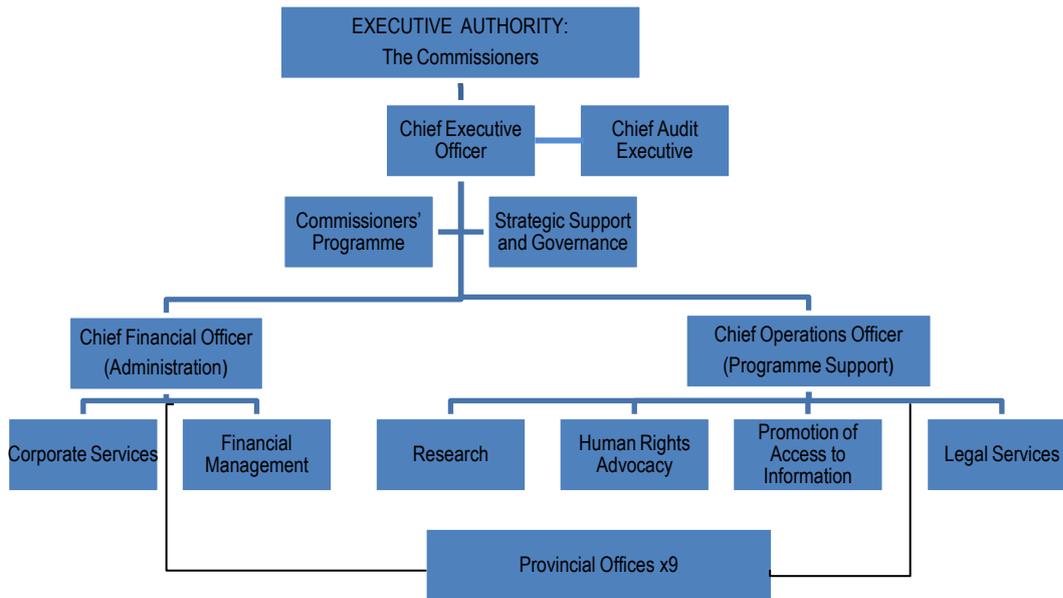
1. Improve the quality of complaints handling
2. Improve the quality of monitoring, evaluation of and reporting on the realisation of human rights
3. Inculcate a culture of human rights through human rights advocacy
4. Strengthen organisational effectiveness and efficiency
5. Improve communication and stakeholder engagement

In terms of strategic objectives, resource prioritisation for achievement of the outcome-oriented goals aims to:

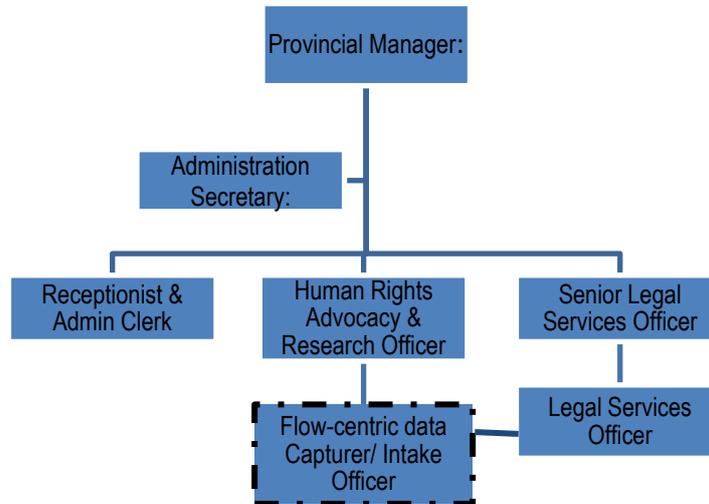
1. Promote compliance with international obligations
2. Position the Commission as the focal point for human rights in South Africa
3. Strengthen advocacy and human rights awareness raising
4. Advance the realisation of human rights
5. Advance the right to equality and access to information
6. Improve the effectiveness and efficiency of the Commission

2.1 Organisational and Programme Structure

The Commission has three main programmes (Administration; Promotion and Protection of Human Rights; as well as Research and Monitoring and Evaluation) which are supported by business units. The organisational structure in the period under review consists of 178 posts of which 13 posts have been frozen due to budgetary constraints. This leaves the Commission with 165 posts with a staff establishment of 147. The structure of the Commission is presented as follows:



A generic breakdown of the Commission's structure at provincial level is as follows:



Larger provincial offices such as Gauteng and the Western Cape have three Senior Legal Officers and two Legal Services Officers.

