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DEBATES ON HUMAN RIGHTS DAY

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TABLE OF CONTENTS

1. LIST OF ACRONYMS 2
2. INTRODUCTION 3
3. CONTRIBUTIONS BY THE SPORT, ARTS AND CULTURE SECTOR TO DEEPENING A CULTURE OF HUMAN RIGHTS AND SOCIAL JUSTICE 4
2.1. Promoting Social Cohesion and Nation-Building 4
2.2. Arts and Culture for Human Rights Awareness 4
2.3. Transformation in the sector 4
2.4. Youth Development and Skills Training 5
2.5. Addressing social issues through Arts and Sports 5
2.6. International Human Rights and Cultural Diplomacy 5
4. JUSTICE RELATED HUMAN RIGHTS ISSUES 5
3.1. Assessing progress 6
3.2. Corruption and human rights 9
5. RECENT DEVELOPMENTS RELATING TO SOUTH AFRICA'S PERSPECTIVE ON HUMAN RIGHTS 10
6. CONCLUDING REMARKS 10
7. REFERENCES 11

1. LIST OF ACRONYMS

CEE:	Commission for Employment Equity
DHS:	Department of Human Settlements
GBVF:	Gender-Based Violence and Femicide
HIV:	Human Immunodeficiency Virus (referenced in context of national HIV vaccine research)
HSRC:	Human Sciences Research Council
IEC:	Independent Electoral Commission
LGBTIQA+:	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/Questioning, Asexual and others
NHI:	National Health Insurance
NSFAS:	National Student Financial Aid Scheme
PanSALB:	Pan South African Language Board
SAHRC:	South African Human Rights Commission
SDGs:	Sustainable Development Goals
SIU:	Special Investigating Unit
TVET:	Technical and Vocational Education and Training colleges
UDHR:	Universal Declaration of Human Rights
UNESCO:	United Nations Educational, Scientific and Cultural Organization

2. INTRODUCTION

Human Rights Day commemorates the Sharpeville massacre of 21 March 1960, when the apartheid state used lethal force to enforce discriminatory pass laws. The events at Sharpeville have come to symbolise the use of law as an instrument of oppression, exclusion and racial domination, and stand as a stark reminder of the consequences of a legal system divorced from human dignity and equality. Notably, the United Nations has also declared 21 March as the International Day for the Elimination of Racial Discrimination, reinforcing the global commitment to combating racism and promoting equality.

In 2026, South Africa marks 30 years of the Constitution of the Republic of South Africa, 1996. The Constitutional framework represents a deliberate and fundamental break from the past and seeks to:

- *Reposition the law and the justice system as instruments for the protection and advancement of human dignity, equality and freedom, with the Bill of Rights entrenched as the cornerstone of democratic governance.*
- *Affirm the supremacy of the rule of law, and the accountability of the state to the people.*
- *Improve the quality of life of all citizens*.[1]
  ***Provide the legal and institutional framework for the pursuit of social justice, recognising that formal equality alone is insufficient to overcome the structural inequalities created by apartheid**.*

Social justice refers to the fair and equal distribution of resources, opportunities, and rights within a society. It focuses on eliminating discrimination, poverty, and inequality based on race, gender, class, or other social differences. Social justice seeks to create a society where everyone has equal access to education, healthcare, employment, and legal protections.

These objectives are closely aligned with the international human rights framework,[2] including the African Charter on Human and Peoples' Rights, which broadened international human rights discourse, by recognising that human rights are interconnected with social development and collective well-being and the Universal Declaration of Human Rights (UDHR)[3]. Notably, the UDHR focal areas for social justice include the following:

- *Economy*: Ensuring fair wages, access to employment, and social security.
- *Education*: Providing equal access to quality education for all.
- *Healthcare*: Ensuring access to affordable and quality healthcare.
- *Environment*: Protecting the environment and ensuring that all communities have access to a healthy environment.
- *Race*: Addressing systemic racism and discrimination.
- *Gender*: Promoting gender equality and ending gender discrimination.
- *Land:* Access to and the equal sharing of the land.
- *Governance:* Participation in the nation's political activities

