



Annual Report
2006/07

CRL
Rights
COMMISSION

FOR THE PROMOTION AND PROTECTION
OF THE RIGHTS OF CULTURAL, RELIGIOUS
& LINGUISTIC COMMUNITIES

CONTENTS

Foreword	2		
1 Vision and Mission Statement	5		
1.1 Our Vision			
1.2 Our Mission			
1.3 Our Values and Principles			
2 Strategic Objectives	5		
2.1 Improvement of quality of human and financial management			
2.2 To promote respect for the rights of cultural, religious and linguistic communities.			
2.2.1 Investigations and Conflict Resolution			
2.2.2 Research and Policy Development			
2.2.3 Public Education and Advocacy			
2.2.4 Community Consultation			
2.2.5 Flagship Programs for Advocacy			
3 Partnerships	16	7 Corporate Governance Report	22
4 Summary	17	8 Report of the Audit Committee	24
5 Conclusion and Strategic Direction	21	9 Report of the Auditor-General	25
6 Statement of Responsibility	22	10 Annual Financial Statements	27



FOREWORD

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities has often been hailed as a singular achievement for a contemporary African state, as is also true for the South African Constitution from which it flows. The Constitution specified the promotion and protection of Cultural, Religious and Linguistic Rights of communities in its Bill of Rights. In this it was ahead of many countries. However, we should understand that this was a natural progression from several historic documents, and in particular the Cultural Charter for Africa. 2006 was the 30th Anniversary of this document adopted in Mauritius in 1976. This Charter was itself a refinement of resolutions and declarations

Dr. Mongezi Guma
Chairperson, CRL
Rights Commission



diminished heritages. In working for an enabling environment we have also joined with other Chapter 9 institutions in the rollout of some programmes.

In addition, any citizen or community may lodge a complaint for investigation or conflict resolution with the Commission. The increase this year in the number of complaints from more provinces represented an indicator of the growing awareness of the Commission.

The promotion of African languages was also important for the framers of the Cultural Charter for Africa, as in South Africa. Our Constitution further includes languages commonly used by communities for religious purposes. These would include German, Greek, Gujarati, Hindi, Portuguese, Tami, Telegu, Urdu, Arabic, Hebrew and Sanskrit. The challenges of this enlightened perspective have manifested themselves in the Department of Education language policy and the teaching of

This Charter reaffirms that all human society is governed by rules and principles based on traditions, languages and social mores; that everyone has an inalienable right to their cultures and that all cultures deserve basic respect from all other cultures.

adopted by both the United Nations and the then Organization of African Unity to provide guidance on how to interpret the role of culture in the context of global diversity. History has shown that because there is multiplicity of Cultures they tend to assert competing claims, and if not attended to, the clash tends to unleash on societies uncontrollable waves of violence.

This Charter reaffirms that all human society is governed by rules and principles based on traditions, languages and social mores; that everyone has an inalienable right to their cultures and that all cultures deserve basic respect from all other cultures. It also affirms that “any African cultural policy should of necessity enable the people to expand for increased responsibility in the development of its cultural heritage.” This has a specific challenge for South Africa as we are emerging from a long history of cultural domination of the Black population. This sometimes manifested itself as outright contempt and abuse of indigenous cultural expressions coupled with ethnic chauvinism of the White minority.

For the CRL Rights Commission this has been interpreted to mean that we have a responsibility to assist communities to take control of their cultures and in the ways they seek to rebuild their

languages in schools. After receiving a number of complaints on ‘languages in schools’ we undertook a study on “Language in Education Policy”. The findings of this research clearly demonstrate that languages other than English and Afrikaans, still lag behind in our schools’ curriculum. Creative ways still need to be found in order to enable the teaching of African languages in all schools. The report on this research spells-out some of the recommendations. The Cultural Charter for Africa reaffirmed “that it is imperative to edify educational systems which embody the African values of civilization, so as to ensure the rooting of youth in African culture and mobilize the social forces in the context of permanent education.”

The CRL Rights Commission believes that ‘edification of educational systems’ could more appropriately be broadened to apply to any educational system, certainly one established as part of an Indigenous Knowledge System. We therefore held hearings on initiation schools and male circumcision in four provinces, in cooperation with the South Africa Human Rights Commission, and the National House of Traditional Leaders. This was a natural outgrowth of the extensive research on rites of passage among six cultural groups and three religious groups in South Africa.



The firm response from the four provinces is a clear statement that male initiation continues to have a positive role in today's culture as a form of value instruction that will serve as a permanent guide for moral direction. What we as the Commission must do is to ensure that there is a community accountability structure, with clearly defined roles for all stakeholders, including governmental units such as SAPS and the Health Department.

We at the CRL Rights Commission are in agreement with the Cultural Charter for Africa on this historic anniversary "that it is imperative to carry out a systematic inventory of the cultural heritages, in particular in the spheres of Traditions, History and Arts." To this end, in addition to the research on language in education and the rites of passage, we focused on non-Western religious holy days and spiritual significance of physical spaces. This latter focused on the denial of access to sacred spaces or places of cultural or spiritual significance. As we move forward, we will engage with other stakeholders to identify these spaces, advise others on the intangible cultural considerations, develop a legislative partner with selected agencies, and review both current and proposed legislation for real or potential impact.