2.2 Alignment of Programmes with Strategic Objectives

The programme structure and business units of the Commission are aligned with the strategic objectives for meaningful realisation of the Commission's outcome-oriented goals and priorities. A presentation of the alignment is as follows:

Strategic Objective	Promotion and Protection of Human Rights (Commissioner's Programme; Legal Services; and Human Rights Advocacy)	Research, Monitoring and Reporting (Research; Promotion of Access to Information; and Strategic Support and Governance)	Administration (Finance; Corporate Services; and Internal Audit)
International Compliance	X	X	
Focal point for human rights	X	X	
Advocacy	X	X	
Realisation of human rights	X	X	
Equality and Access to Information	X	X	
Effectiveness and efficiency	X	X	X

3. OUTLINE OF ANNUAL PERFORMANCE PLAN 2013/14

The Commission has identified a number of key activities for each strategic objective for implementation in the period under review.

3.1 Strategic Objective 1: Promote compliance with international obligations

Key activities for implementation in the period under review include

- Participation in 2 ICC, 2 NANHRI and 2 ACPHR activities
- Completion of Annual International and Regional Human Rights Report by 30 June 2013
- 100% implementation of Annual SAHRC Action Plan based on outcomes of 28 international and regional activities, including ICC and NANHRI

3.2 Strategic Objective 2: Position the Commission as the focal point for human rights in South Africa

Key activities for implementation in the period under review include

- Host 82 stakeholder engagements
- 100% development of 2014/15 Plan for Human Rights Clinics

- Participate in 15 parliamentary meetings
- 100% implementation of Terms of Reference for the Forum of Institutions Supporting Democracy
- Convene 14 Section 5 Committee meetings
- Finalise 85% of cases
- 100% implementation of litigation strategy
- 100% review of stakeholder relations
- 100% implementation of Annual Media Plan
- 12 Electronic Newsletters

3.3 Strategic Objective 3: Strengthen advocacy and human rights awareness raising

Key activities for implementation in the period under review include

- Host 9 provincial human rights calendar day events by 31 March 2014
- Produce promotional material on Right to Food by 30 September 2013
- Complete report on roundtable discussion on business and human rights by 31 March 2014
- Host 2 national human rights events
- 100% implementation of annual external communication strategy and plan

3.4 Strategic Objective 4: Advance the realisation of human rights

Key activities for implementation in the period under review include

- Complete 2012/13 Performance Monitoring and Evaluation Report by 30 June 2013
- Complete 2013/14 Performance Monitoring and Evaluation Report by 31 December 2013
- Complete 2012/13 Section 184 (3) Report by 30 June 2013
- Complete Strategic Focus Area Report by 31 March 2014
- Publication on Water and Sanitation by 30 September 2013
- Develop Draft Matrix for 3 ESR areas by 31 March 2014
- 100% submission on relevant draft legislation by deadline

3.5 Strategic Objective 5: Advance the right to equality and right of access to information

Key activities for implementation in the period under review include

- Complete Equality Report by 31 March 2014
- Complete Promotion of Access to Information Act (PAIA) Audit Report by 31 March 2014
- Submit PAIA Report to Parliament by 30 September 2013
- Submit Recommendations Report to Department of Justice and Constitutional Development by 31 March 2014
- Complete Institutional Compliance Report by 31 March 2014
- Participate in 3 Equality Review Committee meetings

- 100% Implementation of PAIA promotion and advocacy strategy and plan
- Convene 20 pilot community sessions for Law Clinics

