

QUESTIONS TO SOUTH AFRICA – ADDENDUM 2

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please inform us on the participation of civil society in South Africa in your preparation for this review?
- We would be grateful if you could tell us when South Africa plans to ratify OPCAT?
- Could you please provide information about the status of your national human rights institution and whether it operates in compliance with the Paris Principles?

FINLAND

- We acknowledge that the Government of South Africa has made commitments to protect children from violence, including by prohibiting the use of corporal punishment in schools, in the penal system and in alternative care settings¹.
- With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in South Africa. In particular, we would greatly appreciate if the Government of South Africa could share with us good practices to prevent and respond to violence against children³.

SWEDEN

- In its general comment no. 8 (2006), the Committee on the Rights of the Child recommended all states to prohibit all forms of corporal punishment against children, stating the punishment "directly conflicts with the equal and inalienable rights of children to respect for their human dignity and physical integrity," in contravention of the Convention on the Rights of the Child. South Africa has prohibited the use of corporal punishment in schools and other public institutions, while such punishment continues to be lawful in the

¹ The summary prepared by OHCHR in accordance with paragraph 15 (c) of resolution 5/1 of the Human Rights Council (A/HRC/WG.6/1/ZAF/2, paragraph 17).

² Report of the independent expert for the United Nations study on violence against children (A/61/299).

³ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnotes 21, 25, 39 and 47).

context of the family. What measures is the government of South Africa taking to ensure the sufficient legal protection of the freedom of children from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation in accordance with the said Convention?

- South African legislation, such as the Domestic Violence Act and the recent Criminal Law (Sexual Offences and Related Matters) Amendment Act, provides protection for women against violence. The government has also instituted a number of measures to further the handling by police and judicial bodies of criminal offenses, as well as initiatives such as the 16 Days of Activism on Violence against Women and Children. As the same time, rape, assault and other violence against women, including girls, continues to be widespread. Civil society organisations report that police authorities often refrain from acting on complaints of violence against women. Could the government of South Africa elaborate on what further measures it is considering and taking to eliminate violence against women?