Further, Cultural Diversity Day, 21 May; Africa Day, which is celebrated on 25 May and Africa Human Rights Day, 21 October continued as flagship programmes of the Commission in order to highlight, showcase and promote different cultures. Each had a theme, keynote speakers and/or panels and cultural activities appropriate to varying ages. Each celebration has added to the richness as well as the complexities of promoting and protecting the cultural, religious and linguistic communities of South Africa.

Finally, the Cultural Charter for Africa's Preamble ends with a plea to be guided by "a common determination to strengthen

understanding among our peoples and cooperation among our States in order to meet the aspirations of our peoples to see brotherhood (sic) and solidarity reinforced and integrated within a greater cultural unity which transcends ethnic and national divergences." We at the CRL Commission believe that this mandate is central to our mission. We are to identify identity, commonality, belonging and community-forming factors and obstacles to the realization of the cultural, religious and linguistic rights. We need to be in the forefront in defining a new national identity which we regard as embracing all who are part of the South African geographical space. If we don't know the other, we can't show respect. We see our role as moving communities beyond tolerance, which is really only slightly better than forbearance, to equality. We believe that if we can come close enough to embrace, we will be able to understand that the other is really ourselves, with the same dreams, desires, frustrations, commitments and obligations.

The CRL Rights Commission thanks without hesitation the numerous individuals and communities who have assisted us during the year or attended our activities. This includes the various state institutions that have assisted with referrals and in the research and our sister institutions who have cooperated with us in further defining our collective mandate. We continue to receive the fullest support from the Portfolio Committee of the Department of Provincial and Local Government (DPLG), for which we are deeply appreciative.

Dr. Mongezi Guma
Chairperson, CRL Rights Commission



Chairperson of the Commission: Providing Leadership to the Commission



The Chairperson: Dr. MD Guma



The Deputy Chairperson: Ms. M Bethlehem

CRL Commissioners: Providing Strategic Oversight to the Commission



Dr. WRJ Langeveldt



Pastor MKS Ntsha



Mr. H Gouvelis



Prof. S Dangor



Mr BB Mgcina



Ms DKK Mboweni-Marais



Dr. MAE Dockrat



Dr. TSC Magwaza



Ms M Soni Amin



Ms M le Roux



Prof. S Ngubane



Dr. JCH Landman



Dr. ON Mndende



Dr. LP Boshego



Dr. MD Jobson



Dr. WA Boezak

1. VISION AND MISSION STATEMENT

1.1 Our Vision

To contribute meaningfully and constructively to social transformation and nation building for the attainment of a truly united South African nation

1.2 Our Mission

To engage communities with regard to:

- **Promotion and development** of peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities;
- **Monitoring** of the compliance by the state and civil society with the mandate of the CRL Rights Commission;
- **Intensification of communication** between state and communities;
- **Mediation** of inter-community conflict situations and facilitate harmonious co-existence;
- **Development of programs** that foster sensitivity, respect and understanding for cultural, religious and linguistic diversity; and
- **Lobby** with government departments and legislative authorities on issues concerning the rights of cultural, religious and linguistic communities.

1.3 Our Values and Principles

- A high standard of professional ethics;
- Efficient, economic and effective use of resources;
- Constructive engagement with CRL communities.
- Fairness, impartiality and equity;
- Accountability and Transparency must be fostered at all times.



2. STRATEGIC OBJECTIVES

The CRL Rights Commission has two broad objectives:

2.1 Improvement of the quality of human and financial management

Although the above programmes target all communities and several sectors of communities such as youth and women, over the year under review, the Commission continued to struggle to provide equitable services to all communities because both the financial and the human resources are limited. Of the total number of posts in the organizational plan, only 36.37 % are funded.

Figure 1: Staff Compliment

Funded Posts	24
Unfunded Posts	42
Filled Posts	17
Vacant Posts	7 (advertised)
Total	66

Senior Management Structure



Chief Executive Officer: Ms. Madiba



Chief Operations Officer:
Dr. Dube



Chief Financial Officer:
Mr. Smuts



Manager: ICR:
Advocate
GH. Philander

CRL Rights Commission Staff Members



Miss. Z Zondi
PA to the Chairperson



Miss. N Whittaker
PA to the CEO



Mrs. B Kotelo
Administrative Assistant



Miss. E Nowbuth
PA to the CFO



Dr. M Masoga
Researcher: Religion



Mr. M Gopane Researcher
Diminished Heritage



Mr. S Nkosi
Events Coordinator
& Marketing



Mr. R Ngomane
IT Network & Systems
Administrator



Mrs. V Naidoo
Receptionist



Mr. B Motjope
Human Resource Practitioner



Mrs. B Mtetwa
Administrative
Assistant



Mr A Sedupane
Assistant Manager ICR



Mr J Morris
Registry Clerk

The legislative framework requires certain compulsory positions in order to segregate functions and consolidate accountability. In fulfilling the legal expectation, it necessitates the appointment of staff without additional funding and therefore appointments have to be prioritised. The Commission experienced a high turnover of staff. As a result not all the planned activities could be implemented. The finance department was the most affected by resignations. It lost four of its members over the year under review and all were attracted by better salary packages. Consequently the department could not maintain the basic minimum requirements of the Public Finance Management Act.

