

Submission

to the

OFFICE ON INSTITUTIONS SUPPORTING DEMOCRACY (OISD)

on the

**PROCESS TO EXAMINE THE FEASIBILITY OF THE ESTABLISHMENT OF A
“SINGLE HUMAN RIGHTS BODY”**

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About the Centre for Applied Legal Studies and Its Rule of Law Programme

1. The Centre for Applied Legal Studies ('CALs') welcomes the opportunity to submit comments on the process to examine the feasibility of the establishment of a single human rights body in response to a call by the Office on Institutions Supporting Democracy.
2. CALs is a human rights organisation and registered law clinic based at the School of Law at the University of the Witwatersrand. CALs is committed to the protection of human rights through the empowerment of individuals and communities and the pursuit of systemic change.
3. CALs operates across a range of human rights issues: basic services, business and human rights, environmental justice, gender, and rule of law. The aim of CALs' Rule of Law Programme is to protect the systems of democracy, challenge structural violence, protect civil and political rights, and challenge discrimination against people living in poverty.

CALs' Submissions

4. CALs notes that in **2006**, Parliament appointed an Ad Hoc Committee to undertake a Review of Chapter Nine and Associated Institutions and that it is from this 2006 review that the Ad Hoc committee recommended that a single human rights body be established.
5. CALs notes that the process to examine the feasibility of the recommended single human rights body is now underway, in 2017; 11 years after the review of the Chapter Nine Associated Institutions took place.
6. CALs submits that human rights violations and the institutions that seek to protect democracy and human rights have undergone a number of changes over the past 11 years. There has been much change in the broader political, social and economic context. More institutions that seek to protect democracy and human rights have been established



since 2006 and there are more members of the public are making use of the various Chapter Nine and Associated Institutions, now more than ever.

7. CALS submits that there should not be an examination of the feasibility of a recommendation from a review that took place 11 years ago without taking into account the change in context in the past 11 years. CALS submits that what ought to take place is first another current review of Chapter Nine and Associated Institutions. Such a current and/or recent review may make findings and recommendations that are different to those made in 2006 and therefore may not find and recommend that there should be a single human rights body. Should a recent review make the same recommendation, only then should a process to examine the feasibility take place.

Conclusion

8. CALS welcomes the opportunity to submit comments on the process to examine the feasibility of the establishment of a single human rights body however CALS submits that what ought to take place is first another current review of Chapter Nine and Associated Institutions.