In addition, the United Nations' 2030 Agenda for Sustainable Development reinforces global commitment to social justice through the adoption of the Sustainable Development Goals (SDGs). The SDGs aim to eradicate poverty, reduce inequality, and promote inclusive, accountable, and effective institutions. Progress toward these goals can therefore also be understood as progress

[1] Constitution, 1996 – Preamble.
[2] Such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination.
[3] United Nations, [Online]

toward the realisation of fundamental human rights, including dignity, equality, and freedom. Central to the SDG framework is the principle that development must be inclusive and equitable, ensuring that no one is left behind.

3. CONTRIBUTIONS BY THE SPORT, ARTS AND CULTURE SECTOR TO DEEPENING A CULTURE OF HUMAN RIGHTS AND SOCIAL JUSTICE

The Sport, Arts and Culture sector in South Africa plays a significant role in promoting social justice and human rights by fostering cultural diversity, inclusivity, and national unity. Some key contributions include[4]:

2.1. Promoting Social Cohesion and Nation-Building

The Department of Sport, Arts and Culture leads the national programme to foster social cohesion and nation building. This is implemented through a range of events and programmes including:

- Heritage celebrations like Heritage Day, Freedom Day, and Human Rights Day to promote education about history and human rights.
- Cultural and sporting programmes that bring together people from different backgrounds to foster unity are supported.
- Dialogues on human rights, diversity, and reconciliation.

2.2. Arts and Culture for Human Rights Awareness[5]

- Nationally, the Department of Sport, Arts and Culture funds theatre, music, and visual arts projects that highlight human rights issues, historical injustices, and social justice topics.
- World Heritage Sites, museums, memorials and other sites of commemoration also have a responsibility to create spaces for interaction with and dialogue about matters pertaining to human rights. National entities include Freedom Park, Robben Island Museum, Iziko Museums (including the Iziko Slave Lodge Museum). Memorials such as the Sharpeville Human Rights Precinct, the Hector Pieterson Memorial and Museum, etc.
- The National Film and Video Foundation support film and documentary productions that showcase past and present human rights struggles. Additionally, they also fund events such as the African Human Rights Film Festival.
- Through its rigorous programming and its determined protection of linguistic human rights, the Pan South African Language Board (PanSALB), is mandated to preserve and promote all official, indigenous languages and offer protection to languages closely linked to religious and cultural communities in South Africa.

2.3. Transformation in the sector

- There are ongoing efforts to promote equal access and participation in sports and creative industries for previously disadvantaged groups. This also increases market access and promotes job creation.
- Policies like the Transformation Charter in Sport increase opportunities for women, youth, and marginalised communities.

[4] Department of Sport, Arts and Culture, 2020
[5] Department of Sport, Arts and Culture, 2024.

2.4. Youth Development and Skills Training

- Funding programmes that empower young people in arts, culture, and sports as an alternative to crime and unemployment. The provision of bursaries in the fields of language practice and heritage by the DSAC also contributes to youth development and skills training.
- Supporting initiatives which uses sport to teach life skills, leadership, and conflict resolution.

2.5. Addressing social issues through Arts and Sports

- The sector uses theatre, poetry, and film to address issues like gender-based violence and femicide (GBVF), xenophobia, and inequality.
- The implementation of programmes like “Women in Sport” aims to promote gender equality and prevent discrimination.
- Social activism is encouraged through the arts, including projects on LGBTIQA+ rights, disability rights, moral regeneration and anti-racism.

2.6. International Human Rights and Cultural Diplomacy[6]

- South Africa partners with the United Nations Education, Scientific and Cultural Organization (UNESCO) and other global organisations to advocate for cultural diversity and human rights.
- It hosts international cultural exchanges to promote mutual understanding and fight discrimination.
- It celebrates and supports African heritage and Pan-African identity through collaborations with other African nations.

