

**ANNEX A**

**RECOMMENDATIONS ACCEPTABLE TO SOUTH AFRICA**

<b>Promotion, protection and fulfillment of Economic, Social and Cultural Rights and the attainment of the MDGs</b>		
<b>Recommendation no.</b>	<b>Summary of Recommendation</b>	<b>Comment on domestic implementation mechanisms</b>
124.21	Continue its efforts to attain the five major national priorities in the areas of public health, education, job creation, the fight against corruption and crime, and ensuring food security <b>(Russian Federation)</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals.
124.109	Continue consolidating its social policies towards the achievement of decent employment, quality basic education and a healthy life with food security for all its people <b>(Venezuela (Bolivarian Republic of))</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals.
124.118	Seek necessary technical assistance from OHCHR, other relevant UN agencies and funds with a view to effectively implement its key national priorities for 2009–2014 related to health, education, land reform and food security <b>(Malaysia)</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals. South Africa hosts the Office of the High Commissioner for Human Rights: Regional Office for Southern Africa (OHCHR: ROSA). All the relevant United Nations Agencies, Programmes and Funds are also accredited to South
124.23	Primary education for all <b>(Burkina Faso)</b>	

		Africa and work collaboratively with government under the guidance of the UNDP to advance the governments programmes towards achieving its national priorities. These include, amongst others: UNICEF, UNFPA, UNIFEM, UNAIDS, UNWOMEN, UNHCR, IOM, UNFAO, UNODC.
124.124	Consolidate its strategies and programmes to reduce the phenomenon of maternal and child mortality <b>(Algeria)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory.
124.125	Continue its efforts to accelerate the achievement of the MDGs targets, particularly those health related MDGs <b>(Indonesia)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015
124.126	To fight against child mortality, and thus implement Millennium Development Goal number four, in particular by improving children's living conditions and their access to adequate food <b>(Germany)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.127	Strengthen its efforts in HIV/Aids prevention and treatment and reduce child and maternal mortality rates <b>(China)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.128	Intensify its efforts in the context of attaining MDGs related to health in particular objective 6 concerning fighting HIV /AIDS, in particular in the context of the "Comprehensive HIV and AIDS Treatment and Prevention Strategy" and the	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National

	“Prevention of Mother to Child Transmission of HIV” <b>(Morocco)</b>	Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.136	Closely collaborate with UNICEF and UNAIDS in order to implement programmes aimed at reducing the cases of Mother-to-Child HIV Infections <b>(Portugal)</b>	South Africa hosts the Office of the High Commissioner for Human Rights: Regional Office for Southern Africa (OHCHR: ROSA). All the relevant United Nations Agencies, Programmes and Funds are also accredited to South Africa and work collaboratively with government under the guidance of the UNDP to advance the governments programmes towards achieving its national priorities. These include, amongst others: UNICEF, UNFPA, UNIFEM, UNAIDS, UNWOMEN, UNHCR, IOM, UNFAO, UNODC. South Africa has recently (September 2012) renewed its Country Programme Documents with UNICEF, UNAIDS and UNFPA in accordance with the Basic Cooperation Agreement with the UN aimed at intensifying international cooperation between the country and the UN to achieve all the health related MDGs
124.137	Continue with action to further reduce maternal and child mortality, and the prevalence rate of HIV and AIDS <b>(Sri Lanka)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country’s consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.132	Enhance its health care measures and policies with an aim to reduce the prevalence of child mortality and HIV/AIDS rates <b>(Iran (Islamic Republic of))</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country’s consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.129	Implement the Maternal Child and Women’s Health Strategy (2009-14) and develop sustained measures to address the impact of HIV/AIDS on women and girls, who are disproportionately affected <b>(Australia)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country’s consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in

		national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.130	Continue to take measures in order to reduce the rate of mortality due to HIV and AIDS <b>(Romania)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.131	Maintain and further build upon its HIV/AIDS prevention, care and treatment programmes <b>(Singapore)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.138	Broadly promote sexual education directing it in particular to adolescents, and giving special attention to the prevention of early age pregnancies and the control of sexually transmitted diseases such as HIV/AIDS <b>(Mexico)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.141	Continue implementing programs that guarantee the success of strategies aimed at achieving quality basic education and a reduction of child and maternal mortality <b>(Cuba)</b>	The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. The boy-child girl-child enrolment in South Africa has reached 98% (MDG 2: Universal primary education). However our challenge remains that of ensuring delivery of quality education. Government has very effective partnerships with several countries in terms of the recruitment of healthcare professionals in the improvement of its public health services.

124.133	Develop and implement plans to reduce physical and cost barriers to accessing HIV-related health services in rural areas <b>(Ireland)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.135	Take necessary measures to eliminate the discriminatory barriers to access to HIV related health services, especially for women and girls in rural zones <b>(Spain)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.134	Make further efforts to address HIV/AIDS including by providing equal-opportunity treatment and assistance and continue measures to eliminate HIV/AIDS-related discrimination <b>(Japan)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. South Africa has submitted progress reports to the United Nations in 2005 and 2010 outlining the country's consolidated achievements towards attaining the MDGs. A National Programme involving all multi-stakeholders was initiated on 21 June 2012 in national preparation for the 3rd and last MDGs report to the UN prior to 2015.
124.122	Pursue the establishment of national health insurance system which will contribute to improving the quality of primary basic health care for all <b>(Angola)</b>	The government led programme for the introduction of the National Health Insurance (NHI) is at an advanced stage and about to be implemented. This is designed to ensure that South Africans with low income are sufficiently covered in terms of health insurance. The NHI is a health financing system aimed at ensuring that all South Africans have access to public healthcare services.

124.123	Take tangible measures to ensure that women have access to all public services, in particular to public health services <b>(Switzerland)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government led programme for the introduction of the National Health Insurance (NHI) is at an advanced stage and about to be implemented. This is designed to ensure that South Africans with low income are sufficiently covered in terms of health insurance. The NHI is a health financing system aimed at ensuring that all South Africans have access to public healthcare services. The government has put in place community and Civil Society services with the involvement of the various structures in urban, peri-urban, and rural areas which are regarded as important component to ensure representativity, gender sensitivity and non-discrimination in health programmes.
124.121	Take additional measures to guarantee access for all citizens to safe drinking water and sanitation <b>(Togo)</b>	Since the advent of Constitutional Democracy in South Africa in 1994, the government's primary preoccupation has been about ensuring that basic services are taken to all those who have been previously disadvantaged. These included the provision and/or practical enjoyment of all the ESC Rights including safe drinking water and sanitation. These Rights are enjoyed progressively and to the maximum availability of resources. The UNDP Human Development Report noted that South Africa was allocating the highest budgetary resources to this Right. Access to improved water sources and adequate sanitation are key elements in improved quality of life there has been a progressive increase (4%) in the percentage of households with access to water supply from a safe source between 2002 (88,7%) and 2009 (92,4%). It is estimated that 93% of the population has access to an improved water supply in the year 2010 in line with the indicators and targets in the MDGs.
124.120	Consolidate its efforts towards improving all aspects of education and health in accordance with its National Action Plan <b>(Zimbabwe)</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals.

