

SAHRC SLATED FOR MISSED DEADLINE IN RACE CLASSIFICATION ROW

Cape Town - People Against Race Classification (PARC) has criticised the SA Human Rights Commission (SAHRC) for missing Parliament's deadline to come up with a stance on race classification.

PARC petitioned Parliament in 2021 about the removal of the label "coloured" from all official government and private institutions' documents, saying it is offensive to so-called coloured people. The organisation is calling for a national debate on the naming and identification of South African citizens.

They want the government to enact legislation that will abolish the use of the word "coloured" from all official government and private institutions; to amend the definition of "African" to include all people who live in and hold South African citizenship; as well as to amend the act to include the definition of "other race". This is to make provision for people who do not want to be race classified. In June last year, the select committee on petitions and executive undertakings, having considered the petition, released a report.

In the report the committee states that it was made aware that there had been previous meetings between the petitioners and the SAHRC. These resulted in a report where recommendations were made, including that, "The State, through the Presidency and the Department of Arts and Culture (DAC), must take steps on or before March 31, 2019 towards the removal of the forceful categorisation of Khoi and San peoples as 'coloured'."

The committee's report also states that the apartheid government had previously used racial classification as a tool in state policy to control the population. According to the report, the minister of employment and labour submitted that all South African citizens are African by virtue of being born and bred in the African continent. In the same vein, he acknowledges that the coloured group are black and as a result, they are part of the black people as prescribed by the Employment Equity Act, 1998 (EEA). Following extensive deliberations, the committee recommended a national debate as a strategy in fast-tracking recognition of South African native communities and their identities. Among others, it also gave the SA Human Rights Commission about six months to research the issues raised and report back to the House.

However, PARC founder Glen Snyman said it's been well over six months and there's still been no word from the SAHRC. "My question is what do we do when a Section 9 institution like the SAHRC starts to ignore instructions of Parliament? It's like they don't care about me or us, if they call you a coloured or what. The Human Rights Commission has lost its moral understanding to discern between what is right and what is wrong," he said.

The SAHRC said it would respond to requests for comment on Thursday. Parliament did not respond to requests for comment by deadline on Wednesday.

Under-fire SAHRC blames money woes for race classification debacle

Cape Town - The SA Human Rights Commission (SAHRC) has blamed a lack of funds to conduct research as the reason for not coming up with a stance on race classification.

The chapter nine institution came under fire last week by People Against Race Classification (PARC) who criticised the SAHRC for missing Parliament's deadline to research and come up with a stance on race classification. SAHRC spokesperson Wisani Baloyi said while the commission indicated to the Select Committee on Petitions and Executive Undertakings that it was willing to assist, it did not undertake to conduct the research in question.

"The reason being that research of this nature would entail additional resources to be deployed to the commission," Baloyi said. "From the nature of the query to be researched, the commission was of the view that it would be a sizeable project. "It was a project that would require time and resources. "It had enquired about the availability of additional funding for the research and the time frames of the project. This did not yield any positive response. "The commission therefore did not do the research," he said. In a report released by the committee last year, the Minister of Labour submitted that apartheid had left behind a legacy of inequalities and policies.

PARC petitioned Parliament in 2021 about the removal of the label "Coloured" from all official government and private institutions' documents, saying it is offensive to so-called Coloured people. The organisation is calling for a national debate on the naming and identification of citizens. PARC founder Glen Snyman said the SAHRC was failing on its mandate primarily as a protector of all South Africans' human dignity. "Various bodies/government institutions (Home Affairs, Labour, the Ministry of Traditional Affairs and Sport, and the KhoiSan Cultural house) all responded immediately when Parliament asked about their stance on the matter. "The Human Rights Commission should just publicly proclaim to all South Africans and the international community where they stand on race classification: for or against it, that is all that we want to know at this stage," he said.

The chairperson of the Select Committee on Petitions and Executive Undertakings, Dimakatso Maleka, referred the Cape Times to a response on the matter by Co-operative Governance and Traditional Affairs Minister Thembi Nkadimeng. In the response, discussing efforts to recognise Khoi-San communities, she said Khoi-San communities would have to apply for recognition. "For purposes of determining whether a particular community complies with criteria, the government has established the Commission on Khoi San Matters." "The term of the commission commenced on September 1, 2021 and will end on August 31, 2026. The commission has developed the necessary application form to be completed by Khoi-San communities and leaders who wish to apply for recognition in terms of the Act (Traditional and Khoi-San Leadership Act). "The application form was published in the Government Gazette of February 4, 2022. Application for recognition commenced on March 30, 2022 and will end on March 29, 2024."

'Employment equity targets here to stay'

Cape Town - The Department of Employment and Labour has stuck to its guns over Employment Equity targets which have been published for public comment, despite a push-back by opposition parties.

The amended Employment Equity Act of 1998 empowers the Minister of Employment and Labour, Thulas Nxesi to set employment equity targets for economic sectors and prescribe demographic targets for employers with more than 50 employees in the form of 5-year milestones towards achieving the equitable representation of the various groups in respective economic sectors. Nxesi released his draft targets across 18 economic sectors and across all provinces, but has come under fire over among others, the targets effectively “banning” the so-called coloured population group from employment in certain provinces, where employment targets are as low as 1%. Lawyer Elton Rocherts explained that currently employers had an obligation to actively promote employees from designated groups and in order to achieve this they had to draw up EE plans in which employers would set out targets to achieve a more diverse workforce. “It is currently left to the employer to come up with the plan that would recognise affirmative action as a measure to get marginalised employees into the workforce. “Now quota is being imposed on the employer. It might be (that) government has seen that the pace at which transformation is taking place is a bit too slow, so now they are going to impose targets. However they might have to go back to the drawing board because they have come up with a race classification exercise that could further marginalise the so-called coloured community.”