Through these efforts, the Sport, Arts and Culture sector plays a vital role in fostering a society that respects human rights, embraces diversity, and promotes equality.

4. JUSTICE RELATED HUMAN RIGHTS ISSUES

Since the adoption of the Constitution in 1996, South Africa’s justice system has undergone substantial transformation aimed at ensuring that the law serves as an instrument of justice rather than oppression. In this regard:

- Section 7 of the Constitution, 1996, affirms the Bill of Rights as the cornerstone of democracy.
- Section 7(2) further places **a positive obligation on the state** to respect, protect, promote and fulfil the rights contained in the Bill of Rights. (*This requires concrete planning, lawful procurement, proper budgeting, and effective implementation*.)[7]

These obligations bind the legislature, the executive, the judiciary and all organs of state. By ensuring equal protection before the law, addressing discrimination, and providing recourse for victims of rights violations, the justice system contributes to healing historical divisions and fostering a culture of respect for human rights. The realisation of human rights is therefore closely linked to the effectiveness, accessibility and integrity of the justice system, which serves as the primary mechanism through which constitutional rights are protected and enforced.

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[6] *Ibid*

[7] Manzini LM, Rural education and the right to basic education: A constitutional and human rights perspective https://www.derebus.org.za/rural-education-and-the-right-to-basic-education-a-constitutional-and-human-rights-perspective/#:~:text=Education%20is%20both%20a%20fundamental,confirmed%20to%20be%20immediately%20realisable.

3.1. Assessing progress

South Africa is among a relatively small number of constitutional democracies that entrench justiciable socio-economic rights, including rights to housing, healthcare, food, water and social security. Critically, the Constitution also:

(i) Recognises that certain socio-economic rights cannot be fulfilled immediately but must be realised progressively. In this regard the state must take **reasonable legislative and other measures, within its available resources**, to achieve the **progressive realisation** of rights such as access to housing, healthcare services, food, water, and social security.

(ii) Acknowledges the interdependence of rights. Meaning that the realisation of one right often depends on the fulfilment of others. Civil and political rights - such as the rights to equality, dignity, and access to justice - cannot be fully enjoyed where socio-economic conditions such as poverty, lack of education, or inadequate healthcare undermine people's ability to participate meaningfully in society. Likewise, the protection of socio-economic rights often relies on effective legal institutions, transparency, and democratic accountability.

Over three decades of democratic governance, South Africa has made significant progress in embedding human rights within legislative and institutional frameworks and strengthening their protection and enforcement. Despite these advances, however, a few persistent challenges continue to undermine the full realisation of human rights for many South Africans, especially in poor and marginalised communities. Some consideration of progress with selected rights is set out below:

SELECTED RIGHTS	AREAS OF PROGRESS	KEY PRESSURE POINTS
EQUALITY (section 9)	• Comprehensive equality framework including Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 and **Prevention and Combating of Hate Crimes and Hate Speech Act 16 of 2023**.[8] • **Equality Courts** established nationwide. • Increased gender and racial representation in public institutions. (Women's representation in Parliament increased from **27.7% (1994) → 43.5% (2024)**.)[9]	• Persistent structural inequality along racial, gender and socio-economic lines. **Gini coefficient 0.67** (among the highest globally).[13] • **37.9% (23.2 million) South Africans** live below the lower-bound poverty line. Poverty continues to disproportionately affect younger South Africans, especially children.[14] • High prevalence of **gender-based violence, which has been declared a National Disaster.**[15] (A 2024 HSRC study found more than 35% of South African women aged 18 and