3.6 Strategic Objective 6: Optimise the effectiveness and efficiency of the Commission

Key activities for implementation in the period under review include

- 100% implementation of Performance Monitoring, Evaluation and Reporting Policy and Strategy
- Submit Estimated National Expenditure to National Treasury
- Submit annual financial statements and performance information to the AG and National Treasury by 31 March 2014
- Submit 2012/13 Annual Report to Parliament by 31 August 2013
- Submit Adjusted 2013/14 Annual Performance Plan to National Treasury by 30 November 2013
- Submit 2014-2017 Strategic Plan and 2014/15 Annual Performance Plan to Treasury and Parliament by 31 January 2014
- 100% achievement of business unit targets
- Clean audit
- 85% compliance with all relevant legislative, regulatory and policy requirements
- 100% Development of Action Plan to address areas of non-compliance by 31 March 2014
- 100% Implementation of Internal Audit Plan
- 100% Implementation of staff Capacity Development Plan
- 70% Implementation of records management plan
- 100% Implementation of Commissioner's Capacity Development Plan

PART B: 2013/14 BUDGET OVERVIEW

4. OVERVIEW OF SAHRC BUDGET ALLOCATION

4.1 Ideal Budget

The Commission tabled an ideal budget proposal of approximately R148 807m to National Treasury for meaningful execution of its constitutional mandate. Additional funding was in the programme areas of Legal Services, Human Rights Advocacy, Research, Promotion of Access to Information as well as Information Technology Infrastructure. The proposed breakdown of the ideal budget is captured below:

Budget Item	Amount 2013/14	Amount 2014/15	Amount 2015/16
Approved MTEF allocation	R115, 999, 000	R148,807,080	R165,165,768
Additional amount requested	R32, 808, 080	R16, 358, 688	R0,00
Legal Services	R19,139,000.00	R8,039,200.00	
Human Rights Advocacy	R1,600,000.00	R1,860,000	
Research	R1,945,000.00	R2,137,500	
Promotion of access to information	R6,692,080	R2,663,488	
IT Infrastructure	R3,430,000	R1, 658, 500	
Anticipated savings as a result of efficiencies			(R2,966,221)
IDEAL BUDGET REQUESTED	R148,807,080	R165,165,768	R162,199,547

4.2 Allocated Budget: 2013/14

Notwithstanding the budget proposal highlighted above, the Commission has been allocated a budget of R115,999,000 in 2013/14 financial year. The budget allocation breakdown is presented as follows:

	2011/12 BUDGET	2012/13 FINAL BUDGET	2013/14 BUDGET	INCREASE/ (DECREASE) FROM PRIOR YEAR	% INC/(DEC)
Personnel	56,103,430.35	67,064,870.00	72,344,213.64	5,279,343.64	8%
Commissioners	2,267,650.00	2,714,044.00	2,801,860.00	87,816.00	3%
CEO	3,033,000.00	1,273,000.00	1,340,469.00	67,469.00	5%
Governance	250,450.00	384,212.00	404,575.24	20,363.24	5%
Finance	2,037,000.00	2,334,750.00	2,458,491.75	123,741.75	5%
Admin & SCM	17,990,951.00	18,288,167.00	23,069,063.00	4,780,896.00	26%
HR	2,186,800.00	2,626,140.00	2,249,928.16	376,211.84	-14%
IT	2,140,000.00	3,215,000.00	5,665,065.00	2,450,065.00	76%
PAIA	723,000.00	759,150.00	799,384.95	40,234.95	5%
LSP	686,319.00	836,767.00	2,724,252.56	1,887,485.56	226%
Research	930,000.00	757,500.00	797,647.50	40,147.50	5%
HURA	551,400.00	676,400.00	712,249.20	35,849.20	5%
IA	723,000.00	600,000.00	631,800.00	31,800.00	5%
	89,773,000.35	101,530,000	115,999,000	14,468,999.99	14%

A budget comparison of the medium-term expenditure framework baseline allocation indicates that the Commission's budget is increasing on a decreasing rate. A representation of the budget is as follows:

