

KHULUMANI SUPPORT GROUP

National Contact Centre: 2<sup>nd</sup> Floor Khotso House

62 Marshall Street, Marshalltown

P.O. Box 31958, Braamfontein, 2017 South Africa

Tel: +27-11-83 2044 Fax: +27 11 833 2048

[info@khulumani.net](mailto:info@khulumani.net) | [www.khulumani.net](http://www.khulumani.net)

*Transforming victims into active citizens*



## **KHULUMANI MARKS 20 YEARS SINCE PRESIDENT MANDELA ACCEPTED THE RECOMMENDATIONS OF THE TRUTH AND RECONCILIATION COMMISSION IN PARLIAMENT on 29 October 1998: A CLARIFICATION OF KHULUMANI'S DEMANDS FOR THIS COMMEMORATIVE MILESTONE**

### **KHULUMANI DEMANDS:**

#### **1. THE DEVELOPMENT OF AN INCLUSIVE POLICY ON REPARATION AND REHABILITATION**

On this 20<sup>th</sup> Anniversary of the TRC Reparations and Rehabilitation Proposals, Khulumani members call on government to comprehensively honour these proposals by working with the organisation to put in place an acceptable policy framework on reparations and rehabilitation before the 2019 National Elections.

#### **2. PROTECTION BY THE PRESIDENT OF THE PRESIDENT'S FUND FOR REPARATIONS WHILE AN INCLUSIVE REPARATIONS POLICY IS DEVELOPED**

Khulumani demands that The President's Fund, the fund for reparation and rehabilitation of those seriously harmed by apartheid gross violations, is placed under the protection of the President while a collaborative process of designing an inclusive policy on reparations and rehabilitation continues. We note the directive that the Act that informed the setting up of the TRC suggested the dedication of around 50% of Reparations Funds to redress the harms suffered by communities where victims were present. We note that they were not designated for general development projects in communities as these are not considered part of redress.

#### **3. RECOGNITION OF ALL VICTIMS OF APARTHEID GROSS VIOLATIONS TOWARDS THE RESTORATION OF THEIR DIGNITY**

Khulumani demands the restoration of the dignity of all victims of apartheid gross human rights violations through recognition and acknowledgment of their contributions to the liberation of our country, noting that only some 22,000 individuals received this formal recognition from the TRC. The arbitrary and unfair exclusion of some 80,000 victims and survivors from this recognition represents a denial to them of the first step in their healing and redress. Khulumani demands that this injustice is urgently addressed.

Towards this objective, Khulumani demands that the President direct that the "closed list" of only some 16,700 recognised victims of apartheid gross human rights violations be declared invalid so that twenty years later all those who suffered the same recognised harms, but who have for the past seventeen years been excluded from these remedies, are finally offered equal justice to redress their suffering. arbitrarily excluded from the remedies created to alleviate their suffering are included in the

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same provisions that have been made available to some 16,700 victims since 2005. Khulumani rejects the arbitrary administrative decision that has been kept in place for the past 18 years despite unceasing advocacy to ensure the equal treatment of all victims of these violations.

#### **4. PROVISION OF A BUDGET FROM THE PRESIDENT'S FUND TO PROVIDE FOR THE ESTABLISHMENT OF THE OFFICIAL ARCHIVE OF THE STORIES OF ACTIVISTS HARMED IN THE INTERNAL STRUGGLE FOR DEMOCRACY IN THE COUNTRY**

Khulumani demands that the President direct R10 million from The President's Fund to the task of the in-the-field verification of all the testimonies (around 104,000) submitted to Khulumani since 2000 by victims of the gross violations sustained in their stands as community activists for *freedom and justice in our land* and the setting up of the on-line archive of these stories and records of proud contributors to our freedom. This allocation would constitute the very first allocation of funds from the President's Fund to an initiative of 'symbolic reparation' as provided for in the TRC recommendations.

#### **5. IMPLEMENTATION OF INDEPENDENT MONITORING OF THE PERFORMANCE OF THE STAFF OF THE TRC UNIT IN THE DEPARTMENT OF JUSTICE, IF THE UNIT IS NOT MOVED TO THE PRESIDENCY, TO ENHANCE THEIR DELIVERY OF REMEDIES TO VICTIMS OF APARTHEID GROSS VIOLATIONS AND TO LEARN TO TREAT VICTIMS WITH DIGNITY**

Khulumani demands that the President call for a Performance Review of the TRC Unit and its staff, of the delivery of the TRC-recommendations for education, health and housing, given the severely limited implementation of the remedies available. In respect of access to financial assistance for Higher Education, only 150 identified children or dependants of TRC-recognised victims have benefited to date. In respect of support for Basic Education, the record shows that some 900 learners have benefited according to the records. However, some of these learners have been counted repetitively and the unit is unable to provide an accurate final figure.

#### **6. THE DEVELOPMENT OF A POLICY ON HEALTH CARE PROVISIONS FOR TRC VICTIMS**

Khulumani notes that there is a dedicated department in the National Department of Health to provide access to health care services to victims of apartheid gross human rights violations. There is still no available policy to assist this department in providing services to apartheid victims.

Khulumani demands that dedicated application forms to access critical health care services for victims of apartheid gross violations are made available to all such victims to provide a mechanism for the rendering of the services most needed by TRC victims. This includes the provision of disability grants to survivors of torture and other gross violations who contend with the impacts of post-traumatic stress on a daily basis and which detrimentally affects their daily functioning.

#### **7. COMPENSATION OF ALL VICTIMS WHO SUFFERED THE DESTRUCTION OF THEIR HOMES AND / OR BUSINESSES AND / OR LIVESTOCK TO BE FULLY COMPENSATED FOR SUCH LOSSES**

Khulumani calls for a special dispensation on housing and the restoration of properties and businesses that were destroyed in attacks that were a major component of the political violence that took place across townships and homelands during apartheid. In rural areas, people are able to provide lists of their livestock killed or confiscated in attacks made on their communities by apartheid security agents. These losses have set people back, from that time, in ways that have prevented their economic reintegration. This is indeed an important part of redress and reparations.

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## **CONCLUSION**

There can be no peace in our country until these outstanding demands are finally addressed by the President, his Minister of Justice and Correctional Services and the Cabinet. Only in this way can the respect that our government has earned from the global community for organising the truth and Reconciliation Commission, be retained and referred to as a solution that truly delivers justice for all sides of past historical conflicts.

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