

A! POLICY NEWSLETTER

March 2023



Human Rights Month

March is known as Human Rights Month and the 21st of March is Human Rights Day. On Human Rights Day we commemorate the Sharpeville Massacre in which 69 people were killed in protest against Pass Laws. It is also a moment for us to reflect on how far we have come in ensuring we all have human rights and that those human rights are protected. South Africa is a constitutional democracy and our constitution was officially signed into law by the first democratically elected President, Nelson Mandela, on the 10th of December 1996 at Sharpeville, Vereeniging.

Chapter 2 of our Constitution contains “The Bill of Rights” which is a very important part of the Constitution, and it safeguards the rights of all who live in South Africa.

The Bill of Rights also contains socio-economic rights like the right to access housing, sufficient food, water, health care, and basic education. Government has to provide these “within available resources”, which means these rights are limited to what the government can afford. Other laws can limit some rights if the limitations are reasonable and justifiable in a democratic society. For example, defamation or hate speech laws can limit freedom of expression. The constitution guarantees everyone the right to freedom of association. This means that you have the right to associate with other people and form organisations. This right to freedom of association is essential for forming civil society organisations.



The National Council on Gender-Based Violence & Femicide

On the 28th of February, the portfolio committee of Women, Youth and Persons with Disabilities the Department of Women, Youth & Persons with Disabilities (DWYPD) on the National Council on Gender-Based Violence and Femicide Bill (B31-2022). The Bill seeks to establish a statutory body known as the National Council on Gender-Based Violence and Femicide. The Bill is informed by the National Strategic Plan (NSP) on Gender-Based Violence and Femicide (GBVF).

The main objective of the Council is to provide strategic leadership and political guidance towards the elimination of GBVF in South Africa.

The role of the council includes:

- See to the implementation of the NSP processes & facilitate engagement
- Ensure resources are equitably distributed for an effective GBVF response



- Increase accountability, and strengthen coordination of the NSP-GBVF tasks
- Facilitate strategic partnerships

To read more about the briefing and the National Council on Gender-Based Violence & Femicide you can click on this [LINK](#). You can also access the Bill and the presentation made by the delegation of the Department of Women, Youth and Persons with Disabilities

Cabinet Reshuffle

On the 6th of March President Ramaphosa announced his highly anticipated cabinet reshuffle. What was anticipated to be a major change in his National Executive turned out to be a minor reshuffle, with no significant changes.

The President also announced the new Deputy President of the country, Paul Mashatile. Kgosientso “Sputla” Ramokgopa was also introduced as the new Minister of Electricity. He was the Mayor of Tshwane between 2010 and 2016 and becomes the first person to assume the role of Minister of South Africa.

Another key talking point was the appointment of Nkosazana Dlamini-Zuma, as a minister in the Presidency responsible for Women, Youth & Persons with Disabilities. At the age of 74, her appointment has left many within the youth development space disappointed. The President has failed to inspire hope by not including the youth in the National Executive.

You can visit the People’s Assembly [Blog](#) to learn more about the structure of government.



Higher Education Matters

Since the start of the 2023 academic year, there has been unrest across many campuses due to the National Student Financial Aid Scheme (NSFAS) allowance, accommodation capping, limited space for registration, and related matters. The protests – in some instances - turned violent and led to the destruction of property. The Portfolio Committee on Higher Education and Training met with stakeholders to get to the bottom of the problem.

The Committee agreed that there should be more stakeholder engagements, there had to be a proper audit of how many students or student leaders may be affected by some sort of intimidation by the management of universities and colleges, and that the National Student Financial Aid Scheme should approach the Competition Commission to regulate the accommodation sector.

22 March 2023: [NSFAS on student accommodation portal and related matters](#)

8 March 2023: [Latest developments at universities and TVET colleges: DHET, USAF and SAPCO briefing: with Deputy Minister](#)

7 March 2023: [Latest developments at universities and TVET colleges: SAUS & SATVETSA briefing](#)





The Electoral Amendment Bill

The Electoral Amendment Bill has made its way to the President's desk for assent. The president has signed it into law. The National Assembly (NA) passed the bill on Thursday 23 February 2023, after the National Council of Provinces amended it and returned it to the NA for finalisation. 299 of the 400 MPs voted on the bill, 218 for it and 81 against it. The bill will allow for independent candidates to contest in the national and provincial elections.

The Bill favours political parties and puts independent candidates at a disadvantage. At the time of publication, the President was still applying his mind and considering the objections received on the legality and constitutionality of the bill. Last year, the People's Assembly interviewed Election Analyst, Michael Atkins, on the constitutionality of the electoral Amendment Bill. You can click [here](#) to read or listen to the interview.

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