[8] The Act was assented to by President Cyril Ramaphosa on 6 May 2024 and gazetted on 14 May 2024. However, the Act has not yet commenced because it the Regulations must be finalized..
[9] Portfolio Committee on Planning, Monitoring and Evaluation National Planning Commission Presentation (18 February 2026)
[13] Muholi Z, Government Expenditure on Income Inequality in South Africa International Journal of Economic Policy ISSN: 2788-6352 (Online) Vol. 5, Issue No. 6, pp 61 - 71, 2025
[14] Stats SA, Media Releases, Poverty Trends in South Africa: An examination of absolute poverty between 2006 and 2023 (11 December 2025) (Accessed at https://www.statssa.gov.za/?p=19078)
[15]SA News, Violence against women is a national disaster that demands national action (Accessed at https://www.gov.za/blog/violence-against-women-national-disaster-demands-national-action#:~:text=In%20December%202025%2C%20President%20Cyril%20Ramaphosa%20classified,organs%20of%20state%20to%20submit%20progress%20reports)

SELECTED RIGHTS	AREAS OF PROGRESS	KEY PRESSURE POINTS
	• Recognition of LGBTQI+ rights, including **same-sex marriage (2006)**.[10] • Labour law reforms following *Van Wyk v Minister of Employment and Labour* advancing gender-neutral parental leave.[11] • New Employment Equity regulations introducing mandatory sectoral numerical targets (2025–2030).[12]	older have experienced physical or sexual violence in their lifetime.)[16] • Persons with disabilities remain under-represented in employment. (1.6% of public-sector employees and 1.4% of private-sector employees).[17]
POLITICAL RIGHTS (section 19)	• Regular democratic elections since 1994. • The Independent Electoral Commission has consistently delivered credible results that are accepted by the international community and domestic stakeholders. • Electoral Amendment Act (2023) broadening political participation rights by enabling independent candidates. • Sign of a maturing political system through the emergence of coalition governance following the 2024 election and the formation of a Government of National Unity.	• Declining voter participation: 86.9% (1994) → 59% (2024).[18] Only 41% of eligible voters participated in 2024.[19] Despite the fact that 61% of South Africans are under the age of 35, youth voter participation remains critically low.[20] • Concerns over political party funding transparency. (Recent changes increased the disclosure threshold (to R200,000) and the maximum donation limit (to R30 million.)[21] • Declining trust in political institutions from 2004-2022: National Government 69% → 23%. Local Government 48% → 25%. Parliament 65% → 21%.[22]
HOUSING (section 26)	• Approximately 5.2 million 'housing opportunities' delivered since 1994. [23] • Constitutional Court jurisprudence strengthening housing rights.[24] • Legislative protections against unlawful eviction, such as the	• Housing backlog, (estimated at over 3.34 million households) [25] and rate of housing provision has been on the decline[26].

[10] Civil Union Act 17 of 2006.
[11] Van Wyk and Others v Minister of Employment and Labour; Commission for Gender Equality and Another v Minister of Employment and Labour and Others (CCT 308/23) [[2025] 12 BLLR 1213 (CC); (2025) 4 (3 October 2025)
[12]Oak Law, Employment Equity 2025: New Sectoral Targets Every Business Must Meet by 2030 (Accessed at https://www.oaklaw.co.za/employment-equity-2025-new-sectoral-targets-every-business-must-meet-by-2030)
[16]HSRC, Violence against women in South Africa: intersecting vulnerabilities (Accessed at https://hsrc.ac.za/news/review/violence-against-women-in-south-africa-intersecting-vulnerabilities/)
[17]Commission for Employment Equity Annual Report 2024/25 (https://www.sallr.co.za/wp-content/uploads/2025/05/25th-CEE-Annual-Report-Final-16-May-2025.pdf)
[18]Mbethe S, Making Sense of Voter Turnout in the 2024 South African National and Provincial Elections (Accessed at https://www.eisa.org/storage/2024/12/2024-journal-of-african-elections-v23n2-voter-turnout-elections-eisa.pdf)
[19]Ibid. South Africa's EVAP turnout of 41% in 2024 was 15 percentage points below the global average.
[20]IEC, Enhancing youth participation (Accessed at https://pari.org.za/wp content/uploads/2025/03/enhancing_youth_participation_2025.pdf)
[21]My Vote Counts, Media Statement (Accessed at https://myvotecounts.org.za/media-statement-i-president-ramaphosa-takes-us-back-to-greater-secrecy-less-accountability-in-private-political-funding/)
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[23]DHS, White Paper For Human Settlements (Accessed at https://www.gov.za/sites/default/files/gcis_document/202501/52013gon5801.pdf)
[24] Government of the Republic of South Africa and Others v Grootboom and Others (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46 (CC) (4 October 2000)
[25]SAHRC, Section 184(3) Report 2024/25 Economic and Social Rights and Majola G, South Africa's housing backlog: why there's no end in sight (Accessed at https://capetimes.co.za/business/property/2026-02-04-south-africas-housing-backlog-why-theres-no-end-in-sight/)
[26]DHS, White Paper For Human Settlements (Accessed at https://www.gov.za/sites/default/files/gcis_document/202501/52013gon5801.pdf)