MTEF BASELINE (2013/14)				
Description	2012/13	2013/14	Estimated 2014/15	Estimated 2015/16
	R '000	R '000	R '000	R '000
Indicative baseline	100 736	109 999	117 136	123 199
Additional funding employees compensation	794	0	0	0
Additional service capacity (LSP)	0	6 000	8 000	10 000
TOTAL NEW BASELINE	101 530	115 999	125 136	133 199

4.3 Implications of funding constraints: 2013/14

Considering the shortfall between the proposed budget and the allocated budget, the Commission had taken a strategic decision to embark on budget cut measures that include freezing 13 posts to the value of R5,9m. Most of the posts are in the Research & HuRA units which have an impact on our promotion and monitoring mandates.

Another budget cut measure is in the area of office rentals and leases. This Commission is now expected to fund its office rentals and leases since the Department of Public Works has ceased to renew the Commission's leasing contracts. Consequently, we may be forced to consider closing certain offices if additional funding is not secured.

PART C: BRIEF OVERVIEW OF 2012/13 PERFORMANCE

5. ACHIEVEMENT OF TARGETS AS AT 31 MARCH 2013

5.1. Key Performance Highlights

The Commission achieved 84% (49 of 58) of its annual performance targets for the period under review (01 April 2012- 31 March 2013). These targets do however still need to be verified by the Auditor General. Key performance highlights are mainly in areas of policy, advocacy, legislative influence, good international standing and recognition, stakeholder engagement and awareness raising as well as business system improvements and organisational effectiveness thus contributing to all strategic objectives of the Commission.

A summary of overall performance is presented as follows

Targets not achieved – needs considerable focus	Quarter 4 work in progress	Targets achieved	Targets exceeded
9 (16%)	0	39 (67%)	10 (17%)
Total targets for the period under review = 58			

5.2 Achievement of targets by strategic objectives

Furthermore, achieved targets have been categorized according to the strategic objective in order to assess the extent to which the Commission has contributed towards the realization of each strategic objective. Target performance breakdown per strategic objective is as follows:

Strategic Objective	No. of Targets	Targets Achieved	Targets Not Achieved
SO1	5	5	0
SO2	11	9	2
SO3	7	5	2
SO4	5	5	0
SO5	14	14	0
SO6	16	11	5
Totals	58	49	9

The table above indicates that the non-achievement of targets has mainly been under strategic objective 6, followed by strategic objectives 2 and 3. A summary of performance targets that have not been met is as follows:

No	Strategic Objective	Performance Indicator	Annual Target	Actual Achievement	Reasons for Variance
1	2	Finalisation of complaints	85%	79%	A Flowcentric System Upgrade resulted in delays in complaints finalisation both at head and provincial offices
2	2	Hosting of Section 5 Committee meetings	14	10	Delays in securing attendance of key stakeholders of Section 5 Committee meetings
3	3	Production of Acid Mine Drainage Booklet	Produce Booklet by 31 March	Delays in finalising the production of the booklet by service provider	Delay in printing by service provider
4	3	Hosting of Right to Food workshop / conference	Host conference by 31 March	Conference not hosted	Conference not hosted due to budgetary constraints. Hosting of the conference was dependent on donor funds wherein SAHRC funding proposal was subsequently rejected by a potential donor (Flemish International). The target has been postponed to 2013-14 financial year
6	6	Implementation of Capacity Development Plan	Full implementation by all units	Plan partially implemented due to organisational restructuring	Plan partially implemented as a result of organisational restructuring
7	6	Completion of Midterm Performance Reviews by deadline	All units to complete Midterm Performance Reviews by deadline	Not all units completed their reviews by set deadline	Reviews not completed as a result of organisational restructuring and new employees joining the Commission in the course of 2012/13 financial year

No	Strategic Objective	Performance Indicator	Annual Target	Actual Achievement	Reasons for Variance
8	6	Completion of Organisational restructuring	100%	83%	Restructuring and filling of posts are ongoing.
9	6	Achievement of targets	100%	84%	All of the reasons cited above

Furthermore, a detailed report on quarter 4 performance of the Commission has been attached as Annexure A. Some of the achievements for the 2012/13 financial year are as follows:

