

### **Permanent Mission of South Africa – right of reply**

Thank you, madame President. My delegation thanks the forum on minorities for this opportunity to reply to comments made in the forum by AfriForum.

South Africa's history is well-known, as the overwhelming majority of the citizens endured one of the most brutal and discriminatory political systems ever known under the apartheid regime for the most part of the past century. Our Constitution, including its bill of rights, guarantees freedom of expression. However, limits the right in subsection 2, which states the right does not extend to a propaganda for war, incitement of eminent violence, or advocacy of hatred that is based on race, ethnicity, gender, and/or religion, and that constitutes incitement to cause harm.

In addition, applicable national legislations include the Promotion of Equality and Prevention of Unfair Discrimination Act, and the Prevention of Combating of Hate Crimes and Hate Speech bill that was tabled in Parliament in 2012, and in inter alia provides for offense of hate crime and the offense of hate speech, and the prosecution of persons who commit those offenses, appropriate sentences that may be imposed on persons who commit hate crime and hate speech offenses, and for the prevention of hate crimes and hate speech, as well as the Common Law crime of criminal juria.

AfriForum has tested the justiciability of these provisions, both successfully and unsuccessfully in South African courts. We attest access to the various domestic provisions of our Constitutional Democracy. We importantly note that AfriForum has expanded its national campaign also to international fora to draw attention to its views. Both the President and the Vice-President are on record to have addressed the issues of farmers in the context of issues publicly raised by AfriForum, and the portion that the country must resist [statement interrupted by the Chair].