SELECTED RIGHTS	AREAS OF PROGRESS	KEY PRESSURE POINTS
	Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998, which has ended the era of brutal, arbitrary apartheid-style forced removals • Subsidised housing and finance programmes such as the First Home Finance Individual Subsidy Programme expanding access to ownership.	• Persistent spatial inequality inherited from apartheid planning.[27] • Rapid urbanisation has led to the continued expansion of informal settlements, many of which lack basic services such as adequate sanitation, electricity and safe water. • Implementation challenges including under-spending and administrative delays. [28]
HEALTHCARE (section 27)	• Expanded public healthcare services and free primary healthcare for vulnerable groups. • Expanded access to antiretroviral treatment through World's largest HIV/AIDS treatment programme (over 6.3 million people.) Recent launch of the BRILLIANT 011 clinical trials - a historic, African-led effort to develop an HIV vaccine.[29] • Health indicators improving: Life Expectancy for females increased from 56.5 years in 2006 to 69.6 years in 2025. The under-five mortality rate[30] has shown a steady decline, from 74.7 deaths per 1,000 live births in 2002 to 26.1 in 2025.[31] • Innovations such as Central Chronic Medicine Dispensing programmes have helped reduce congestion in clinics and improve access to life-saving medicines.[32] • Development of National Health Insurance (NHI) framework.	• Significant inequality between public and private healthcare systems. • Staff shortages, infrastructure decay and equipment backlogs as well as infrastructure failures (water and electricity) disrupting services. • Provincial health department mismanagement, financial instability, and, in some cases, severe corruption, contributing to shortages of equipment and deteriorating infrastructure in many public hospitals.[33] • Medico-legal claims continue to place severe pressure on provincial health budgets. The continued use of manual record-keeping systems has hindered the ability to effectively defend claims.[34] • NHI implementation stalled by litigation.
EDUCATION (Section 29)	• Near-universal primary school enrolment. • Expansion of no-fee schools and pro-poor funding.	• Infrastructure deficits and overcrowding in many schools. • Weak foundational literacy and numeracy outcomes. Roughly 80% of

[27]Ibid
[28]SAHRC, Section 184(3) Report 2024/25 Economic and Social Rights (Accessed at https://www.sahrc.org.za/index.php/sahrc-publications/section-184-3-reports)
[29]Voight E, Behind the scenes: The amazing people driving a 'truly South African' HIV vaccine study https://www.spotlightnsp.co.za/2026/02/26/behind-the-scenes-the-amazing-people-driving-a-truly-south-african-hiv-vaccine-study/
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[31]National Planning Commission, Report on the Monitoring of National Development Plan Indicators and Targets (Accessed at https://www.nationalplanningcommission.org.za/assets/Documents/NDP%20Monitoring%20Final%20Draft%20Report%2017%20February%202026%20Final.pdf)
[32] Ogbodu OM, Mrara B, Oladimeji O, Scoping review protocol of central chronic medicines dispensing and distribution programme for widening access to medications in South Africa (Accessed at https://pmc.ncbi.nlm.nih.gov/articles/PMC11877235/)
[33]October A, In-depth: This is how health departments (mis)spend public funds (Accessed at https://www.spotlightnsp.co.za/2021/04/19/in-depth-this-is-how-health-departments-misspend-public-funds/). The Special Investigating Unit (SIU) recently revealed what they described as "a devastating plunder of the public purse", in their probe into Tembisa Hospital, uncovering three coordinated syndicates responsible for the looting of over R2 billion.
[34]Roos T, Provinces pay out R6bn in medical negligence claims since 2019 (Accessed at https://www.businessday.co.za/bd/national/health/2025-07-20-provinces-pay-out-r6bn-in-medical-negligence-claims-since-2019/)