- Nine provincial and one national hearing on water and sanitation
- Published and launched the Charter on Children's Basic Education Rights
- 363 media engagements
- Chaired the Forum for Institutions Supporting Democracy
- Implemented an electronic case management system
- Implemented an electronic leave management system
- Implemented an electronic procurement system
- Launched the Equality Report
- Provided comprehensive legal training on complaints handling to legal staff

5.3 Budget Expenditure as at 31 March 2013

The Commission reported 97% budget expenditure in the period under review. Budget allocation at the beginning of financial year was R 101 994m of which R 98 499m was spent, resulting in a surplus of R 3 495m. However, it should be noted that the surplus amount has already been allocated to commitments and activities that occurred towards the end of March 2013. Consequently, the full budget has been utilised.

PART D: UPDATE ON LEGAL INVESTIGATIONS

6. AN UPDATE ON INVESTIGATIONS

6.1 Complaints and Enquiries finalised per province: 2012/13

Fourth quarter performance information of the Commission indicates that 79% finalisation of complaints and enquiries. The total workload in the period under review (01 April 2012 – 31 March 2013) consisted of 8 924 cases of which 7 033 have been finalised and 1 891 cases have been carried over to 2013/14 financial year. In addition, the number of appeals received in 2012/13 financial year amounted to 159 and the Commission managed to solve 148 of the appeals as at 31 March 2013.

Below is a table outlining investigations or cases concluded by provinces as at 31 March 2013:

PROVINCE	Complaints Received	Enquiries	Total Complaints + Enquiries	Finalised Complaints + Enquiries	Active Case (31/03/2013)	Total % finalised
Eastern Cape	448	197	645	540	105	84%
Free State	451	185	636	525	111	83%
Gauteng	1440	713	2153	1782	371	83%
KwaZulu-Natal	407	826	1233	1084	149	88%
Limpopo	256	113	369	187	182	51%
Mpumalanga	372	105	477	282	195	60%
Northern Cape	231	642	873	788	85	90%
North West	424	189	613	364	249	59%
Western Cape	923	1002	1925	1481	444	77%
TOTALS	4952	3972	8924	7033	1891	79%

6.2 Complaints Handled by Category: Top 5 Complaints: 2012/13

The top 5 complaints that were finalised by the Commission in the fourth quarter were mainly in the area of Just Administrative Action (14%), Equality (13%), Labour Relations (13%), Arrested, Detailed and Accused Person (12%) and Human Dignity (8%).

A further breakdown of the complaints dealt with indicates that in the area of Equality, the main rights violated related to race followed by disability as well as ethnic or social origin while in the area of labour relations, the main rights violated related are mainly related fair labour practices.

A breakdown of the nature of the top 5 complaints finalised is as follows:

Nature of Complaint	Percentage	Right Violated
Just Administrative Action	14%	<ul style="list-style-type: none"> - unfair administrative procedure - no outcome/decision of an administrative action - no reasons provided for an administrative action
Equality	13%	<ul style="list-style-type: none"> - hate speech, workplace discrimination - racial discrimination, disability - sexual orientation - religion
Labour Relations	13%	<ul style="list-style-type: none"> - racial discrimination - hate speech in the workplace
Arrested, Detained & Accused Person (ADAP)	12%	<ul style="list-style-type: none"> - conditions of detention in detention centres - imprisonment without trial - right to appeal
Human Dignity	8%	<ul style="list-style-type: none"> - treatment of older persons or persons with disabilities, - access to water and sanitation

Compared to previous years, the top 5 complaints have consistently been in the top 5 category for the past two financial years albeit in a different order:

Nature of Complaint	Percentage	2010/11	2011/12
Just Administrative Action	14%	20% (ranked 3 rd)	15% (ranked 2 nd)
Equality	13%	30% (ranked 1 st)	13% (ranked joint 3 rd)

Labour Relations	13%	10% (ranked 5 th)	13% (ranked joint 3 rd)
Arrested, Detained & Accused Person	12%	15% (ranked 4 th)	18% (ranked 1 st)
Human Dignity	8%	25% (ranked 2 nd)	7% (ranked 5 th)