124.139	Seek to enhance overall quality of education and health services offered, in addition to greater enrolment in and access to schools and hospitals <b>(Republic of Korea)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. The boy-child girl-child enrolment in South Africa has reached 98% (MDG 2: Universal primary education). However our challenge remains that of ensuring delivery of quality education. Government has very effective partnerships with several countries in terms of the recruitment of healthcare professionals in the improvement of its public health services.
124.142  124.143	Strengthen its educational strategies to ensure that all children enroll in school and receive basic education <b>(Iran (Islamic Republic of))</b>  Quality of basic education <b>(Egypt)</b>	The South African education system is provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The boy-child girl-child enrolment in South Africa has reached 98% (MDG 2: Universal primary education). However our challenge remains that of ensuring delivery of quality education. The government has undertaken the following interventions to improve access to quality basic education; the introduction of No-fee schools, which is an initiative aimed at improving access to education for poor learners, about 70% of learners (over 8million learners) in 81% of public schools (close to 20 000) benefitted from the no-fee policy. However our challenge remains that of ensuring delivery of quality education.
124.140	Promote rights to education and health in disadvantaged and underprivileged areas <b>(Senegal)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF) to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. The boy-child girl-child enrolment in South Africa has reached 98% (MDG 2: Universal primary education). However our challenge remains that of ensuring delivery of quality education. The government has put in place community and Civil Society services with the involvement of the various structures in urban, peri-urban, and rural areas which are regarded as important component to ensure representativity, gender sensitivity and non-discrimination in health programmes.
124.145	Maintain its commitment to improve the quality of education to ensure the full enjoyment of the right to education <b>(Timor-Leste)</b>	The South African healthcare services are provided on a non-discriminatory basis in accordance with guarantees provided for in the Constitution and elaborated in relevant national legislation. The government entered into a partnership on 9 August 2011, known as MDGs Acceleration Framework (MAF)

		to specifically focus on those MDGs presenting challenges of attainment by 2015. These include MDGs 4, 5 and 6. This partnership has already begun to show signs of positive trajectory. The boy-child girl-child enrolment in South Africa has reached 98% (MDG 2: Universal primary education). The government has undertaken the following interventions to improve access to quality basic education; the introduction of No-fee schools, which is an initiative aimed at improving access to education for poor learners, about 70% of learners (over 8million learners) in 81% of public schools (close to 20 000) benefitted from the no-fee policy. However our challenge remains that of ensuring delivery of quality education.
124.144	Continue its efforts to improve its education system and provide skills development programmes especially for youths <b>(Singapore)</b>	The South African government has over the years adopted progressive national programmes aimed at skills development and enhancement of productivity of our labour force. These programmes as progressively adopted include (a) Reconstruction and Development Programme (RDP), (b) Growth, Employment and Redistribution Plan (GEAR), (c) Accelerated and Shared Growth Initiative for South Africa (ASGISA) and (d) Joint Initiative for Priority Skills Acquisition (JIPSA). The current administration of government has, complementary to the aforementioned programmes, established Further Education and Training (FET) Colleges Bursary Scheme to empower the youth from poor backgrounds to acquire the requisite skills properly geared to the job market.
124.119	Pursue its efforts in the development of its rural policies to improve the existing strategies and policies and gradually strengthen the right to food for vulnerable groups <b>(Côte d'Ivoire)</b>	The South African government has adopted and is implementing a Food Security Strategy and programmes primarily directed at the vulnerable including those in rural areas. Food security has also been identified as one of the critical priorities for the current government. The Department of Rural Development and Land Reform is the custodian of national programmes such as Zero Hunger, Integrated Food Security Strategy (IFSS) and the Progressive Land Acquisition Strategy (PLAS) to empower rural communities. Women, particularly those in rural areas, have been identified as care-givers who play a critical role in community development and are the primary recipients of the above programmes. The South African government received the Special Rapporteur of the Human Rights Council on the Right to Food 07-15 July 2011. The Report of the Special Rapporteur contained some factual inaccuracies which were contextualised in a government approved Addendum duly submitted to HRC19. This Addendum adequately addresses issues of the Right to Food for the vulnerable.
124.108	Develop further decent work/labour through the comprehensive economic growth <b>(Palestine)</b>	The government has, for many years now established the National Economic Development and Labour Council (NEDLAC) as a tripartite partnership between government, organised labour and business to generate mitigating anti-poverty strategies aimed at creating sustainable economic development and growth. The



		<p>same partners work jointly within the ILO. The State of the Nation Address by the President has designated 2012 as the year of Infrastructure Development to create decent jobs. In this regards several nodal points or development corridors have been identified especially in the poor provinces of the country to stimulate growth and provide sustainable jobs. The government's Infrastructure Development Programme is not only domestically focussed but has been extended to include the region and continent.</p>
124.120	<p>Consolidate economic initiatives aimed at empowering its people, especially those who were underprivileged under the Apartheid system <b>(Zimbabwe)</b></p>	<p>The government has, for many years now established the National Economic Development and Labour Council (NEDLAC) as a tripartite partnership between government, organised labour and business to generate mitigating anti-poverty strategies aimed at creating sustainable economic development and growth. The same partners work jointly within the ILO. The State of the Nation Address by the President has designated 2012 as the year of Infrastructure Development to create decent jobs. In this regards several nodal points or development corridors have been identified especially in the poor provinces of the country to stimulate growth and provide sustainable jobs. The government's Infrastructure Development Programme is not only domestically focussed but has been extended to include the region and continent.</p>
124.113	<p>Take effective measures to combat poverty <b>(Iraq)</b></p>	<p>In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals. Government recently adopted an Infrastructure Plan that is intended to transform the economic landscape of South Africa by creating a significant number of new jobs and strengthen the delivery of basic services to the people of South Africa. This vision 2030 as encapsulated in the National Development Plan is in the process of being implemented and its key driver is the Presidential Infrastructure Coordinating Commission (PICC).</p>
124.114	<p>Maintain and intensify the efforts towards the elimination of poverty and social inequality <b>(Lesotho)</b></p>	<p>In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both</p>

		domestically and externally will be provided progressively and at appropriate intervals. Government recently adopted an Infrastructure Plan that is intended to transform the economic landscape of South Africa by creating a significant number of new jobs and strengthen the delivery of basic services to the people of South Africa. This vision 2030 as encapsulated in the National Development Plan is in the process of being implemented and its key driver is the Presidential Infrastructure Coordinating Commission (PICC). The State of the Nation address by the President has identified the triple challenges of inequality, poverty and unemployment as the key challenges requiring immediate attention in the framework on Infrastructure Development.
124.115	Continue efforts in the fight against social inequality and poverty <b>(Senegal)</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals. Government recently adopted an Infrastructure Plan that is intended to transform the economic landscape of South Africa by creating a significant number of new jobs and strengthen the delivery of basic services to the people of South Africa. This vision 2030 as encapsulated in the National Development Plan is in the process of being implemented and its key driver is the Presidential Infrastructure Coordinating Commission (PICC). The State of the Nation address by the President has identified the triple challenges of inequality, poverty and unemployment as the key challenges requiring immediate attention in the framework on Infrastructure Development.
124.116	Accelerate the implementation of its national strategy for the reduction of the scale of poverty, including by availing itself of advanced international experience in this regard <b>(Uzbekistan)</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals. Government recently adopted an Infrastructure Plan that is intended to transform the economic landscape of South Africa by creating a significant number of new jobs and strengthen the delivery of basic services to the people of South Africa. This vision 2030 as encapsulated in the National Development Plan is in the process of being implemented and its key driver is the Presidential

