



# General Assembly

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**Universal Periodic Review**

## **Report of the Working Group on the Universal Periodic Review\***

### **South Africa**

#### **Addendum**

#### **Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review**

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\* The present document was not edited before being sent to the United Nations translation services.

## I. Introduction

1. This **Addendum** represents the official response of the South African government to the 152 recommendations generated by the UN member States on the 2<sup>nd</sup> South African UPR Report during its examination on 31 May 2012.
2. In terms of the procedural requirements of the UPR process, the South African government is expected to submit an official document clearly outlining; the recommendations which are acceptable for implementation, recommendations which are not acceptable and the accompanying rationale and the recommendations which South Africa totally rejects.
3. In heeding this procedural requirement, this Addendum cleared at the highest level of government is herewith submitted to the United Nations Human Rights Council and should be placed on the website of the United Nations as the official government document presented pursuant to the Report of the Working Group on Universal Periodic Review (A/HRC/21/16).
4. The methodology and format followed in this Addendum follows a thematic clustering of the recommendations based on the intersectionality of the thematic issues as well as the established domestic implementation mechanisms. To this end, it is important to note that the South African government will, in future, be issuing periodic reports on the status of implementation as required.
5. In this regard the following broad thematic categories have been decided upon:
  - (a) Promotion, protection and fulfillment of Economic, Social and Cultural Rights and the attainment of the MDGs;
  - (b) Attainment of Social Cohesion and Social Transformation;
  - (c) Empowerment and Protection of Vulnerable Groups: Marginalization, social exclusion and economic disparities;
  - (d) Elimination of Racism, Racial Discrimination, Xenophobia and Related Intolerance;
  - (e) Combating incitement to hatred and punishing hate crimes;
  - (f) Violence against women and children, manifestations of domestic and social violence and human trafficking;
  - (g) Criminalization of Torture and Other Cruel, Inhuman or Degrading treatment and Punishment (CID);
  - (h) Ratification of outstanding IHL and IHRL instruments;
  - (i) Compliance with International Treaty Law and Obligations;
  - (j) Freedom of Opinion and Expression including Global Internet Governance.

## II. Government response to UPR recommendations

6. Pursuant to the foregoing framework, the Government of the Republic of South Africa has decided on three categories of annexes to this Addendum covering recommendations according to their acceptance, non-acceptance and rejection. Kindly refer in this regard to the Annexes to the present Addendum. It should also be borne in mind that the economic, social and cultural rights are being implemented progressively to the best availability of resources and in accordance with Constitutional imperatives. All the

Annexes to the present Addendum are arranged according to paragraph 124 in document A/HRC/21/16 and also follow the thematic clustering outlined in paragraph 5 above.

### **III. Conclusion**

7. The Government of the Republic of South Africa wishes to acknowledge and report its appreciation for the excellent interaction with the UN Human Rights UPR process and the majority of the recommendations which are deemed as constructive and helpful to the countries future efforts towards the achievement of its ideal, namely, social cohesion predicated on respect for human dignity and fundamental human rights and freedoms. The Government is resolute on its National Agenda to ensure, respect for, promotion, protection and fulfillment of all human rights and freedoms on a non-discriminatory basis. Most of the rights to be attained are in the rubric of economic, cultural and social rights and thereby requiring availability of adequate resources. It should be borne in mind that these rights will be realized progressively. The Government also has a commitment to allocate resources for the realisation of the MDGs by 2015. We pledge to work collaboratively and through international cooperation with all partners to this end. The next South African UPR report will, among others, be an encapsulation of progressive achievements in the intervening period.

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