6.3 Notable complaints finalised in 2012/13

Some of the complaints the Commission finalised in 2012/13 financial year included those in the areas of protection of children's rights, privacy and the right to equality. A sample of these cases is presented as follows:

No.	Classification of Rights Violated	Nature of Issue	Status of case/complaints as at 31 March 2012
1.	Infringement of Children's Rights	Western Cape Case: Punishment of a child by detention at Alex Blaikie Montessori Centre Complainant: Jo Anne Du Plooy	The SAHRC proposed mediation between the parties
2.	Right to privacy	Western Cape Case: Search of student property and cellphone in school premises Complainant:	The SAHRC recommended that the school must review its code of conduct by providing a clear definition of "undesirable communication" as well as define situations in which the Respondent (German International School) will be justified in exercising its right to seize and search electronic devices and cell phones.
3.	Discrimination on grounds of disability	Western Cape Case: Demotion on grounds of disability in the workplace. Complainant: Ruben Links	The SAHRC recommended that the respondent (Transnet Rail) align its human resources policies with provisions of Labour Relations Act and further implement the recommendations described in the report by the Occupational Therapist. (preparing a conducive environment and procuring of adequate office equipment for the complainant)
5.	Right to equality	Western Cape Case: Construction of speed humps on the road without providing a lane for wheelchairs Complainant: Lorraine Van Der Steen	The SAHRC recommended that future construction involving the placing of speed humps, accommodates a space adequate for a wheelchair to move between the curb and speed hump for the disabled to pass more easily. Furthermore, the respondent (Blombosch Homeowners Association) provided the Complainant with a letter of apology for the treatment of her situation.

No.	Classification of Rights Violated	Nature of Issue	Status of case/complaints as at 31 March 2012
6.	Right to privacy and dignity	Free State Case: Access to adequate toilets Complainant: Sasol burg residents	The SAHRC recommended that the respondent (Metsimaholo Local Municipality) must liaise with National Treasury to request for additional funding for infrastructural development, and with Department of Water Affairs for monitoring of water services sector
7	Freedom and security of person	Free State Case: Alleged improper use of force against an unarmed and defenseless citizen (Andries Tatane) Complainant: Council for the Advancement of the SA Constitution	The SAHRC made the following recommendations: <ul style="list-style-type: none"> • South African Police Services (SAPS) to improve training of police officers in crowd control • SAPS to develop a training manual for Public Riot Unit with the help of SAHRC's Human Rights Advocacy Programme. • The Ministers of Police and Cooperative Governance, respectively, to collectively report bi-annually to SAHRC on measures put in place to address violent community protests. The latter must report on measures to ameliorate systemic failures in local government that often lead to service delivery protests.
8	The Right to Equality on the grounds of race The Right to Human Dignity (s 10)	Free State Case: Publication of a racially offensive book entitled the "Die Raadsplan". Complainant: Izak van Niekerk	The SAHC made the following recommendations: <ul style="list-style-type: none"> • Advised the South African Film and Publication Board to remove the offensive publication from all public channels of distribution, and to mete out appropriate administrative and other sanctions in terms of the Films and Publications Act. • The Institute for Race Relations of the University of the Free State, in collaboration with the Governing Council of South African Council of Churches, engage the Respondent, Living Hope Ministries (including its leadership and associated

No.	Classification of Rights Violated	Nature of Issue	Status of case/complaints as at 31 March 2012
			institutions) in a series of Race Relations Sensitisation Workshops, and report in writing to the Commission on the progress achieved thereby no later than six (6) months from the date of this finding.

6.3 Update on Marikana Investigation

The Commission resolved to participate in making submissions before the Marikana Commission of Inquiry due to the various human rights abuses that were alleged to have taken place. The SAHRC plays two roles in the Marikana Commission, both derived from its constitutional mandate and responsibilities.

