

Statement of Action Canada for Population and Development – Item 6 - Universal Periodic Review – South Africa Adoption of UPR outcome on India – September 21, 2012

Madame President, I make this statement on behalf of the Sexual Rights Initiative¹.

The Sexual Rights Initiative welcomes the Government of South Africa's commitment to accept and implement a range of recommendations related to "combating incitement to hatred and punishing hate crimes". Gender- and sexuality- related violence against women and against vulnerable people such as refugees, sex workers, people who are gender non-conforming and people in same sex relationships constitutes a national crises.

We highlight the reality that South Africa already has a host of laws, policies and structures to address violence, gender inequality and sexuality. We note the commitment of the government to a new framework - A Policy Framework on Combating Hate Crime, Hate Speech and Unfair Discrimination - and look forward to working alongside the government to inform and shape this framework so that it meets the needs of the communities it is intended to serve. However, the current crises of violence in the country and in particular, sexuality- and gender- related violence are unlikely to be overcome through any further laws, policies, frameworks and structures.

We call on South Africa to ensure the urgent, sustained implementation and application of these laws and policies through

1. Sustained dialogue and holding to account religious, traditional and political leaders when their statements and actions serve to legitimise violence against women and against poor and marginalised people;
2. Ensuring the criminal justice system delivers justice in dealing with those who violate the human rights of women and people based on gender identity and sexual orientation;
3. Addressing the serious shortcomings in the implementation of refugee related legislation, international human rights commitments and policies, including refoulement;
4. Developing, through meaningful community participation, a comprehensive, sustained public education programme across all parts of society. This education must address women's human rights and sexuality education; This education must also empower women and address violent masculinities; mechanisms for accountability must be in place at the highest political level.

Thank you Madam President.

¹ SRI is a coalition of organisations including Action Canada for Population and Development (Canada), Akahata (Argentina), CREA (India), Coalition of African Lesbians (South Africa), Egyptian Initiative for Personal Rights (Egypt), Federation for Women and Family Planning (Poland).