		Infrastructure Coordinating Commission (PICC). The State of the Nation address by the President has identified the triple challenges of inequality, poverty and unemployment as the key challenges requiring immediate attention in the framework on Infrastructure Development.
124.110	Continue its efforts to combat corruption, social and economic inequalities <b>(Togo)</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals. Government recently adopted an Infrastructure Plan that is intended to transform the economic landscape of South Africa by creating a significant number of new jobs and strengthen the delivery of basic services to the people of South Africa. This vision 2030 as encapsulated in the National Development Plan is in the process of being implemented and its key driver is the Presidential Infrastructure Coordinating Commission (PICC). The State of the Nation address by the President has identified the triple challenges of inequality, poverty and unemployment as the key challenges requiring immediate attention in the framework on Infrastructure Development.
124.117	Continue consolidating essential social programmes in the fight against poverty and social exclusion <b>(Venezuela (Bolivarian Republic of))</b>	In terms of the current clustering approach in the South African collective governance system, these key priorities for the fourth administration of government are comprehensively coordinated within the Social Sector Cluster which carries the poverty eradication mandate and the improvement of quality of life of all South Africans as well as providing social assistance and social security for the vulnerable who suffer extreme poverty and hunger (MDG1), working in conjunction with other relevant Clusters of government. Periodic reports both domestically and externally will be provided progressively and at appropriate intervals. Government recently adopted an Infrastructure Plan that is intended to transform the economic landscape of South Africa by creating a significant number of new jobs and strengthen the delivery of basic services to the people of South Africa. This vision 2030 as encapsulated in the National Development Plan is in the process of being implemented and its key driver is the Presidential Infrastructure Coordinating Commission (PICC). The State of the Nation address by the President has identified the triple challenges of inequality, poverty and unemployment as the key challenges requiring immediate attention in the framework on Infrastructure Development.

<b>Attainment of Social Cohesion and Social Transformation</b>		
<b>Recommendation no.</b>	<b>Summary of Recommendation</b>	<b>Comment on domestic implementation mechanisms</b>
124.143	Continue its current efforts in the fields of social cohesion <b>(Egypt)</b>	The ideal of the South African dispensation has always been the attainment of social cohesion and a united South Africa. Given the country's history of racial and ethnic strife spanning over 350 years, it is a daunting task to achieve this ideal and certainly a solid basis has been laid in the last 18 years. The government has ensured that service delivery reaches 87% of the population previously excluded from the enjoyment particularly the empowering ESC rights. The recent report of the Employment Equity Commission (EEC) still reveals disturbing inequalities and ginicoefficient in the country especially in terms of income. In the last 18 years of democracy, government has resorted to several programmes and national conferences and summits to reflect on this challenge and to promote public awareness among South Africans on the imperative need to achieve social cohesion. All sectors of the South African community particularly those perceived as suffering social exclusion and economic disparities and marginalisation have partnered with government to address their particular needs with the view to achieving substantive equality. The recent National Summit on Social Cohesion held in Kliptown Soweto on 04- 05 July 2012 adopted a Declaration and Programme of Action primarily focusing on mobilisation of society to work together to build a caring and proud society based on shared values and principles. Furthermore the Programme Of Action seeks to promote and preserve, among others, all indigenous cultures and knowledge, intellectual property fight all forms of discrimination which are threats to social cohesion and Nation building and to develop a detailed plan arising from the proposals. The key challenges impeding the attainment of Social cohesion in South Africa are, among others, poverty and exclusion, residual and subtle forms of racism and xenophobia and substance abuse.
124.29	Continue its efforts to build an inclusive, diverse and tolerant society <b>(Pakistan)</b>	The ideal of the South African dispensation has always been the attainment of social cohesion and a united South Africa. Given the country's history of racial and ethnic strife spanning over 350 years, it is a daunting task to achieve this ideal and certainly a solid basis has been laid in the last 18 years. The government has ensured that service delivery reaches 87% of the population previously excluded from the enjoyment particularly the empowering ESC rights. The recent report of the Employment Equity Commission (EEC) still reveals disturbing inequalities and ginicoefficient in the country especially in terms of income. In the last 18 years of democracy, government has resorted to several programmes and national conferences and summits to reflect on this challenge

		<p>and to promote public awareness among South Africans on the imperative need to achieve social cohesion. All sectors of the South African community particularly those perceived as suffering social exclusion and economic disparities and marginalisation have partnered with government to address their particular needs with the view to achieving substantive equality. The recent National Summit on Social Cohesion held in Kliptown Soweto on 04- 05 July 2012 adopted a Declaration and Programme of Action primarily focusing on mobilisation of society to work together to build a caring and proud society based on shared values and principles. Furthermore the Programme Of Action seeks to promote and preserve, among others, all indigenous cultures and knowledge, intellectual property fight all forms of discrimination which are threats to social cohesion and Nation building and to develop a detailed plan arising from the proposals. The key challenges impeding the attainment of Social cohesion in South Africa are, among others, poverty and exclusion, residual and subtle forms of racism and xenophobia and substance abuse.</p>
124.30	<p>Establish an inclusive social dialogue so as to achieve the goals of building up a rainbow nation where all people are free and equal in rights <b>(Djibouti)</b></p>	<p>The ideal of the South African dispensation has always been the attainment of social cohesion and a united South Africa. Given the country's history of racial and ethnic strife spanning over 350 years, it is a daunting task to achieve this ideal and certainly a solid basis has been laid in the last 18 years. The government has ensured that service delivery reaches 87% of the population previously excluded from the enjoyment particularly the empowering ESC rights. The recent report of the Employment Equity Commission (EEC) still reveals disturbing inequalities and ginicoefficient in the country especially in terms of income. In the last 18 years of democracy, government has resorted to several programmes and national conferences and summits to reflect on this challenge and to promote public awareness among South Africans on the imperative need to achieve social cohesion. All sectors of the South African community particularly those perceived as suffering social exclusion and economic disparities and marginalisation have partnered with government to address their particular needs with the view to achieving substantive equality. The recent National Summit on Social Cohesion held in Kliptown Soweto on 04- 05 July 2012 adopted a Declaration and Programme of Action primarily focusing on mobilisation of society to work together to build a caring and proud society based on shared values and principles. Furthermore the Programme Of Action seeks to promote and preserve, among others, all indigenous cultures and knowledge, intellectual property fight all forms of discrimination which are threats to social cohesion and Nation building and to develop a detailed plan arising from the proposals. The key challenges impeding the attainment of Social cohesion in South Africa are, among others, poverty and exclusion, residual and subtle forms of racism and xenophobia and substance abuse.</p>