SELECTED RIGHTS	AREAS OF PROGRESS	KEY PRESSURE POINTS
	• As of the 2026 school year, Grade R is officially compulsory, moving the starting line of the constitutional right earlier to ensure better foundational literacy. • National School Nutrition Programme reaches an estimated 9 million learners. • Expanded tertiary access through NSFAS and growth in universities and TVET colleges. • Courts enforcing access to textbooks, nutrition and basic infrastructure.[35]	Grade 4 learners still cannot read for meaning and 15% of 8–9-year-olds are unable to read a single word.[36] • A two-tier education system reflecting socio-economic inequality. • The SAFE (Sanitation Appropriate For Education) initiative has made progress in eradicating pit latrines, but a backlog remains. • Many rural schools remain characterised by unsafe infrastructure, overcrowded classrooms, inadequate sanitation, shortages of qualified educators, limited access to textbooks, and deepening digital exclusion.[37]

3.2. Corruption and human rights

The effective use of public resources is critical to the fulfilment of human rights. One of the most significant threats to the realisation of human rights and social justice in South Africa is corruption. The Constitutional Court highlighted this risk as follows:

> "There can be no gainsaying that corruption threatens to fell at the knees virtually everything we hold dear and precious in our hard-won constitutional order. It blatantly undermines the democratic ethos, the institutions of democracy, the rule of law and the foundational values of our nascent constitutional project. ***It fuels maladministration and public fraudulence and imperils the capacity of the state to fulfil its obligations to respect, protect, promote and fulfil all the rights enshrined in the Bill of Rights***."[38]

The **United Nations Human Rights Council** has similarly recognised the link between corruption and the enjoyment of human rights. During its **59th session in July 2025**, the Council adopted a Resolution titled *The Negative Impact of Corruption on the Enjoyment of Human Rights*.[39] The Resolution recognised the importance of the following:

- Promotion and protection of human rights and the prevention of and fight against corruption are mutually reinforcing, and that improvements in the promotion and protection of human rights at the domestic level have a central role to play in the prevention of and fight against corruption at all levels, reducing the resources available for all sectors, thereby hampering the realization of all human rights;
- Mainstreaming anti-corruption efforts into national development strategies and processes in order to address corruption and to achieve the Sustainable Development Goals,
- National anti-corruption authorities and national human rights institutions, where they exist, to cooperate through the exchange of information, where appropriate, and the development

[35]For example, the case of Governing Body of the Juma Musjid Primary School and Others v Essay NO and Others (Centre for Child Law and Another as Amici Curiae) 2011 (8) BCLR 761 (CC), the Constitutional Court held that the right to basic education is immediately realisable and may not be limited by resource constraints in the same manner as other socio-economic rights.
[36] 2030 Reading Panel – Background Report (Accessed at https://www.readingpanel.co.za/)
[37]Manzini LM, Rural education and the right to basic education: A constitutional and human rights perspective.
[38] Glenister v President of the Republic of South Africa and Others CCT 48/10 [2011] ZACC 6, Para 166
[39] Resolution adopted by the Human Rights Council on 7 July 2025 59/6. The negative impact of corruption on the enjoyment of human rights https://docs.un.org/en/A/HRC/RES/59/6

of joint strategies and plans of action to prevent and fight corruption and its negative impact on the enjoyment of human rights.