Despite the challenge of limited human resource capacity, the Commission has managed to develop the policy infrastructure for human and financial resource management. It has developed performance management and HIV management policies. Currently it is reviewing the national policy on Sexual Harassment to assess its responsiveness to the values and practices of the various cultural communities. This process demands extensive consultation with different communities and documentation of their understanding of what constitutes 'harassment'.

2.2 To promote respect for the rights of cultural, religious and linguistic communities and develop peace, friendship, humanity, tolerance and national unity on the basis of equality, non-discrimination and free association.

An integrated systems of programmes serves as the core process by which the CRL Rights Commission functions. At the heart of this approach is the objective to be reactive as well proactive in the delivery of its Constitutional mandate to promote and protect the cultural, religious and linguistic rights of communities in South Africa.

Figure 2



2.2.1 Investigations and Conflict Resolution

Section 185 of the Constitution which provides for the primary objectives of the CRL Commission, also provides for the powers necessary to enforce those objectives. With respect to investigations. It provides for :

- a) Monitoring, investigation and research any issue concerning the rights of cultural, religious and linguistic communities. When conducting an investigation the Commission has the power to summon witnesses, who have a legal duty to produce all relevant documentation, and.
- b) Facilitation and resolution of friction between and within cultural, religious and linguistic communities or between any such community and an organ of state where the cultural, religious or linguistic rights of a community are affected.

Each case is registered and acknowledgement of receipt of a complaint is made within thirty days. As far as possible, contact is made with the complainant to gather more information on the complaint. The information is analysed to facilitate a design of an effective strategy to resolve the conflict. Our strategies include investigating whether

- i) there was any violation of cultural, religious or linguistic right,
- ii) the case relates to the right of an individual or a community,
- iii) further research on the content of the right is necessary
- iv) there is a need for a community dialogue to establish the views of the community
- v) ultimately, the parties in conflict may have to conclude a formal agreement to maintain peace between them and within the community.

In total thirty-two new complaints were received in the 2006/2007 financial year, which is a slight increase over the 29 complaints received in the previous year.

The highest number of complaints was in the area of religion (14) followed by culture (12) and then language (6). There is a significant representation from the rural areas, which reflects awareness of the Commission and its services beyond urban boundaries (15 rural versus 11 urban and 6 unknown). This is an indicator of our growing reach to the hinterland. Complaints from rural areas tend to be clustered around issues of culture

And again confirming an observed trend from the previous year, the highest number of complaints from the rural areas addressed issues of culture and religion as opposed to linguistic rights.

Religion: Of the complaints addressing religion, six identified the rights of religions other than Christianity or Islam. Three questioned the lack of representation of other religions in the national calendar; one concerned the rights of Rastafarians and complained about their attack during their religious service; and two were about the promotion of traditional African beliefs and practices.

Culture: With respect to the complaints regarding culture they represent a wide range of issues which suggests that the public

is longing to revive the diminishing cultural heritage and have their rights protected. It also suggests that the public is becoming better informed about the Commission as a resource.

Issues included casualties at initiation schools/circumcision, school dress codes, animal sacrifice, defamation and attitudes towards the disabled, in addition to the continuing concern with access to ancestral burial ground in farm areas.

Language: In reviewing the complaints in the area of language, while more limited, there is also breadth in that there is an equal split between rural and urban. In terms of thematic content, the issues represented include the language policies of two public institutions (SAPS and SARS) and one radio station, rights of learners and alleged recognition of a dialect as an official language - Sepedi.

In terms of the status of cases vis-à-vis completion, consistent with the previous year, the majority of the 32 complaints are still pending with 12 closed and 4 referred to other institutions (Human Rights Commission, PanSALB, Department of Education and SAHRA). Also in four instances, the matter was the subject of a separate Commission enquiry with subsequent recommendations developed for implementation by another agency.

A significant achievement for this year is that a long pending case on refused access to graves and burial grounds in a farm in Paulpietersburg has been resolved. The two parties - the farm owner and the farm hands have agreed to set up guidelines for accommodating each other, and meeting half way to protect the rights of both. This case serves as a model for addressing a similar case in Southwell, Port Alfred where it is alleged the farmer defaced the graves of farm hands who were buried on his farm. In resolving the latter case, the Commission involved the SAHRC and SAHRA. SAHRA's mandate is to protect burial grounds and graves.

Way forward

A stated value for the CRL Rights Commission is: "Efficient, economic and effective use of resources" and investigations and conflict resolution are to be utilized to meet the overall objectives of the Commission. There are three key challenges which the Commission will address in the next financial year to ensure better service delivery in this area:

- 1) To deepen the geographical representation within the Provinces and between rural and urban areas;
- 2) To consolidate the ICR process so that all communities have easy access; and
- 3) To ensure more efficient and effective disposition of complaints.

2.2.2 Research and Policy Development

(a) Promotion and protection of the right to language and the right of language: the case of teaching and learning a language of choice, African languages and mother tongue usage.

