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Human rights, sovereignty are two sides of the same coin

About 700km north of Entebbe in Uganda is Juba, the capital of South Sudan, the newest state in Africa. In July 2016, a resumption of conflict in Africa's youngest nation led to the displacement of more than a million people, mostly women and children.

This conflict prompted the African Union (AU) to establish the Ad-hoc Committee for South Sudan that South Africa is part of.

President Cyril Ramaphosa appointed me as the special envoy to South Sudan, and I was tasked with, among other things, the responsibility to facilitate the peace process oversee the implementation of the Revitalised Agreement on Conflict Resolution in South Sudan, through constant engagements, consultations and negotiations with the leadership of the member states of the Intergovernmental Authority on Development, an eight-country trade bloc in Africa.

Finding a lasting solution to any armed conflict with lives at stake takes a well-considered diplomatic and political strategy. Realpolitik would have us believe that politics is about building coalitions, manoeuvring hard and divergent positions of protagonists in the conflict as well as the power of shaping political possibilities and influencing ideas.

One cannot possibly wield influence on anyone when one isolates them with public humiliation.

South Africa, as a member of the Committee of Five on South Sudan, has a key role in the peace-building process, and would not want to be isolated outside of agreed processes.

As such our foreign policy is based on the fundamental principles and values stated in our Constitution. These are human rights-centred.

Our Constitution has made human rights the

SA cannot interfere in the affairs of other countries, but it can use diplomacy as well as multilateral platforms and instruments to persuade and help them find appropriate solutions, writes **David Mabuza**

cornerstone of our democracy. It is clear and assertive in its affirmation of democratic values of human dignity, equality and freedom.

This is also consistent with our obligations to international instruments we are signatories to. The Bill of Rights is also clear on the obligations placed on the state as far as the promotion and protection of individual rights is concerned. These rights include issues of sexual orientation.

Therefore, it enjoins us to condemn any abuses and violations perpetrated by any state. These are the same obligations placed on me when I took the oath of office. This is the reason, when the question about condemning human rights violations of LGBTIQ people in Uganda and other African countries arose in Parliament, I responded by saying: "In line with our constitutional provisions, we condemn any form of human rights violations and abuses, especially when perpetrated by any state, including those directed to lesbian, gay, and transgender persons, otherwise known as LGBTIQ."

Seemingly to some, this pronouncement was not good enough!

The SA National Aids Council, which I chair, has recently launched the SA Human Rights Plan to deal specifically with human rights abuses faced by members of the LGBTIQ community. This is in response to the stigma they still experience in communities they live

in. Our government has taken every measure to ensure that gays, lesbians and transgender people enjoy their rights as enshrined in our Constitution.

There are additional measures to deal with issues of stigma, corrective rape and legalising same sex marriages. These are our values as South Africans.

They are exercised and enjoyed in accordance with our domestic laws and they are consistent with our international obligations.

Ours is not to police the world, but to work collaboratively with other nations to ensure that the principles of the international instruments that we

have committed ourselves to, as member states of the UN and other regional bodies, are adhered to.

We are part of the international community and a member state of the UN and the AU - which both promote the principle of sovereignty. We are therefore enjoined to operate within agreed rules of engagement.

Every member state determines its own affairs in accordance with its own domestic laws and without outside interference. As such, South Africa respects the sovereignty of other countries and their legislative autonomy to determine the direction of their policies and practices.

Where any of those values contradict ours and how we think the world should operate, we shall always seek to persuade one another through appropriate mechanisms and in the right platforms as provided for under the multilateral institutions.

We therefore cannot act haphazardly and irresponsibly outside the rules governing these institutions. Similarly, we have a legal and moral responsibility to conduct our affairs with other states in a responsible manner.

We must learn from history that megaphone diplomacy does not work. It only leads to isolation and loss of hegemony as once happened under the then Organisation of African Union.

As the deputy president of South Africa, I have an obligation to respect and uphold the Constitution. That is why we reaffirm the centrality of our own Bill of Rights, as we

reaffirm in equal measure the centrality of sovereignty, self-determination and multilateralism.

To insist that we should undermine the dictates and existing protocols of international law is irresponsible, naïve and dangerous. Those who do not understand the prescripts of international law and seek to satisfy their own narrow political agendas, should know that such action would put the lives of many Africans at stake because of their irresponsible acts and reckless pronouncements.

This is equal to megaphone diplomacy.

As we said earlier, the matter is being discussed by the Ugandan people, and we must be decent enough to allow them space to determine their own affairs as we would not want outside interference in our own matters.

Moreover, the AU has the mechanism that can be employed by any individual or group, including the DA, in order to lodge a grievance against any state.

Any individual may bring a complaint to the attention of the African Commission on Human and Peoples' Rights that any state has violated any human rights.

Records of this body show that where such complaints have been lodged, it has made decisions that progressively shape the governance, security and human rights architecture of our continent.

To lay the complaint at my door, rather than using these empowering mechanisms agreed to by all member states, is laziness by those who are determined to play to the gallery for political expedience. They have no regard for the potential conflict it may cause beyond our borders.

Deputy President Mabuza is South Africa's special envoy to South Sudan