124.31	Continue strengthening its programmes aimed at the achievement of social cohesion and tolerance <b>(Venezuela (Bolivarian Republic of))</b>	The ideal of the South African dispensation has always been the attainment of social cohesion and a united South Africa. Given the country's history of racial and ethnic strife spanning over 350 years, it is a daunting task to achieve this ideal and certainly a solid basis has been laid in the last 18 years. The government has ensured that service delivery reaches 87% of the population previously excluded from the enjoyment particularly the empowering ESC rights. The recent report of the Employment Equity Commission (EEC) still reveals disturbing inequalities and ginicoefficient in the country especially in terms of income. In the last 18 years of democracy, government has resorted to several programmes and national conferences and summits to reflect on this challenge and to promote public awareness among South Africans on the imperative need to achieve social cohesion. All sectors of the South African community particularly those perceived as suffering social exclusion and economic disparities and marginalisation have partnered with government to address their particular needs with the view to achieving substantive equality. The recent National Summit on Social Cohesion held in Kliptown Soweto on 04- 05 July 2012 adopted a Declaration and Programme of Action primarily focusing on mobilisation of society to work together to build a caring and proud society based on shared values and principles. Furthermore the Programme Of Action seeks to promote and preserve, among others, all indigenous cultures and knowledge, intellectual property fight all forms of discrimination which are threats to social cohesion and Nation building and to develop a detailed plan arising from the proposals. The key challenges impeding the attainment of Social cohesion in South Africa are, among others, poverty and exclusion, residual and subtle forms of racism and xenophobia and substance abuse.
124.33	Strengthen mechanisms to advance more effectively, in the creation of a climate of tolerance and respect towards people of different ethnic groups or cultures <b>(Chile)</b>	The ideal of the South African dispensation has always been the attainment of social cohesion and a united South Africa. Given the country's history of racial and ethnic strife spanning over 350 years, it is a daunting task to achieve this ideal and certainly a solid basis has been laid in the last 18 years. The government has ensured that service delivery reaches 87% of the population previously excluded from the enjoyment particularly the empowering ESC rights. The recent report of the Employment Equity Commission (EEC) still reveals disturbing inequalities and ginicoefficient in the country especially in terms of income. In the last 18 years of democracy, government has resorted to several programmes and national conferences and summits to reflect on this challenge and to promote public awareness among South Africans on the imperative need to achieve social cohesion. All sectors of the South African community particularly those perceived as suffering social exclusion and economic disparities and marginalisation have partnered with government to address their particular needs with the view to achieving substantive equality. The recent National Summit on Social Cohesion held in Kliptown Soweto on 04- 05 July

		<p>2012 adopted a Declaration and Programme of Action primarily focusing on mobilisation of society to work together to build a caring and proud society based on shared values and principles. Furthermore the Programme Of Action seeks to promote and preserve, among others, all indigenous cultures and knowledge, intellectual property fight all forms of discrimination which are threats to social cohesion and Nation building and to develop a detailed plan arising from the proposals. The key challenges impeding the attainment of Social cohesion in South Africa are, among others, poverty and exclusion, residual and subtle forms of racism and xenophobia and substance abuse.</p>
124.32	<p>Strengthen its policies and measures to consolidate the State of Law, as well as social cohesion, tolerance and non-discrimination in the country <b>(VietNam)</b>;</p>	<p>The ideal of the South African dispensation has always been the attainment of social cohesion and a united South Africa. Given the country's history of racial and ethnic strife spanning over 350 years, it is daunting task to achieve this ideal and certainly a solid basis has been laid in the last 18 years. The government has ensured that service delivery reaches 87% of the population previously excluded from the enjoyment particularly the empowering ESC rights. The recent report of the Employment Equity Commission (EEC) still reveals disturbing inequalities and ginicoefficient in the country especially in terms of income. In the last 18 years of democracy, government has resorted to several programmes and national conferences and summits to reflect on this challenge and to promote public awareness among South Africans on the imperative need to achieve social cohesion. All sectors of the South African community particularly those perceived as suffering social exclusion and economic disparities and marginalisation have partnered with government to address their particular needs with the view to achieving substantive equality. The recent National Summit on Social Cohesion held in Kliptown Soweto on 04- 05 July 2012 adopted a Declaration and Programme of Action primarily focusing on mobilisation of society to work together to build a caring and proud society based on shared values and principles. Furthermore the Programme Of Action seeks to promote and preserve, among others, all indigenous cultures and knowledge, intellectual property fight all forms of discrimination which are threats to social cohesion and Nation building and to develop a detailed plan arising from the proposals. The key challenges impeding the attainment of Social cohesion in South Africa are, among others, poverty and exclusion, residual and subtle forms of racism and xenophobia and substance abuse.</p>
<p><b>Empowerment and Protection of Vulnerable Groups: Marginalization, social exclusion and economic disparities</b></p>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms

124.111	Strengthen its development policies in rural areas, with special emphasis on the access of children and persons with disabilities to services <b>(Chile)</b>	The South African government is a State Party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol. At the inauguration of the fourth administration of the South African government in May 2009, President GJ Zuma established a fully fledged department for Women, Children and People with Disabilities. This Ministry carries the national mandate to ensure the mainstreaming of the rights of persons with disabilities in all the governments programs at all spheres. Particular emphasis is placed on women, particularly those in rural areas who, have been identified as care-givers who play a critical role in community development and are the primary recipients of the above programmes. The government in its Zero Hunger programmes including Integrated Food Security Strategy targets persons with disabilities as key beneficiaries.
124.24	Continue its favorable policies aiming at the full enjoyment of the cultural, economic and social rights, especially for vulnerable groups, including women, children, the elderly, the minorities and persons with difficulties <b>(Vietnam)</b>	Since the advent of Constitutional Democracy in South Africa in 1994, the government's primary preoccupation has been about ensuring that basic services are taken to all those who have been previously disadvantaged. These included the provision and/or practical enjoyment of all the ESC Rights including safe drinking water and sanitation. These Rights are enjoyed progressively and to the maximum availability of resources. The UNDP Human Development Report noted that South Africa was allocating the highest budgetary resources to this Right. Access to improved water sources and adequate sanitation are key elements in improved quality of life there has been a progressive increase (4%) in the percentage of households with access to water supply from a safe source between 2002 (88,7%) and 2009 (92,4%). It is estimated that 93% of the population has access to an improved water supply in the year 2010 in line with the indicators and targets in the MDGs.
124.26	Provide the Ministry and Department of Women, Children and People with Disabilities with the necessary powers to continue promoting the participation and contribution of these vulnerable groups to the development of the country <b>(Chile)</b>	The mandate of the Department for Women, Children and People with Disabilities is that of advocacy for the mainstreaming of the rights of the vulnerable groups in South Africa. The actual government roll-out programmes are located in all other national, provincial and local departments in accordance with their mandates.
124.49  124.93	Ensure effective implementation of the existing normative framework guaranteeing women's rights to equality, in particular to ensure access to justice, protection and other remedies <b>(Austria)</b>  Take all necessary measures to ensure equal access to justice for all citizens and	Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the