Language usage is supported in South Africa by the Department of Arts and Culture, the National Language Service and the Pan South African Language Board (PanSALB), which is responsible for the nine Provincial Language Committees (PLCs), the eleven National Language Bodies (NLBs) and the eleven National Lexicographic Units (NLUs). PanSALB is responsible for the technical development of languages and their subsequent promotion. This is regarded as a right of language where the right is of each language to exist and the equality of opportunity for it to develop.

The CRL Rights Commission promotes and protects the rights of communities to their own languages - a right to language. This is a collective right referring to the rights of communities.

During this past year a special research on Language in Education Policy was commissioned. This was in response to several complaints we received regarding language and education policy: mother tongue instruction; teaching of languages other than English and Afrikaans, single and/or dual medium schools; and the funding of parallel medium schools. The core of the complaints was that what was offered rendered English and Afrikaans more equal than others.

The South African Language in Education Policy (SALiEP) was designed to promote cultural diversity and multilingualism as intrinsic aspects of the South African national identity. And as such it is comprehensive and simultaneously serve both narrow linguistic goals and broader national goals. However, decisions about which language or languages are offered as subjects or are used as mediums of instruction are made by the Schools' Governing Bodies (SGBs). Conflicts then arise when these two goals do not coincide. A case in point was a case before the Cape Town High Court Dept of Education vs Makro Laerskool, in which the Provincial department of Education attempted to change an Afrikaans-medium school into a dual-medium one. The judgment held that, the Provincial Government could not substitute the SGB regarding the decision on appropriate language-medium for a particular school.

A Constitutional issue that was raised by the Magosi of Capricorn regarding the designation of one of the languages of the Limpopo, Sepedi versus other languages of such as Sepulana and Khilobedu. The challenge is on Sepedi being regarded as an official language to the exclusion of all other languages that constitute Sesotho sa Leboa. They believe that this has disadvantaged the development of the other languages and threatens the cultural development of these communities. In collaboration with PanSALB, we prepared a submission to the Constitutional Review Committee and the issue is being addressed at parliamentary level.

(b) Protection and promotion of sacred spaces

Following an investigation of a complaint from former farm dwellers regarding a refusal by a farm owner for them to visit graves of relatives in the farm for cultural-religious rituals, it was decided to do research on the African notion of Space, Sacred Sites and spirituality. It is our view that the African notion of space and sacredness is not sufficiently appreciated by many of

those who hold different religious views, municipal authorities and developers. It is common knowledge that African belief systems identify certain spaces as having 'intense spiritual presence'. Graves form part of such landscapes. Further there have been disputes regarding access to burial sites in farms and about removal of graves for Agricultural or development purposes for purposes of cultural rituals. The investigation focused on various categories of sacred space including hills, graves, forests and rivers.

- Graves and burial grounds are regarded as spaces imbued with spiritual significance;
- These sites could be used for pilgrimage
- These spaces are restricted in terms of taboos, access and rules of behaviour.
- Cultural rituals are community and/or family based and linked to these spaces;
- Legislative framework across the country does not adequately address this issue
- Need to develop mechanisms to protect these sites from desecration.
- Need to do an audit and review of all legislation and by-laws dealing with 'sacred sites'

(c) Religious Equality?: Holy days and holidays in the South African national calendar.

National holidays are used to commemorate significant dates in the life of a nation. These dates may be of historical, political, or religious origin. They may also note a significant natural event. Of concern for some communities in South Africa is the fact that of the current twelve national holidays, the two that are of religious origin pertain to Christianity - Good Friday and Christmas. On the anniversary of the promulgation of the legislation on holidays, 7 December 2006, the CRL Rights Commission hosted a dialogue to address the following challenges:

- i) Is the recognition of only Christian holidays a violation of the Constitutional provision of equality of religions?
- ii) How do we balance between the person's need for religious observance of holy days and economic impact on productivity

Representatives from majority of religions in South Africa carefully debated the merits of these issues and resolved that the CRL Rights Commission should engage in further research and public debate before formulating a specific recommendation for legislative consideration. In particular, the Commission was encouraged to determine the actual holy days for each religious community, utilize the media for further public debate, and engage the relevant government authorities on the implications of the current legislation.

(d) The right to rites of passage: Birth, Initiation, Marriage, Death and Burial Rites

We also received many complaints regarding the right of workers or learners to put on 'religious or cultural artifacts' at work as a consequence of cultural rights. Since these are integrally bound up with religious and cultural practices, research was done within the broader framework of Rites of passage. 'Rites of passage' refers to those ceremonies that mark a shift in developmental stages of a human being. They are often accompanied by specific rituals, involve mentors or facilitators



and have symbolic representations and meaning. These religious rites sometimes impact on a person's relationship with an employer.

Researchers investigated first the traditional systems of the various rites of passage and then the current contradictions encountered when attempting to observe them today. Communities Research was done specifically among the BaVenda, AmaNdebele, BaPedi, Khoi, AmaZulu, BaTswana. In addition Islam, Rastafarian, and Judaism belief systems were studied. The research was done in NorthWest, Gauteng, Limpopo and Mpumalanga Provinces.

