

background and that the private sector also has a role to play in bringing about transformation in relation to intolerances.

Labour

The labour sector should be proactively involved in a number of campaigns on human development which include among others raising awareness against racism and racial discrimination, xenophobia and related intolerance in the workplace, raising awareness and monitoring child labour, promoting gender equity, providing education and training for trade union members and promoting government's accountability in fighting corruption.

Media

The media remains an integral component of civil society in South Africa and has a central role to play in combating racism, racial discrimination, xenophobia and related intolerance. It has amongst others a responsibility to present a balanced, contextualised image of discriminated groups through meaningful dialogues involving all relevant actors, including the media.

Special emphasis on priority groups

The right of vulnerable and marginalized groups to live in a non-racist, non-sexist and non-discriminatory society based on race, colour, gender, sexual orientation, descent, or national or ethnic origin is often challenged. They constitute a priority group for the NAP given the issues of equality and non-discrimination and the need for protection against racism, racial discrimination, xenophobia and related intolerance. The NAP also takes account of the fact that the right to equality and non-discrimination are rights in and of themselves and may be violated even without being associated with the denial of other rights. Vulnerable and marginalised groups constitute a priority group for the draft NAP given the constitutional imperatives of equality and non-discrimination and the need for protection against racism, racial discrimination, xenophobia and related intolerance.

The draft NAP also prioritises groups of individuals who, besides being victims of racial discrimination, face multiple forms of discrimination, such as:

- rural and urban poor
- persons in extreme poverty
- women and girls

- children and youth
- stateless persons
- domestic workers
- people living with HIV/AIDS
- persons with disabilities
- older persons
- lesbian, gay, bisexual, transgender and intersex groups
- persons affected by armed conflict or natural disasters.

How can you make inputs towards the draft NAP?

- The draft NAP is available at all Thusong Service Centres and Regional Offices of the Department of Justice and Constitutional Development, or you can find it online at: www.justice.gov.za. Read it!
- Add your voice to the draft plan. You can send your inputs to: nap@justice.gov.za.

The closing date for comments/submissions is 30 June 2016.

"NO ONE IS BORN HATING ANOTHER PERSON BECAUSE OF THE COLOUR OF HIS SKIN, OR HIS BACKGROUND, OR HIS RELIGION. PEOPLE LEARN TO HATE, AND IF THEY CAN LEARN TO HATE, THEY CAN BE TAUGHT TO LOVE, FOR LOVE COMES MORE NATURALLY TO THE HUMAN HEART THAN ITS OPPOSITE."

- NELSON MANDELA

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NATIONAL ACTION PLAN TO COMBAT RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

Our country is progressively emerging from a deplorable past of racial segregation and inequality. The apartheid system engrained various forms of institutionalised and systemic discrimination and other intolerances which continue to divide all of us living in South Africa and threaten the unity of the nation.

Our Constitution envisages a South Africa that belongs to all who live in it, and guarantees the rights to equality and human dignity. In line with the Constitution, government has introduced a number of measures that include the promulgation of various pieces of legislation and policies to help build a society that is cohesive, united in diversity and which respects human rights.

WHAT IS THE DRAFT NATIONAL ACTION PLAN (NAP)?

The Department of Justice and Constitutional Development (DoJ&CD) has spearheaded the development of a draft National Action Plan (NAP) to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, in collaboration with various other role-players which include civil society.

The draft will inform a plan which provides the basis for the development of a comprehensive public policy against racial discrimination, racial discrimination, xenophobia and related intolerance. It brings stakeholders together to discuss the challenge of combating all forms of intolerances.

WHERE DOES THE DRAFT NAP ORIGINATE FROM?

The process relating to the development of a NAP for South Africa emanated from the Durban Declaration and Programme of Action (DDPA) adopted at the 3rd World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) which was hosted by South Africa in Durban, in 2001.

WHAT IS THE PURPOSE OF NAP?

The overall purpose of the NAP is to build a **non-racial, non-sexist society based on the values of human dignity, equality and the advancement of human rights and freedom. It intends to combat racism, racial discrimination, xenophobia and related intolerance, through among others:**

- promoting **human dignity** through the promotion and protection of human rights;
- raising **awareness of anti-racism, equality and anti-discrimination** issues among public officials, civil society and the general public, mobilising support from a wide range of people;
- encouraging the **collection of data** regarding racism, racial discrimination, xenophobia and related intolerance and allow for a more comprehensive assessment of the needs of victims to effectively combat it;
- ensuring that the **concerns of individuals and groups** encountering racism, racial discrimination, xenophobia and related intolerance are more effectively addressed;
- increasing the effectiveness and coherence of **measures against** racism, racial discrimination, xenophobia and related intolerance including **financial and human resources**;
- deepening **commitment** to eliminate racism, racial discrimination, xenophobia and related intolerance through appropriate **programmes** aimed at reaching achievable targets;
- **strengthening programmes** for individuals and groups encountering racism, racial discrimination, xenophobia and related intolerance in education, health, employment, housing, food security, social services and access to justice including where necessary through appropriate remedies;
- facilitating the **amendment and or adoption of legislation** with a view to improving the protection of victims;
- generating a more **equal society** and strengthening the rule of law and democracy.

WHO ARE SOME OF THE KEY ROLE-PLAYERS IN THE DEVELOPMENT OF A NAP FOR SOUTH AFRICA?

Combating racism, racial discrimination, xenophobia and related intolerance is a multi-dimensional challenge. The complex nature thereof requires cooperation between government, political parties, human rights institutions, civil society, the private sector, labour movement and the media. Both the public and private sector have a responsibility to develop, implement and participate in joint programmes and measures combatting racism, racial discrimination, xenophobia and related intolerance.

Government

The NAP does not belong to government - it belongs to the country. As the United Nations Practical Guide for Developing National Action Plans against Racial Discrimination, 2014 United Nations guidelines states, a national action plan against racial discrimination is a mechanism for the effective pursuit of national goals. Thus, it should be regarded as a truly national undertaking, involving all elements of government and society. The State plays a key role in the initiation, launching and implementation of the NAP.

Chapter 9 institutions

The Chapter 9 institutions, so-called as they are established in terms of Chapter 9 of the Constitution, are responsible for strengthening constitutional democracy in South Africa and play a crucial role in the development, implementation, as well as the monitoring and evaluation of a NAP. These institutions include the South African Human Rights Commission (SAHRC), Office of the Public Protector (OPP), the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL), the Independent Electoral Commission (IEC) and the Commission for Gender Equality (CGE).

Civil Society Organisations (CSOs)

Civil society organisations play a key role in the realisation of human rights and the democratisation of our society and need to participate in the development, implementation, as well as the monitoring and evaluation of the NAP.

The private sector

The draft NAP recognises that opportunities continue to be defined by race, gender, geographic location, class and linguistic