	guarantee a fair process before a competent , independent and impartial <b>tribunal (Switzerland)</b>	view to ensuring non-recurrence.
124.94	Establish human rights education and training programmes for police and law enforcement officers <b>(Costa Rica)</b>	The South African government in partnership with African countries developed and adopted in 2002 the “Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (The Robben Island Guidelines)” as a code of conduct for police and other organs of law enforcement in combating torture and for handling offenders consistent with the rule of law. The African Commission on Human and People’s Rights (ACHPR), The Association for the Prevention of Torture (APT) and The South African Human Rights Commission (SAHRC) jointly convened a commemorative event, Robben Island Plus Ten on 21-23 August 2012 to review the extent of implementation as well as to close the visible substantive gaps which may exist. The conference re-emphasised the relevance of the guidelines and further underlined the need for African states to ratify international conventions on the prevention of torture, and educate law enforcement officials and practitioners on the treatment of detainees.
124.112	Create a favourable environment for the effective enjoyment of the rights of persons with disabilities <b>(Djibouti)</b>	The South African government is a State Party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol. At the inauguration of the fourth administration of the South African government in May 2009, President GJ Zuma established a fully fledged department for Women, Children and People with Disabilities. This Ministry carries the national mandate to ensure the mainstreaming of the rights of persons with disabilities in all the governments programs at all spheres. Particular emphasis is placed on women, particularly those in rural areas who, have been identified as care-givers who play a critical role in community development and are the primary recipients of the above programmes. The government in its Zero Hunger programmes including Integrated Food Security Strategy targets persons with disabilities as key beneficiaries.
124.53	Take measures improving the security of citizens and enhancing protection of particularly vulnerable groups such as women and children <b>(Ukraine)</b>	The South African government is a State Party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol. At the inauguration of the fourth administration of the South African government in May 2009, President GJ Zuma established a fully fledged department for Women, Children and People with Disabilities. This Ministry carries the national mandate to ensure the mainstreaming of the rights of persons with disabilities in all the governments programs at all spheres. Particular emphasis is placed on women, particularly those in rural areas who, have been identified as care-givers who play a critical role in community development and are the primary recipients of the above programmes. The government in its Zero Hunger programmes including

		Integrated Food Security Strategy targets persons with disabilities as key beneficiaries.
124.23	Pursue the dynamics of the law on juvenile justice, <b>(Burkina Faso)</b>	The Child Justice Act, 2008 establishes a separate mechanism for dealing with children in conflict with the law, providing for diversion, special procedures for the trial of children and sentencing options such as community based sentences and restorative justice sentences.
124.48	Early adoption of the Women's Empowerment and Gender Equality Bill <b>(Australia)</b>	The South African government is a State Party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol. At the inauguration of the fourth administration of the South African government in May 2009, President GJ Zuma established a fully fledged department for Women, Children and People with Disabilities. This Ministry carries the national mandate to ensure the mainstreaming, empowerment and gender equality for women in South Africa. All Government Departments are required, in terms of their legislative mandates, to implement programs aimed at empowering women and ensuring gender equality. In terms of the 1994 Transformation Policy of Government, the national targets in this regard are 50-50. To this end, both Parliament and Government have taken a leading role while the Private Sector is sadly lagging behind. The government also places particular emphasis on women, especially those in rural areas who, have been identified as care-givers who play a critical role in community development and are the primary recipients of the above programmes. The government in its Zero Hunger programmes including Integrated Food Security Strategy targets women and children with disabilities as key beneficiaries. The Women's Empowerment and Gender Equality Bill is currently on national consultative processes including in the government Cluster system before promulgation by Parliament. The Bill will, among others, define discrimination against women and criminalise manifestations of violence against women.

### **Elimination of Racism, Racial Discrimination, Xenophobia and Related Intolerance**

Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.37	Speed up the process to develop its National Action Plan against Racism, Racial discrimination, Xenophobia and Related Intolerance <b>(Namibia)</b>	The National Action Plan (NAP) has been broadly consulted upon and is being finalised by Top Policy structures of government it is envisaged that the NAP will be lodged with the UN by May 2013.
124.38	Reinforce its efforts to prevent and combat racism, racial discrimination, xenophobia	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals.

	and other related intolerance in particular against foreigners <b>(Iran)</b>	
124.34	Continue its policy to combat racism and all forms of discrimination and racial intolerance and continue implementing affirmative action for vulnerable groups <b>(Ecuador)</b>	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals.
124.35	Pursue its efforts in combating racism, in particular to guarantee an effective follow up to the outcome of the Durban Conference <b>(Morocco)</b>	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals. The South African government established in June 2002 the National Forum Against Racism as a national framework to promote the ideal of a nation in dialogue with the view to eliminating the manifestations of all the scourges of racism. South Africa has also been an effective leader in championing substantive resolutions “From Rhetoric to Reality: A Global Call for Concrete action against Racism, Racial Discrimination, Xenophobia and Related Intolerance”, “The Comprehensive Follow-Up to the WCAR and the Effective Implementation of the DDPA” in the context of the HRC and the 3 <sup>rd</sup> Committee of the UNGA.
124.36	To pursue their efforts in taking the necessary measures to reduce and prevent racial discrimination <b>(Palestine)</b>	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals. The South African government established in June 2002 the National Forum Against Racism as a national framework to promote the ideal of a nation in dialogue with the view t eliminating the manifestations of all the scourges of racism. South Africa has also been an effective leader in championing substantive resolutions “From Rhetoric to Reality: A Global Call for Concrete action against Racism, Racial Discrimination, Xenophobia and Related Intolerance”, “The Comprehensive Follow-Up to the WCAR and the Effective Implementation of the DDPA” in the context of the HRC and the 3 <sup>rd</sup> Committee of the UNGA.
124.39	Continue multiplying measures that guarantee the full protection of the human rights of foreigners in South Africa <b>(Paraguay)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa’s UPR Report. These subsequent instruments and relevant policies will enhance South Africa’s compliance with IHL.
124.41	Continue its best efforts to combat xenophobia and prevent any violence against foreigners <b>(Thailand)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa’s UPR Report. These subsequent instruments and relevant policies will enhance South Africa’s compliance with IHL.

124.40	Continue combating acts of xenophobia against migrants, refugees and asylum-seekers <b>(Djibouti)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL.
124.45	To continue the discouragement of any manifestation of xenophobia <b>(Mozambique)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL.
124.42	Strengthen measures to combat the phenomena of xenophobia <b>(Iraq)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL.
124.43	Take all necessary steps to address the evil of xenophobia through legislation and greater public awareness programmes <b>(Ireland)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL.
124.44	Reinforce measures to combat and prevent xenophobia and related violence <b>(Republic of Korea)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL.
124.46	Step up its measures to mitigate the scourges of xenophobia, which include, among others, visible policing, community awareness programmes, promotion of tolerance and cultural diversity <b>(Indonesia)</b>	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL.
124.148	Protect and fulfill migrants' rights, in particular by effectively prosecuting offences committed against them and by improving their living conditions, also through the access to adequate health-care services	South Africa is a State Party to the 1951 Convention on the Status of Refugees. The government is in the process of ratifying other complementary IHL Instruments as already indicated in the commitment and pledge by the President in the foreword to South Africa's UPR Report. These subsequent instruments and relevant policies will enhance South Africa's compliance with IHL. The May