From a very rich set of field experiences, grounded in a solid theoretical perspective, three key challenges emerged: for future consideration by the CRL Rights Commission:

- i) there is a steady increase in the practice of the various rites within communities. However the environmental context is not always hospitable to their practice.
- ii) Due to breaks in historical memory the practices are sometimes abused or done incorrectly.
- iii) How do these practices enhance our pursuit of a non-racial and non-sexist society based on democratic values, social justice and fundamental human rights?

This is an extensive research agenda which will unfold in a systematic manner over the next few years.

'Rites of passage' refers to those ceremonies that mark a shift in developmental stages of a human being. They are often accompanied by specific rituals, involve mentors or facilitators and have symbolic representations.

Researchers investigated first the traditional systems of the various rites of passage and then the current contradictions encountered when attempting to observe them today. Communities among the BaVenda, AmaNdebele, BaPedi, Khoi, AmaZulu, BaTswana served as respondents for this research. In addition a few religious systems were observed i.e. Islam, Rastafari, and Judaism.

From a very rich set of field experiences, grounded in a solid theoretical perspective, three key challenges emerged for future consideration by the CRL Rights Commission:

- i) What are the gaps in the ability of any community to practice its cultural and religious activities?

ii) Are there any forms of abuse or misuse in performing such activities? How can individuals be protected while these activities are advanced for the interests of community as a whole?

iii) How do such activities contribute to the establishment of a non-racial and non-sexist society based on democratic values, social justice and fundamental human rights?

This is an extensive research agenda which will unfold in a systematic manner over the next few years.

e) Public hearings on Ulwaluko/Koma/Lebollo/ Mophato

Two Chapter 9 institutions - the CRL Rights Commission and the SA Human Rights Commission - joined with the National House of Traditional Leaders to hold public hearings on Ulwaluko/Koma/Lebollo/Mophato (Initiation Schools) in four areas: Quakeni in the Eastern Cape, Qwaqwa in the Free State, Johannesburg in Gauteng and in Hammanskraal, a buffer area for Gauteng, Limpopo, Mpumalanga and the North West Provinces. In addition there were focus groups in the Vaal and Cape Town. Participants included iNkosi/Dikgo_i/Marena, municipal representatives, police, provincial houses of traditional leaders, representatives of provincial health institutions, affected communities, women and traditional initiation schools leaders. Written submissions were also invited through the public media prior to the commencement of the hearings. Due to the structure of the hearings which represented a diversity of cultures, geographical settings and stakeholders, the hearings provided a wealth of specific information which has been condensed for future action by the various stakeholders and will be a basis for community engagement

There were four main areas of enquiry:

- The identified causes of deaths in mophato
- the system of values placed on the communities on male initiation;
- the legislative framework;
- the technical system of indigenous knowledge in koma;
- and the community mobilization of the human, physical, and natural resources.



Traditionally initiation schools were part of a continuum in the transfer of cultural knowledge and skills from one generation to the next. It was therefore recommended that communities should establish local structures that would oversee the schools utilizing practice guidelines and with a database of all relevant stakeholders.

Communities regards male initiation as sacred and secret. While this aspect of the cultural practice will be respected, it is important in many areas for traditional leadership structures within a community to provide a framework of accountability for all stakeholders.

While most participants at the hearings agreed on the need for standard legislation that would address both the cultural context as well as the health, safety, justice and quality assurance issues, a significant number did not accept national age restrictions. They believed that this should be at the discretion of each community due to the uniqueness of the cultural practices in each area.

Finally, the challenges of ikoma must be addressed in a holistic and integrated manner using the traditional patterns of

- (i) pre-koma/mophato,
- (ii) the koma/mophato, and
- (iii) post koma/mophato periods

so that the teaching of *milayo* - the wisdom of the community - and the mobilization of resources is spread over time. These rites should be protected and promoted as a right of the communities that practice them. The department of Health is not the right place to locate issues of ikoma as it reduces the cultural practice to an health issue. A multi-stakeholder task team should be established to manage the affairs of ikoma. The promotion of cultural practices must always go with the protection of the human rights of the initiates and their families. This may require national legislation, effective community leadership structures, guidelines and training, and governmental partners.

2.2.3 Public Education and Advocacy

Dialogue on Cultural Diversity

Cultural Diversity Day for Dialogue is a natural response to the UNESCO Declaration on Cultural Diversity which promotes mutual understanding and the recognition of diverse cultures. Internationally, the United Nations provides support and encouragement for recognition of these principles. Nationally, it is the responsibility of the CRL Rights Commission. It is therefore one of the key platforms for dialogue among the cultural, religious and linguistic communities.