The fight against corruption is therefore not separate from the human rights agenda — it is central to ensuring that the state can fulfil its constitutional obligations. Corruption undermines the capacity of the state and disproportionately affects the most vulnerable members of society by diverting resources away from essential public services. Combating corruption is key to protecting public resources needed for social programmes and restoring public trust in democratic institutions.

5. RECENT DEVELOPMENTS RELATING TO SOUTH AFRICA'S PERSPECTIVE ON HUMAN RIGHTS

Minister of International Relations and Cooperation, Ronald Lamola, led the South African delegation attending the 61st Session of the United Nations Human Rights Council (HRC) and the high-level segment of the Conference on Disarmament in Geneva from 23 to 25 February 2026. South Africa's prominent role at the session is underscored by its recent re-election to the Human Rights Council for the 2026-2028 term, a resounding affirmation of international confidence in our leadership in the global human rights landscape. South Africa is advancing a comprehensive human rights agenda focused on equality, dignity, and multilateral cooperation. The 61st Session of the United Nations Human Rights Council (HRC) coincided with the 25th anniversary of the Durban Declaration and Programme of Action (DDPA). As the host of the landmark 2001 World Conference Against Racism and the penholder for all Durban Declaration and Programme of Action (DDPA) initiatives, South Africa remains the pivotal force driving its implementation. South Africa's priorities in the Council are directly aligned with this mission and include[40]:

- Strengthening global action against racism, racial discrimination, and related intolerances, with a victim-centred approach as outlined in the DDPA.
- Supporting the development of a landmark UN Declaration on the human rights of people of African descent, a crucial step toward addressing historical and systemic injustices.
- Advancing socio-economic rights as a fundamental pillar of reducing inequality and promoting inclusive development for all.

6. CONCLUDING REMARKS

The Sharpeville massacre remains a powerful reminder of the consequences when law and state power are used to deny dignity, equality and freedom. Human Rights Day therefore provides an opportunity, not only to commemorate past injustices, but also to **critically assess present realities and renew the commitment to constitutional governance**.

Thirty years after the adoption of the Constitution, South Africa has made important strides in building a constitutional democracy grounded in human dignity, equality and freedom. The transformation of the legal and justice system, the development of progressive legislation, and the expansion of socio-economic programmes have contributed to embedding human rights within the country's governance framework. However, the continued existence of structural inequality, poverty and social exclusion demonstrates that the realisation of human rights remains an ongoing project.

[40] Department of International Relations and Cooperation, (2026)

The National State of Service Delivery Dialogue, convened in February 2025, presented a sobering assessment of South Africa's progress in fulfilling its constitutional mandate to provide basic services.[41] While acknowledging the significant strides made since 1994, the Dialogue underscored that the following. [42]

- Persistent spatial inequalities, rooted in the apartheid era, continue to marginalise rural and informal settlement communities.
- Municipalities, the crucial frontline of service delivery, are often hamstrung by political instability, administrative incapacity, unsustainable debt, and a critical shortage of technical skills.
- Infrastructure backlogs are escalating, and existing systems are crumbling due to decades of underinvestment in maintenance, exacerbated by vandalism and the impacts of climate change.[43]

The challenge remains, not only to entrench rights in law but to ensure their effective realisation in practice. In this regard, Parliament plays a central role in advancing human rights and social justice through:

- **Legislative Responsibilities.** Ensuring that legislation gives full effect to constitutional rights.
- **Oversight Responsibilities.** Holding the executive accountable for the implementation of laws and policies designed to realise human rights.
- **Institutional Support.** Strengthening and safeguarding institutions supporting constitutional democracy, including Chapter 9 institutions.
- **Budgetary Scrutiny.** Scrutinising public expenditure for alignment with constitutional obligations and national priorities.
- **Public Participation.** Facilitating meaningful public involvement in law-making processes in line with sections 59 and 72 of the Constitution

Through these functions, Parliament contributes to ensuring that the Constitution remains a **living instrument of justice, dignity and equality for all people in South Africa**.

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