	<b>(Germany)</b>	2008 outbreak of xenophobic violence in South Africa has heightened the government's awareness and alertness of xenophobia in the country. Joint mitigating strategies have been developed within the Justice Crime Prevention and Security (JCPS) Cluster to ensure better protection of non-nationals. Outcome 3 of the government's five priorities talks to the important issue of "all those living in South Africa are and feel safe".
124.58	Improve the detention conditions of undocumented migrants, ensure that they are not detained and deprived of their liberty for prolonged periods and that they have all services available, including access to health, psychological assistance, and appropriate physical infrastructure and sanitation <b>(Ecuador)</b>	All the South African deportation centres are, by law, required to comply with international standards. There are inspectorate mechanisms in place and in the event that deportees are to be held for periods more than 30 days a requisite court order must be obtained from a competent court. The challenges of prolonged deprivation of liberty are accentuated by lack of proper identification documents for which cooperation with the countries of origin is imperative.
124.151	Ensure that all children are issued with a birth certificate in order to access various social services, with particular focus on children of migrants <b>(Slovakia)</b>	All children born in South Africa are registered at birth and not later than the first 30 days of birth. This is a requirement of national law. Registration allows all children to access all social benefits in the country.
124.146	Respect its international and national legal obligations in the field of the protection of the rights of asylum seekers and migrant workers <b>(Belgium)</b>	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals. The South African government established in June 2002 the National Forum Against Racism as a national framework to promote the ideal of a nation in dialogue with the view to eliminating the manifestations of all the scourges of racism. South Africa has also been an effective leader in championing substantive resolutions "From Rhetoric to Reality: A Global Call for Concrete action against Racism, Racial Discrimination, Xenophobia and Related Intolerance", "The Comprehensive Follow-Up to the WCAR and the Effective Implementation of the DDPA" in the context of the HRC and the 3 <sup>rd</sup> Committee of the UNGA. It is imperative that all members of the united Nations who are genuinely committed to the total eradication of all the scourges of racism and the promotion of human dignity and human equality must support these programs for the achievement of universal justice as well as making the UN Bill of Rights a reality of everyone.
124.147	Consider setting as its standards of protection for the rights of migrant workers those enshrined in the ICRMW and ILO Convention 189 on Decent Work for Domestic Workers <b>(Philippines)</b>	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals. The South African government established in June 2002 the National Forum Against Racism as a national framework to promote the ideal of a nation in dialogue with the view to eliminating the manifestations of all the scourges of racism. South Africa has also been an effective leader in championing substantive resolutions "From

		Rhetoric to Reality: A Global Call for Concrete action against Racism, Racial Discrimination, Xenophobia and Related Intolerance”, “The Comprehensive Follow-Up to the WCAR and the Effective Implementation of the DDPA” in the context of the HRC and the 3 <sup>rd</sup> Committee of the UNGA. It is imperative that all members of the united Nations who are genuinely committed to the total eradication of all the scourges of racism and the promotion of human dignity and human equality must support these programs for the achievement of universal justice as well as making the UN Bill of Rights a reality of everyone. The South African government has promulgated a Minimum Wages Act which caters for domestic workers.
124.149	Establish policies and programmes designed to promote the integration of migrants into society and the respect to their rights, including the protection of their physical <b>integrity (Slovakia)</b>	The substantive content of the NAP addresses all forms and manifestations of discrimination including against non-nationals. The South African government established in June 2002 the National Forum Against Racism as a national framework to promote the ideal of a nation in dialogue with the view to eliminating the manifestations of all the scourges of racism. South Africa has also been an effective leader in championing substantive resolutions “From Rhetoric to Reality: A Global Call for Concrete action against Racism, Racial Discrimination, Xenophobia and Related Intolerance”, “The Comprehensive Follow-Up to the WCAR and the Effective Implementation of the DDPA” in the context of the HRC and the 3 <sup>rd</sup> Committee of the UNGA. It is imperative that all members of the united Nations who are genuinely committed to the total eradication of all the scourges of racism and the promotion of human dignity and human equality must support these programs for the achievement of universal justice as well as making the UN Bill of Rights a reality of everyone. The South African government has promulgated a Minimum Wages Act which caters for domestic workers.
124.150	Carry out the necessary measures to eliminate the barriers that impede the birth registration of all persons born in South African territory, including migrants and refugees <b>(Mexico)</b>	All children born in South Africa are registered at birth and not later than the first 30 days of birth. This is a requirement of national law. Registration allows all children to access all social benefits in the country.
<b>Combating incitement to hatred and punishing hate crimes</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.76	Establish national policies aimed at putting an end to violence and crimes motivated by	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in

124.77	<p>race through the approval of laws that explicitly criminalize violence against people or property <b>(Uruguay)</b></p> <p>Implement training programs for the security forces so that crimes motivated by race are adequately investigated <b>(Uruguay)</b></p>	<p>the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards.</p>
124.50	<p>Launch awareness campaigns against homophobia and discrimination on the basis of sexual orientation <b>(Belgium)</b></p>	<p>A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17<sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.</p>
124.51	<p>Develop programs to prevent discrimination based on sexual orientation and gender identity, to punish violence of this kind and ensure that victims receive appropriate support <b>(France);</b></p>	<p>A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17<sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.</p>
124.79	<p>Ensure police and justice officials have appropriate training and direction to improve the investigation and prosecution of sexual violence including that based on sexual orientation or gender identity <b>(New Zealand)</b></p>	<p>A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17<sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds</p>

		to an effective jail term of 18 years for the rape of a lesbian woman.
124.80	Ensure that law enforcement officials and other relevant actors are adequately trained to investigate and prosecute hate crimes on the basis of sexual orientation and gender identity, including through the promotion of awareness-raising and sensitization campaigns <b>(Denmark)</b> ;	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.81	Develop monitoring capacity and legislation to enhance the prevention, investigation and prosecution of crimes of violence against individuals on the grounds of their sexual orientation or gender identity <b>(Netherlands)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.82	Enhance the prevention, investigation and prosecution of crimes of violence against individuals based on their gender or sexual orientation <b>(United Kingdom of Great Britain and Northern Ireland)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.83	Take steps to ensure targeted attacks against individuals based on their sexual orientation are thoroughly investigated and prosecuted, and strengthen mechanisms to	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national



	prevent crimes of violence <b>(Canada)</b>	legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.84	Publicly denounce crimes committed against LGBTs and to conduct thorough investigations into and prosecutions of these attacks <b>(Austria)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.85	Publicly denounce all violence based on sexual orientation or gender identity and adopt effective measures to raise public awareness concerning the constitutional protection of LGBT individuals <b>(Finland)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.86	Increase advocacy for freedom from discrimination based on sexual orientation and gender identity through public education and awareness building and address violence targeting LGBT persons through training for police, first responders and justice system officials <b>(United States of America)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds

		to an effective jail term of 18 years for the rape of a lesbian woman.
124.87	In order to avoid the occurrence of impunity in cases of violence against LGBT persons, that all such cases be subject of credible investigations and the perpetrators prosecuted <b>(Belgium)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
124.78	Continue its efforts in the fight against violence and discrimination based on sexual orientation and gender identity <b>(Argentina)</b>	A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination is at an advanced stage of finalisation. This is currently serving in the Top Structures of government where after it will be taken on an intensive national consultative process. Consequently these processes will inform national legislation which is expected to be promulgated within the 2013-2014 Parliamentary calendar. The development of this policy integrates international norms and standards. At the International level, South Africa has successfully piloted a resolution on Human Rights, Sexual Orientation and Gender Identity at the 17 <sup>th</sup> Session of the HRC calling for non-discrimination in this regard. In a seminal case law a South African judge has recently sentenced four 18 year olds to an effective jail term of 18 years for the rape of a lesbian woman.
<b>Violence against women and children, manifestations of domestic and social violence and human trafficking</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.52	Continue improving the protection of its citizens from violent crime in urban and rural areas, as laid out in the key national priorities for 2009 to 2014 <b>(Netherlands)</b>	Crime prevention is one of the identified priorities for the current administration. Adequate resources have been placed at the disposal of organs of state security and law enforcement agencies to ensure visible policing as well as community policing with the view to combating violent crime, contact crime and manifestations of violence in our communities. Annual statistics reveal a declining trend although our vision is to ensure no violence at all.
124.89	Enact the Prevention and Combating of Trafficking in Persons Bill as soon as possible <b>(Namibia)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international

124.23	The draft law to prevent and fight against human trafficking <b>(Burkina Faso)</b>	cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.
124.90	Continue efforts for the enactment of the Law against Trafficking in Persons, being sure that its approval will be a precious instrument in the fight against this scourge <b>(Paraguay)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.
124.91	Expedite the adoption of the Prevention and Combating of Trafficking in Persons Bill as a mechanism to assist victims in accordance with international humanitarian and human rights standards and to prosecute the perpetrators <b>(Thailand)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during

		women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.
124.92	Pass the "Combating and Prevention of Trafficking in Persons Bill" currently under deliberation in the National Assembly, and move swiftly to implement it once passed <b>(United States of America)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.
124.20	<i>Pay special attention in the adoption of laws and their implementation to change of negative social practices particularly with respect sexual violence and discrimination against women and the protection of children</i> <b>(Cape Verde)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.