As part of its mandate to maintain a national profile by creating visibility at the grassroots, the CRL Rights Commission hosted activities to mark Cultural Diversity Day in five different Provinces: Northern Cape, Free State, KwaZulu-Natal, Mpumalanga, and North West. Contemporary South Africa is still addressing historical cultural and linguistic legacies of these areas. It is a fact that although the Northern Cape and Free State escaped the homeland system that confined various racial and cultural groups to dedicated areas, the various cultural, religious and linguistic communities were not free to practice their traditional activities. Herefore they suffered the same cultural, religious and linguistic oppression as the communities of the homelands in Mpumalanga, North West and KwaZulu-Natal. This situation poses serious challenges such as

- a) Management of diversity;
- b) Development of unity in diversity; and
- c) Nation building

Cultural Diversity Day then focuses on the following Constitutional objectives for the CRL Rights Commission:

- (i) To conduct information and education programmes to promote public understanding of the objects, role and activities of the Commission





(ii) To conduct programmes to promote respect for, and further the protection of, the rights of cultural, religious and linguistic communities; and

(iii) To assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in nation-building in South Africa.

Northern Cape hosted "World Day for Diversity," at Griqua Town on 20 May 2006. It was representative of the major cultural groups in the area (Afrikaans, Griqua, Tswana, and Xhosa), had a strong educational as well as cultural thrust and was enjoyed by over 500 adults and youth.

Free State's Cultural Diversity and Africa Human Rights Day Celebration on 18 May had the theme "Grappling With Challenges of Community and/or Minority Rights: A Focus on Culture, Religion and Linguistic Issues." Panels focused on key questions facing the Griqua Councils, Koronna Cultural and Heritage Councils, Mokhahl'a Thesele, and the Rastafarian Communities. In his keynote address, Dr M Guma, Chairperson of the CRL Commission, pledged the Commission to work in partnership with the respective communities.

Recommendations from this session included the following:

- i) Systematic promotion of indigenous languages;
- ii) Monthly visits of the Commission;
- iii) Promotion of places for traditional worship of indigenous
- iv) Promotion of mother tongue instruction in primary schools;
- v) Consistent promotion of all official languages;
- vi) Promotion and protection of traditional systems of initiation and circumcision;
- vii) Clarification of role of so-called "Coloureds" in the new dispensation;
- viii) Immediate formation of the Community Councils;
- viii) Establishing regular forums for community involvement;
- x) Systematic inclusion of the communities in the preparation of all events for sustainable ownership at the local level;
- xi) A stronger involvement to specifically address issues affecting the youth; and
- xii) Development of mechanisms by which to promote culture through existing structures.

KwaZulu-Natal hosted a Diversity Day Roundtable Discussion in collaboration with the Department of Sports, Culture and Recreation on 25 April 2006, in Pietermaritzburg. Commissioners S Ngubane, Dr N Mndende; Ms M Soni Amin, and Dr T Magwaza, and Prof S Dangor represented the CRL Rights Commission. Ms Ela Gandhi, of the Hindu Community, and Mr CM Msomi, of the SABC, joined Dr N Mndende in the panel contributions. Ms Gandhi, granddaughter of Mahatma Gandhi, highlighted the importance of freedom of expression and tolerance and Mr Msomi reaffirmed the SABC's commitment to freedom of expression. Dr Mndende focused on the promotion of Africa religion and the need to institutionalize it at a par with the dominant religions.

This Roundtable generated specific recommendations after presentations from the panelists. These included:

- i) Promotion of education in all the official languages;
- ii) Promotion of respect for diverse cultural, religious and linguistic communities for the development of a pluralistic nation;
- iii) Promotion of provincial offices of the CRL Rights Commission; and
- iv) Production of CRL Rights Commission materials in all the official languages in correct idiomatic and grammatical style.

Mpumalanga's Cultural Diversity Celebrations were also co-hosted by the Department of Sports, Culture and Recreation on 20 May 2006, at the Silulu Cultural Centre in Matsulu. Traditional and elected leadership showed their support by welcoming the participants and reaffirming the need for the promotion of cultural diversity. Commissioner Ntlha, of the CRL Rights Commission and Mpumalanga MEC for Culture, Sports and Recreation, Ms Nomsa Mtsweni, addressed the substantive aspects of the recognition and protection of minority and majority community rights.

Recommendations generated by this discussion included:

- i) That the community's recommendations be followed-up and properly addressed;
- ii) That the CRL Rights Commission limit its campaigns to a specific area in order to maximize its effectiveness; and
- iii) That the community be informed of CRL Rights Commission programmes and campaigns as early as possible.

North West held the last Cultural Diversity Day Celebration at the Mmabana Sport and Cultural Foundation in Mafikeng on 3 June 2006. Speeches from various cultural communities that addressed the success and challenges facing them, and their cultures were interspersed with cultural performances that showcased the cultural diversity in art, music and dance. Commissioner Langeveldt, of the CRL Rights Commission and Chief Katz, Chief of the Griquas were the keynote speakers. Commissioner Langeveldt provided an overview of the Commission and its mandate as well as highlighting the creative tension in balancing individual and collective rights. Chief Katz provided a graphic example of how a community's heritage can be diminished with his discussion of the Khoi and San communities in South Africa.

Recommendations from this provincial function included:

- i) Community ownership of provincial events is crucial to the long term sustainability of the Commission's relationship to these communities;
- ii) Documentation, assessment and a proactive response to community recommendations is essential;
- iii) Public road shows and public hearings should be considered as methods by which to focus attention on specific, limited issues;
- vi) Young people are a critical component for community adoption of cultural diversity and the current method of a youth dialogue may be insufficient as a means of developing sustainable capacity in this area;
- v) Existing youth structures that are focusing on culture, arts and music should be incorporated into the Commission's programming;
- vi) The Commission should develop mechanisms by which they are accessible and effective in addressing provincial matters; and
- vii) The Commission should develop media strategies at the provincial level.