Firstly, the SAHRC assumes the role of a watching brief. This role has two aspects: first, the SAHRC monitors proceedings to ensure that a fair, just and transparent process is observed for all parties, in the public interest. Secondly, the SAHRC monitors the evidence as it emerges to facilitate the SAHRC's own work in relation to the causes and consequences of the events at Marikana, relevant to the human rights complaint it has received in relation to the events at Marikana. Thirdly, the SAHRC represents the public interest in the promotion and observance of human rights. In that role, the SAHRC has made submissions and has brought evidence on specific matters, which it appears no other party has addressed.

The Commission is currently investigating Phase One of Two Phases. Phase One is confined to, among others, an investigation of the lawfulness of the conduct of the South African Police Service ('SAPS') and its members in fatally shooting 34 people on 16 August 2012 and in injuring protestors who were not fatally wounded. Some of the key activities in the first phase of the proceedings included the SAHRC focusing on the events that took place between the 9th and 16th August, 2012, making submissions on the constitutional roles, rights and obligations of those involved in the Marikana incident. Submissions of the SAHRC were presented by Commissioners of the SAHRC as well as human rights and policing experts.

With regard to the second phase of the proceedings, the SAHRC intends to make submissions that support the investigation into the underlying causes of the loss of life during the Marikana incident. The intended submissions of the SAHRC in second phase will focus on presenting evidence of fact from some of the women who live in informal settlements around Marikana about the day-to-day reality of

their living conditions, housing, sanitation and environment; and, expert evidence on systemic problems within the platinum (mining) sector which detrimentally affect human rights, with particular attention of the Lonmin's Social and Labour Plan and Environmental Management Programme.

6.4 Notable cases under investigation in 2013/14

There are about 14 notable cases currently under investigation by the Commission. These cases relate to violations of the right to equality, access to water and sanitation, housing as well as freedom and security of the person amongst other things. An outline of the cases is presented below:

No.	Classification of Rights Violated	Nature of Issue	Action by SAHRC	Update as at 22 April 2012
1.	Section 16: Freedom of Expression	Gauteng Case: Allegations of hate speech against Minister Xingwana Complainant: Afrikanerbond	Engaging with the Minister and complainant to arrange a meeting	Chairperson's office is in the process of securing a meeting date
2.	Section 9: Equality	Western Cape Case: Alleged racist attacks against Deputy Minister Fransman Complainant: Nolan Munsamy and others	Engaging with the Press Ombudsman as the matter has also been reported to the said office regarding status of investigation	Under investigation
3.	Section 9: Equality	Western Cape Case: Statement made by Deputy Minister Fransman on "Radio Voice of the Cape" regarding the alleged unfair economic benefits being afforded to the Jewish community Complainant: Wendy Khan on behalf of South African Jewish Board of Deputies	SAHRC recommended facilitation of Alternative Dispute Resolution processes between the parties	Meeting between Chairperson and Deputy Minister scheduled for month of May
4.	Section 12- Freedom and security of the person	Northern Cape: Murder and Assault at initiation school Complainant: Dawie Scholts (DA)	Investigation undergoing – joint effort between SAHRC and CGE	To host joint stakeholder meeting in Hartswater.
5.	Section 27- Health care, food, water and social security	Northern Cape: Supply of water to the town of Kimberley. Complainant: MPL Andrew Louw (DA)	Requested consultation with complainant & requested information from NOCCI.	To conduct analysis of additional information provided by the complainant