124.64	Take concrete measures to improve the protection of women against gender-based violence and to ensure that perpetrators are held accountable <b>(Norway)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.
124.65	Increase efforts for the protection of women victims of gender violence, ensuring that perpetrators face the required trials and training the authorities involved on the subject of the protection and prevention of violence against women <b>(Nicaragua)</b>	The Prevention and Combating of Trafficking in Persons Bill is before the second house of Parliament for consideration and adoption. Trafficking in human beings has been acknowledged as a universal challenge requiring international cooperation for its effective combating. South Africa is extremely supportive of the Vienna based programs in the framework of the Commission on Crime Prevention and Criminal Justice which, among others, seek to develop global regulatory framework for the combating of Human Trafficking. Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence.
124.27	That the newly established Department of Women, Children and People with Disabilities be empowered to coordinate actions amongst various Government	The mandate of the Department for Women, Children and People with Disabilities is that of advocacy for the mainstreaming of the rights of the vulnerable groups in South Africa. The actual government roll-out programmes are located in all other national, provincial and local departments in accordance

	agencies to address the issue of gender-based violence <b>(Timor-Leste)</b>	with their mandates.
124.70	Promote awareness-raising campaigns and human rights education programmes particularly directed to law enforcement officials and educators that address the problematic of sexual violence against women <b>(Portugal)</b>	Crime prevention is one of the identified priorities for the current administration. Adequate resources have been placed at the disposal of organs of state security and law enforcement agencies to ensure visible policing as well as community policing with the view to combating violent crime, contact crime and manifestations of violence in our communities. Annual statistics reveal a declining trend although our vision is to ensure no violence at all.
124.67	Undertake continued and enhanced efforts to protect and provide redress to women suffering from violence and to continue raising awareness, through training and other means, in the judicial system, including police, of the necessity to act against this violence <b>(Sweden)</b>	Crime prevention is one of the identified priorities for the current administration. Adequate resources have been placed at the disposal of organs of state security and law enforcement agencies to ensure visible policing as well as community policing with the view to combating violent crime, contact crime and manifestations of violence in our communities. Annual statistics reveal a declining trend although our vision is to ensure no violence at all.
124.68	Strengthen the training of the police, prosecutors and the judiciary in the area of gender based violence <b>(Norway)</b>	Crime prevention is one of the identified priorities for the current administration. Adequate resources have been placed at the disposal of organs of state security and law enforcement agencies to ensure visible policing as well as community policing with the view to combating violent crime, contact crime and manifestations of violence in our communities. Annual statistics reveal a declining trend although our vision is to ensure no violence at all.
124.69	Take measures to guarantee thorough investigation and prosecution of crimes of sexual violence, including relevant training of law enforcement officials, and implement national human rights awareness-raising focused on women's rights <b>(Japan)</b>	Crime prevention is one of the identified priorities for the current administration. Adequate resources have been placed at the disposal of organs of state security and law enforcement agencies to ensure visible policing as well as community policing with the view to combating violent crime, contact crime and manifestations of violence in our communities. Annual statistics reveal a declining trend although our vision is to ensure no violence at all.
124.71	Adopt and implement appropriate, efficient measures ensuring that all allegations of sexual violence against women are properly registered, prosecuted and their perpetrators duly convicted, including a provision of victims' access to redress and social support services <b>(Slovakia)</b>	Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence. Additionally victim-friendly rooms, shelters for abused women, counselling services for victims of abuse, family violence, child

		protection and sexual offences units have been established
124.72	Establish mechanisms that will offer the victims of rape appropriate and adequate support and provide them with redress <b>(Slovenia)</b>	Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence. Additionally victim-friendly rooms, shelters for abused women, counselling services for victims of abuse, family violence, child protection and sexual offences units have been established
124.73	Step up efforts against sexual violence and improve social support services to victims <b>(Italy)</b>	Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence. Additionally victim-friendly rooms, shelters for abused women, counselling services for victims of abuse, family violence, child protection and sexual offences units have been established.
124.74	Rigorously apply the legislation against gender violence and sexual violence, especially against girls and boys <b>(Spain)</b>	Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence. Additionally victim-friendly rooms, shelters for abused women, counselling services for victims of abuse, family violence, child protection and sexual offences units have been established.
124.62	Put in place stronger mechanisms to protect women and girls against gender-based violence and provide redress to victims	Access to justice is entrenched in the Constitution of South Africa, national legislation, policies and programmes. Several measures have been put in place to particularly ensure women's access to justice e.g. National Access to Justice

	<b>(Austria)</b>	Week held during women's month (August) every year, 16 Days of Activism of No Violence against Women and Children, Multi-disciplinary care-centres for victims of sexual offences and crime (Thuthuzela care centres). The primary purposes of these programmes are to ensure maximum protection of victims, provision of adequate remedies to victims including combating impunity with the view to ensuring non-recurrence. Additionally victim-friendly rooms, shelters for abused women, counselling services for victims of abuse, family violence, child protection and sexual offences units have been established.
124.66	Considers the adoption of a specific law for domestic violence, containing both criminal and civil provisions <b>(Brazil)</b>	South Africa has national legislation in the form of the Domestic Violence Act, 1998, which contains both criminal and civil provisions.
<b>Criminalization of Torture and Other Cruel, Inhuman or Degrading treatment and Punishment (CID)</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.88	Prohibit and punish corporal punishment both in the home, as well as in public institutions such as schools and prisons <b>(Mexico)</b>	Corporal punishment is outlawed in the South African government system and perpetrators of this inhumane form of punishment and violence are reported to law enforcement and accordingly punished.
124.20	Pay special attention in the adoption of laws and their implementation to change of negative social practices particularly with respect to; torture and ill treatment in detention, <b>(Cape Verde)</b>	South Africa is a State Party to the CAT and is compliant to the general thrust of the provisions of the Convention. In its current session Parliament is considering promulgation of legislation criminalising torture and the CIDs. The legislation will impose tougher sanctions for those convicted of torture.
124.54	Define torture in its national criminal legislation, prosecute and punish perpetrators of torture, and ratify as soon as possible the OP-CAT <b>(Slovenia)</b>	South Africa is a State Party to the CAT and is compliant to the general thrust of the provisions of the Convention. In its current session Parliament is considering promulgation of legislation criminalising torture and the CIDs. The legislation will impose tougher sanctions for those convicted of torture
124.55	Enact legislation which would, in line with Article 1 of the Convention against Torture (CAT), prevent and eliminate torture, and ratify OP-CAT at the earliest opportunity <b>(Czech Republic)</b>	South Africa is a State Party to the CAT and is compliant to the general thrust of the provisions of the Convention. In its current session Parliament is considering promulgation of legislation criminalising torture and the CIDs. The legislation will impose tougher sanctions for those convicted of torture