Road Forward

From all of the discussions there were several key elements that were reinforced in each context and should be considered by the CRL Rights Commission for implementation in the 2007/2008 financial year.

First is the need for proper analysis of the cultural, religious and linguistic communities. Such analysis will form a foundation for focused planning and identification of short, medium and long-term strategic goals which should include community organization and the recognition of Community Councils or

establishment thereof should they not exist. Proper planning will require adequate resources in terms of staff, budget and support structures.

Secondly, there should be guidelines on the level and nature of involvement of community groups. This is especially true for unorganized communities. As communities become organized and Community Councils get recognized, their involvement in the programs of the CRL Rights Commission should be formalized to facilitate effective delivery of the strategic goals of the programs.

Thirdly, CRL Rights Commission programmes should clearly identify the target areas and groups within communities such as adults, youth, children, boys, girls, men or women.

Fourthly, the CRL Rights Commission's presence in the Provinces should be reviewed to ensure maximum exposure and effectiveness.

Fifthly, a media strategy must be devised and consistently implemented.

Sixthly and finally, the concerns, issues, and recommendations from the provincial activities should influence the decisions of the Commission and the promotion and protection policies and strategies thereof.

2.2.4 Community Consultation

Community Councils

Community Councils are authorized under Sections 36(1) and 37(1) and the aims stated in 38(1). They are specifically designated to "... (a) preserve, promote and develop the culture, religion or language of the community for which it is recognized; or (b) advise the Commission on, and assist the Commission in matters."

While the first session to promote the development of Community Councils was held in April, 2006 in Cape Town, no Community Council actually materialized during the financial year under review. It is envisioned that as soon as the regulations have been formalized the various communities' organization will be able to register with the CRL Rights Commission as Community Councils. However, identification of an actual community, cost implications, and the roles/influence of traditional leaders were some of the inhibiting factors that affected the development of the Councils.





Road Forward

Once the regulations for the recognition of Community Councils have been finalized as regulations there will be a call for registration that is disseminated in the broadest possible manner, including to C-R-L voluntary organizations. Communities that identify as potential councils will then be counselled by the Commission and then registered as Community Councils.

2.2.5 Flagship Programs for Advocacy

In the Cultural Charter for Africa the first objective after the preamble is clearly stated as:

“(a) to liberate the African peoples from socio-cultural conditions which impede their development in order to recreate and maintain the sense and will for progress, the sense and will for development;”

It is the belief of the CRL Rights Commission that a prime socio-cultural condition which serves as an inhibiting factor in the liberation of African peoples is the lack of public space in which to promote community rights, especially with respect to culture, language and religion. It was also thought imperative to acknowledge the commemorative dates supported by the African Union and the African Charter on Culture. These dates are Africa Day, celebrated on 25 May, and Africa Human Rights Day, celebrated on 21 October. It is especially significant for South Africa to promote the former date as it was initiated by the original Organization of African Unity (OAU). It was an occasion utilized by liberation support forces around the world to become better informed and to arouse the consciousness of others, or the “sense and will for progress.” This historical thread can be simultaneously promoted for the benefit of contemporary South Africans as their current needs with respect to culture, religion and linguistic rights are addressed. These dates are included with others in the current African Union Action Plan for 2002-2004 as Action Area 6: Culture/Priority Programme 23: Cultural Renaissance.

In addition, the CRL Rights Commission linked its celebrations to the Millennium Development Goals, a set of goals ratified in September, 2000 by the United Nations, to promote an expanded vision of development, one that promotes human development as the key to sustaining the “sense and will for development.” Thus while these are primarily socio-economic¹, in order to achieve the first seven, the last one, developing a global partnership for development, is required and this partnership should be between equals.

1. Goal 1: Eradicate extreme poverty and hunger; Goal 2: Achieve universal primary education, Goal 3: Promote gender equality and empower women; Goal 4: Reduce child mortality; Goal 5: Improve maternal health; Goal 6: Combat HIV/AIDS, malaria, and other diseases; Goal 7: Ensure environmental sustainability; and Goal 8: Develop a global partnership for development.

Within the specific mandate of the CRL Rights Commission, it is:

- (a) To conduct information and education programmes to promote public understanding of the objects, role and activities of the Commission
- (b) To conduct programmes to promote respect for, and further the protection of, the rights of cultural, religious and linguistic communities; and
- (c) To assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in nation-building in South Africa.

Thus both the Africa Day as well as the Africa Human Rights Day celebrations were multi-functional.

• Africa Day Celebrations

Africa Day Conference 2006 was held at the International Convention Center in Cape Town, Western Cape, under the theme “Minority and Majority Community Rights: Focusing on Culture, Religion and Linguistic Challenges.” A strategic mix of speakers enabled a broad range of relevant perspectives and topics that essentially addressed the need to respect diversity in both majority and minority communities.

