



**SOUTH AFRICAN PERMANENT MISSION TO THE UNITED
NATIONS
AND OTHER INTERNATIONAL ORGANISATIONS**

**Statement by South Africa at the Third Session of the United Nations
Forum on Minority Issues, 14 to 15 December 2010**

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The South African society comprises various racial, ethnic, cultural, religious and linguistic groups. The injustices of apartheid on the majority of South Africans and their participation in economic life needs no elaboration in the United Nations, which adopted numerous resolutions over the past 4 decades in a concerted effort by the international community to eliminate apartheid in South Africa. The consolidation of democracy in our country required the eradication of social and economic

inequalities, especially those that are systemic in nature, which emanated from our history of colonialism, apartheid and patriarchy.

Following the end of apartheid in 1994, the Constitution of South Africa in its Bill of Rights enshrines the protection of the human rights of all South Africans, regardless of the grouping or communities to which they belong. National legislation passed by the Government since the end of apartheid in 1994 confers protection on all citizens based on the Constitution and Human Rights Law. The enactment of national legislation to give effect to these Constitutional provisions was done through the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000, Promotion of Access to Justice Act 3 of 2000 and the Promotion of Access to Information Act 2 of 2000, all aimed at giving effect to the principle of non-discrimination and provides for the enactment of national legislation to prevent or prohibit unfair discrimination, to promote equality and eliminate unfair discrimination, to prevent and prohibit hate speech and to give effect to just administrative action and access to information.

These rights are not only on paper but have been invoked successfully through our judicial system

Given the need to redress the injustices of the past, the post-apartheid Constitution contains an imperative that legislative and other measures are taken to promote equality and advance persons who may have been adversely affected by unfair discrimination. Consistent with international human rights law, South African affirmative action policy places an obligation on state institutions and businesses to give preference to members of previously disadvantaged groups (inter alia blacks, Indians/Asians, coloureds, women, and persons with disabilities). National legislation is fully consistent with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination (Article 1.4) to eliminate the structural discrimination that was prevalent during the apartheid era and to reflect the demographics of our society through this policy.

We are however, mindful of the many challenges in the path to creating an integral and pluralistic society based on tolerance and dialogue. My delegation welcomes the presentations by the eminent experts in this session, and looks forward to learning from the experiences and best practices of other countries.

I thank you.