Cape Coloured Congress leader, Fadiel Adams said the impact of the “short-sighted decision”, could put thousands of people out of work in coloured communities. “Our contribution to the building of this country is forgotten. “Our contribution to the building of this country is forgotten. “The fact that we have so much more to offer is just pushed aside.”

People Against Race Classification founder, Glen Snyman, who has been lobbying parliament for the removal of the term “coloured” from all official government and private institution documents said a person's skin colour did not mean he or she represents a particular group. “Race does not mean representivity. Citizens have a legal leg to stand on against these race-based quotas. The Population Registration Repeal Act of 1991 is still an active(in operation) act. This act abolishes the use of all race-based criterias and has never been repealed by parliament. This act stands in direct contradiction/conflict with the EEA. I encourage all to tick the African box so that you are not being discriminated against.”

DA leader John Steenhuisen said: “The quotas seem especially targeted at the groups defined by the regulations as ‘coloured males,’ ‘coloured females,’ ‘Indian males’ and ‘Indian females.’ People from these communities suffered discrimination under the previous regime, and now they are being re-victimised by a democratic government. In sectors like agriculture, forestry and fisheries, mining and quarrying, manufacturing, finance, arts, and science, the ‘targets’ set for coloured employees in provinces like Limpopo, Mpumalanga and North West is 0.0%, effectively banning these groups from employment. Even in Gauteng.”

The Department of Employment and Labour said the DA “maliciously interpreted the proposed sector EE targets published for public comment”.

“The DA is using the same tactics of ‘divide and rule’ adopted during the apartheid regime, particularly in order to divide the black people of South Africa.

“For sustainable growth and development, it is important that workplaces reasonably reflect the national and provincial demographics of the economically active population of the country, both in the public and the private sectors as required by section 42 of the EE Act,” the Department said.

“In fact, nothing has changed. These EE amendments are not introducing any new legal obligations on employers because for over 24 years of the EE Act, employers have been legally required to set their own EE targets taking into account both the national and provincial EAP demographics as per section 42 of the EE Act.”

It argued that the only change with the amendments was that the Nxesi had now regulated sector EE targets in the form of 5-year milestones.

“Nevertheless, sector EE targets are not quotas as employers still maintain powers to determine their own annual EE targets towards achieving the regulated 5-year sector EE targets.”



Oudtshoorn se Glen Snyman wat op 'n kruistog is om rasseklassifikasie in Suid-Afrika afgeskaf te kry. Snyman het verlede week die voorblaaie van verskeie nasionale koerante gehaal vir sy kritiek op die SA Menseregtekommissie (SAMRK) wat die Parlement se sperdatum vir 'n standpunt oor rasseklassifikasie misgeloop het. Foto verskaf

“DIS asof die Menseregtekommissie net nie omgee nie.”

Dit was die afgelope week die woorde van die Oudtshoorniet en stigter van People Against Race Classification (PARC), Glen Snyman, nadat die Suid-Afrikaanse Menseregtekommissie (SAMRK) die nasionale parlement se sperdatum vir 'n standpunt oor rasseklassifikasie misgeloop het.

Snyman is al etlike jare (13+ jaar) op 'n kruistog om rasseklassifikasie in Suid-Afrika afgeskaf te kry.

PARC het in 2021 die parlement genader met 'n petisie waarin gevra is vir die verwydering van die woord “coloured” van alle regerings- en private dokumente. Die versoek het in Februarie 2022 voor die parlement gediens. Volgens PARC se petisie is die woord “coloured” verwarrend, beledigend, rassisties en verbloem dit die historiese identiteit van die Khoi en San-mense. Die petisie sê ook dit is rassisties om te dink dat twee rasse saam 'n derde ras kan skep, of om te glo wit en swart is suiwer rasse.

PARC vra dat die woord “African” gebruik word om alle mense in te sluit met Suid-Afrikaanse burgerskap; asook dat die wet gewysig word om 'n definisie van “ander ras” in te sluit en so voorsiening te maak vir mense wat nie rasgeklassifiseer wil word nie.

Na beraadslaging het die parlement se petisiekomitee in Junie 2022 'n nasionale debat aanbeveel om die erkenning van Suid-Afrikaanse inheemse gemeenskappe te versnel. Dit het ook onder meer die SAMRK ses maande gegee om navorsing te doen oor die kwessies wat geopper is en terugvoer te gee aan die parlement. Maar volgens Snyman is daar nou al meer as ses maande later steeds geen woord van die SAMRK nie. “My vraag is: Wat doen ons wanneer 'n Artikel 9-instelling soos die Menseregtekommissie begin om opdragte van die parlement te ignoreer?”

Dit is asof hulle nie omgee vir my of ons nie, of hulle jou 'n kleurling of wat noem nie. “Die Menseregtekommissie moet net aan Suid-Afrikaners en die internasionale gemeenskap sê wat hul standpunt is oor rasseklassifikasie. Dit is al wat ons in hierdie stadium wil weet, “Verskeie ander liggame soos die KhoiSan-kultuurhuis, die departemente van Binnelandse sake en Arbeid het gou gereageer toe hulle deur die Parlement oor hul standpunt gevra is.”

Luidens 'n berig in die Cape Times, op 15 Mei het Wisani Baloyi, woordvoerder van SAMRK, gesê 'n gebrek aan fondse vir navorsing is die rede waarom daar nog nie reaksie van hul kant was nie. Hy sê die SAMRK is van mening dat sulke navorsing aansienlik sal wees en dat daar geen positiewe reaksie was op hul navrae oor beskikbaarheid van bykomende befondsing vir die navorsing en tydsraamwerke nie. **(Deur Liesel le Roux)**