124.57	Take the necessary legislative measures to prevent, prosecute and punish acts of torture and other cruel and degrading treatment, in accordance with international standards, including through the ratification of the OP-CAT <b>(Costa Rica)</b>	South Africa is a State Party to the CAT and is compliant to the general thrust of the provisions of the Convention. In its current session Parliament is considering promulgation of legislation criminalising torture and the CIDs. The legislation will impose tougher sanctions for those convicted of torture
124.56	Adopt as soon as possible legislation criminalising acts of torture and raise awareness of law enforcement officials regarding the absolute prohibition of the use of torture and other inhumane and degrading treatment <b>(France)</b>	South Africa is a State Party to the CAT and is compliant to the general thrust of the provisions of the Convention. In its current session Parliament is considering promulgation of legislation criminalising torture and the CIDs. The legislation will impose tougher sanctions for those convicted of torture

### Ratification of outstanding IHL and IHRL instruments

Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.1 124.2 124.3 124.4 124.5 124.6 124.7 124.8 124.9	Complete its accession to the core human rights instruments that are still not yet ratified including ICESER and it Optional Protocol, OP-CAT, Enforced Disappearances, Migrant Workers, ILO 189, OP-CRC,  <b>(Iraq, Burkina Faso, UK, Hungary, Brazil, Chad, Palestine, Slovenia, Portugal, Argentina, Spain, Nicaragua, Slovakia, France)</b>	There is heightened awareness and commitment on the part of government to step up its national program of ratification of these instruments. The President of the Republic in his foreword to the 2 <sup>nd</sup> South African UPR Report has reiterated this commitment.

### Compliance with International Treaty Law and Obligations

Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.19	<b>The responsibilities of TNCs and other business enterprises with respect to human rights:</b> With reference to a recommendation of the ICJ (International Commission of Jurists), adopt legislation to	The South African Constitutional imperatives and national legislation impose obligations on Transnational Corporations registered in South Africa to observe and respect the same human rights norms and standards in their external operations in Africa and elsewhere around the world. In the event of non-compliance occasioned by weak legislation in third countries, the South African

	<p>enable registered South African companies to be held liable for violations of human and labour rights beyond South Africa's borders <b>(Namibia)</b></p>	<p>law takes precedence and such companies are appropriately punished in our domestic legislation. At the international level, South Africa has a key stake in the Norwegian resolution on this subject and its vision aims at the elaboration of an international regulatory framework with legally binding obligations on the operational activities of the TNCs and other business enterprises. South Africa is similarly concerned with the lack of uniform regulatory standards on the activities of Private Military and Security Companies (PMSCs) and the Extractive Industries who are key drivers of the phenomenon of globalisation and must be held accountable for human rights violations in international human rights law.</p>
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**ANNEX B**

**RECOMMENDATIONS NOT ACCEPTABLE TO SOUTH AFRICA**

<b>Promotion, protection and fulfillment of Economic, Social and Cultural Rights and the attainment of the MDGs</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None
<b>Attainment of Social Cohesion and Social Transformation</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None
<b>Empowerment and Protection of Vulnerable Groups: Marginalization, social exclusion and economic disparities</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.95	Ensure that the proposed new Traditional Courts Bill, if adopted, does not violate South Africa's international obligations or its own Constitution in the area of women's rights and gender equality <b>(Norway)</b>	This matter is still under national consultation and dialogue. It is therefore not appropriate to prejudge at this early stage what the final outcome of this process will be.
<b>Elimination of Racism, Racial Discrimination, Xenophobia and Related Intolerance</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None

<b>Combating incitement to hatred and punishing hate crimes</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None
<b>Violence against women and children, manifestations of domestic and social violence and human trafficking</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
none	none	none
<b>Criminalization of Torture and Other Cruel, Inhuman or Degrading treatment and Punishment (CID)</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None
<b>Ratification of outstanding IHL and IHRL instruments</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None
<b>Compliance with International Treaty Law and Obligations</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
None	None	None
<b>Freedom of Opinion and Expression including Global Internet Governance</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms

<p>124.97 124.98 124.99 124.100 124.101 124.102 124.103 124.104 124.105 124.106 124.107</p>	<p>The Protection of State Information Bill (POSIB)</p> <p><b>(Norway, Canada, Czech Republic, Poland, Switzerland, Portugal, Sweden, USA, Germany, Austria)</b></p>	<p>The Protection of State Information Bill (POSIB) is in keeping with international human rights law. The Bill's point of departure is South Africa's constitution, the International Covenant on Civil and Political Rights and the African Charter on Human and People's Rights. The POSIB is currently before Parliament and there has been an intensive consultation process in both houses of Parliament. The POSIB is in line with article 19 of the ICCPR which provides that the right to freedom of expression and access to information may be limited, provided such limitation is provided by law and is necessary for the protection of national security and public order. <b><i>Kindly note that this matter is still a subject of national consultations and is not yet promulgated through Parliament and therefore it would be pre-emptive to make any estimated guesses on what the actual state of affairs will be in this regard.</i></b></p>
<p>124.25</p>	<p>Review its institutions, particularly the judiciary to ensure their compatibility with accepted world practice where politicians are given adequate space to govern and fulfill their political mandate <b>(Swaziland)</b></p>	<p>The South African Constitution and all its concomitant legislation impel the country to respect the principle of the separation of powers between the legislature, the executive and the judiciary.</p>

**ANNEX C**

**RECOMMENDATIONS REJECTED BY SOUTH AFRICA**

<b>Promotion, protection and fulfillment of Economic, Social and Cultural Rights and the attainment of the MDGs</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
<b>Attainment of Social Cohesion and Social Transformation</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
<b>Empowerment and Protection of Vulnerable Groups: Marginalization, social exclusion and economic disparities</b>		
Recommendation no.	Summary of Recommendation	Comment
<b>Elimination of Racism, Racial Discrimination, Xenophobia and Related Intolerance</b>		
Recommendation no.	Summary of Recommendation	Comment
<b>Combating incitement to hatred and punishing hate crimes</b>		
Recommendation no.	Summary of Recommendation	Comment

<b>Violence against women and children, manifestations of domestic and social violence and human trafficking</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
124.96	Investigate all allegations of sexual exploitation and abuse by South African peacekeepers; prosecute and punish offenders; take measures within SA peacekeeping contingents to prevent future offences; and report the results back to UN peacekeeping authorities <b>(Canada)</b>	In view of the political gravity of this exaggerated allegation, the South African government has decided to reject this allegation and take the matter up bilaterally with the Canadian government at a political level.
<b>Criminalization of Torture and Other Cruel, Inhuman or Degrading treatment and Punishment (CID)</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
<b>Promulgation of requisite National legislation domesticating key provisions of IHL and IHRL</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
<b>Ratification of outstanding IHL and IHRL instruments</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
<b>Compliance with Treaty obligations</b>		

Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms
<b>Freedom of Opinion and Expression including Global Internet Governance</b>		
Recommendation no.	Summary of Recommendation	Comment on domestic implementation mechanisms