No.	Classification of Rights Violated	Nature of Issue	Action by SAHRC	Update as at 22 April 2012
6.	Section 35- Arrested, detained and accused persons	Northern Cape: Conditions unsuitable for state mental health patients, especially those serving prison sentences. Complainant: Karen Lombard (DA)	A draft investigative report currently under review	Draft report under review
7.	Section 27- Health care, food, water and social security	Northern Cape : Lack of municipal services.: no water and Sanitation Complainant: K. De Kock and D. A. Schmidtsdrift (DA)	Allegation letters sent to municipality. No response from municipality.	Meeting to be arranged between the municipality and SAHRC.
8.	Section 28 - Right of children not to be abused and neglected	Gauteng: Alleged non-compliance by Department with enforcing provisions related to the Child Protection register Complainant: Mike Waters (DA)	Allegation letters sent to affected departments (Social Development, Justice, Women and People with Disabilities)	Under investigation and to assess responses by Department of Social Development, Justice & Children, Women and People with Disabilities
9.	Section 28 - Children's rights Section 9 - Equality – discrimination based on gender / sexual orientation	Gauteng: Adoption agencies designated allegedly discriminates against prospective adoptive parents on the basis of their sexual orientation Complainant: Mike Waters (DA)	Matter still in assessment, confirmation needs to be received from the complainant whether the mentioned affected stakeholders may be contacted directly for further information. Complainant has been contacted for further information	Case under investigation
10.	Section 26 – Housing Section 27 - Access to basic services Section 28 - Children's rights	Gauteng: Demolition of houses in Lenasia extension 13 and extension 4. Complainant: Mike Waters (DA)	SAHRC approached court to stay evictions – court order requiring amicable resolution between the parties. National and policy value: problems relating to procedural fairness and rights based approach to eviction matters systemic. Desired Impact: Intervention will contribute to development and observance of a rights based approach to evictions	Litigation successful, extensive negotiation between stakeholders is currently under way

No.	Classification of Rights Violated	Nature of Issue	Action by SAHRC	Update as at 22 April 2012
11.	Section 28 - Children's rights Section 9 - Equality – discrimination based on gender / sexual orientation	Gauteng: Ms Mtshali, on whose behalf the complainant lodged the complaint, was assaulted by security guards, which assault was allegedly as a result of her sexual orientation. Complainant: Debbie Schafer (DA)	Matter was referred to the Commission for Gender Equality in August 2012 to more appropriately address complaint.	Complaint finalised
12.	Section 9 - Equality – discrimination based on gender / sexual orientation	Gauteng: John Qwelane is accused of making derogatory statements about homosexuals in his opinion column in the Sunday Sun newspaper. Matter proceeding to finalisation but impacted on availability of respondent Complainant: SAHRC own accord	The disciplinary hearings of both educators involved in the alleged transgression of the child's rights have been concluded.	Litigation matter before the Equality Court
13.	Section 28- Children's Rights Section 29- Right to Education	Eastern Cape: Scholar Transport for learners of Zweledinga SSS in Queenstown Complainant: Lindiwe Mazibuko (DA)	Met with the Department of Education on 27 February 2013 wherein the department raised budgetary constraints & the challenge they are facing as they are currently transporting 54 000 out of 102 000 who are in dire need of the scholar transport.	Matter is still pending
14.	Section 27- Access to water and sanitation	Eastern Cape: Lack of proper sanitation facilities in certain informal settlements in the Grahamstown and East London areas Complainant: MPL Dacre Haddon (DA)	Allegation letters were dispatched to the respondents.	To conduct an inspection in loco visit on 25/04/2013

6.5 Special Projects by Commissioners: 2013/14

In addition to complaints under investigation on the one hand, Commissioners took a decision to undertake 6 investigative projects under their lead. These investigative projects further enhance the Commission's protection mandate and are in the areas of right to education, water and sanitation, disability and illegal mining. A summary of the Commission's special projects is as follows:

No.	Project Name	Commissioner	Status
1.	National Investigative Hearings into the status of delivery of primary learning materials	Commissioner Mokate	Investigation is currently underway
2..	National Investigative Hearings into the treatment of Older Persons in Old Age Homes	Commissioner Malatji	Hearings planned to take place on 11 June 2013
3.	National Indaba's on the Rights of Persons with Disabilities (to be rolled out provincially over 2013/4	Commissioner Malatji	To be rolled out in provinces in 2013/14 financial year
4.	National Investigative Hearings into Illegal Mining.	Commissioner Love	Hearings planned to take place in July 2013
5.	National Hearings into Water and Sanitation	Commissioner Govender	Hearings were held in March 2013.
6.	National engagements with South African Police Services (National Commissioner & Provincial Commissioners) on systemic causes of police brutality and options for change.	Commissioner Mushwana Commissioner Titus	Engagements are currently underway