

# South Africa

South Africa is a Member State of the African Union (AU) and of the United Nations (UN), and has human rights obligations at both the regional and universal levels.

## Regional: African System



South Africa has ratified the African Charter on Human and Peoples' Rights (African Charter), and its human rights policies and practices are monitored by the African Commission on Human and Peoples' Rights (ACHPR), which reviews the State's reports concerning its human rights situation and decides complaints of alleged violations. Additionally, South Africa has accepted the jurisdiction of the African Court on Human and Peoples' Rights to hear complaints presented by the Commission, African intergovernmental organizations, and States parties to the African Charter.

Individuals and groups have submitted complaints of human rights violations committed by South Africa through the [African human rights system](#). For example, in *Dabalorivhuwa Patriotic Front v. South Africa*, the Commission addressed the indigenous and labor rights of the Venda people, with respect to State interference in their pension fund and found that the African Charter had not been violated. See ACommHPR, [Dabalorivhuwa Patriotic Front v. South Africa](#), Communication No. 335/06, 53<sup>rd</sup> Ordinary Session, 18 October 2013.

South Africa submitted its [periodic reports](#) to the ACHPR on human rights conditions in the country. The ACHPR has conducted two missions to South Africa, a promotion mission in [2001](#) and a mission on prison and detention conditions in [2004](#).

South Africa has ratified the following **regional human rights treaties**:

- African Charter on Human and Peoples' Rights
- African Charter on the Rights and Welfare of the Child
- AU Convention Governing Specific Aspects of Refugee Problems in Africa
- Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

## United Nations System

As a UN Member State, South Africa is subject to the oversight of various [UN human rights bodies](#), including the [Human Rights Council](#) and its [Universal Periodic Review](#) and thematic [special procedures](#). As a party to specific universal human rights treaties, South Africa's policies and practices are monitored by [UN treaty bodies](#). It has accepted the complaints procedure of five treaty bodies.

South Africa has ratified the following **UN human rights treaties**:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention on the Rights of Persons with Disabilities (CRPD)
- Convention on the Rights of the Child (CRC)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

South Africa has also ratified the Second Optional Protocol to the ICCPR aimed at abolishing the death penalty, and optional protocols to the CRC addressing children in armed conflict and the sale of children, child prostitution, and child pornography. South Africa has a duty to submit **State Reports** to each UN treaty body that is associated with the relevant treaty South Africa has ratified. These reports must be submitted on a periodic basis, and describe the steps South Africa has taken to implement the treaty provisions.

South Africa has also ratified the [optional protocols](#) and made appropriate declarations allowing individuals to submit **complaints** against the State alleging violations of the ICCPR, CEDAW, CAT, CRPD, and CERD. Additionally, certain UN treaties include **inquiry procedures**, which allow the UN treaty body to consider allegations of grave or systematic human rights violations. South Africa has accepted the inquiry procedures of the CAT, CEDAW, and CRPD.

On July 17, 2003, South Africa extended a **standing invitation** to UN special procedures, which means that any special rapporteurs or working groups are welcome to conduct visits in South Africa. For example, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people conducted a mission to South Africa from July to August 2005, and published a [report](#) in December 2005.

For more information on South Africa's engagement with [UN human rights bodies](#), visit <http://www.ohchr.org/EN/countries/AfricaRegion/Pages/ZAIndex.aspx>.

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