Dr. Mongezi Guma, Chairperson of the CRL Rights Commission, opened the conference with an analysis of what he called “the unfinished business of implementing democracy in South Africa” - the current political context of transformation and democratization. He introduced one of the key themes of the conference - what is Africa and how should it be understood - and encouraged participants to be practical as well as theoretical. This conference was to leverage diversity in a positive manner to educate each other.

Ms N Hangana, Deputy Minister for Provincial and Local Government, reaffirmed the role of the Africa Cultural Charter and the UNESCO Universal Declaration of Cultural Diversity in promoting “cultural diversity and national identity, cultural development, the democratization of culture, use of African languages, the protection of African works and cultural heritage.” She challenged the participants to be rigorous in determining the characteristics of a community and the status of a language. Prof S Makoni, who delivered the keynote address, carried this challenge further in raising the issue of what makes one inherently an African. His analysis urged participants to develop new tools, new constructs, and even new paradigms by which to affirm that which is truly African.



Ms Baleka Mbete, Speaker of the General Assembly of the Republic of South Africa, gave the keynote at the Gala Dinner in which she stressed the need for both mutual understanding as well as meaningful interactions among all the citizens of South Africa. Her analysis focused on the youth who are a key focus area for the CRL Rights Commission.

Panelists were asked to address linguistic, cultural and religious challenges and to make specific recommendations. These focused on creative ways of validating languages other than English and successfully implementing them; informing current cultural practices with Indigenous Knowledge Systems through a meaningful exchange between knowledge systems; to encourage religious freedom that is located within the values of the Constitution; and, to promote dialogue among various religious affiliations in order to identify and promote areas of commonality.

Panelists represented institutions such as the Human Sciences Research Council, Vilakazi Development Strategies, Kara Heritage Institute, University of KwaZulu-Natal, University of Limpopo, Durban Institute of Technology, and PRAAG. This broad theoretical, professional and geographical representation provided for rich interactions and significant recommendations for the Commission's future work. A full report was developed for internal and external distribution.

Road Forward

The Africa Day Conference met its objective to provide education and promote public understanding as well as respect for the rights of the CRL communities. The conference sought to develop understanding the Commission's mandate and further develop "strategies that facilitate the full and active participation of cultural, religious and linguistic communities in nation-building in South Africa." Specific recommendations were developed throughout the conference including

- i) All of the recommendations from the conference will be reviewed and assessed for implementation under current strategic objectives;
- ii) Recommendations which need further consultation and refinement will be allocated to a specific committee or Commissioner; and
- iii) The final report will be disseminated in hard copy and on the website.

- **Africa Human Rights Day**

This year's Africa Human Rights Day was unique in that selected Chapter Nine Institutions decided to collaborate for the 25th Anniversary of the African Commission and the 20th Anniversary of the coming into force of the Africa Charter on Human and Peoples Rights. This collaboration included: the Commission for the Promotion and Protection of Culture, Religion and Language; South African human Rights Commission; Commission on Gender Equality; Independent Electoral Commission and United Nations Office of the High Commissioner for Human Rights. This event was hosted at the University of the Free State (Qwaqwa Campus), on 21 October 2006 and focused on the theme, "Challenges of Language and Fundamental Human Rights in Africa"

This event met several key objectives for the CRL Rights Commission.

- a) It encouraged participants to address a strategic issue from a human point of view, rather than from an academic perspective;
- b) It exposed ordinary people to the implementation of key documents such as the Constitution and the African Charter on Human and Peoples Rights; and
- c) It enabled several Chapter nine Institutions to collaborate on a significant project





Road Forward

While this was a significant breakthrough in terms of collaborative efforts and expansion to a new geographical area, future engagements such as this will require closer attention to administrative aspects such as:

- i) Clear perspective and programme elements from the CRL Rights Commission;

- ii) Definition of the roles and responsibilities of the partner institutions specified in a Memorandum of Understanding;
- iii) Dedicated staff and funds for the event; and
- iv) A structured media plan.

3. PARTNERSHIPS

While the CRL Rights Commission is primarily responsible for social transformation and nation-building through the promotion and protection of the rights of cultural, religious and linguistic communities, other Chapter Nine Institutions have similar mandates for other constituencies.² In addition each government department is encouraged to consider the cultural aspects and impact of their respective areas of work. Finally, international agencies serve local constituencies in cooperation and collaboration with both government units and civil society interests.

Since its inception the CRL Rights Commission has increasingly clarified its scope of interaction and cooperation with these respective entities. Some relationships have evolved as a result of the referral process under the investigations and conflict resolution mechanism. Others have become established through community interactions, while still others have occurred through the development of a specific, long-term partnership.

Currently an informal relationship exists in the form of the Forum of Chairpersons and Deputy Chairpersons of Chapter Nine Institutions where policy considerations are explored. There is also a forum for the Chief Executive Officers of these same institutions to share information on similar challenges and projected programming. However, the operational areas of these institutions have not been clarified in a formal agreement.

Other civil society bodies are consistently called upon through their national offices or in selective Provinces to assist in the

delivery of the Commission's objectives. One cooperative intervention was the joint venture between the CRL Rights Commission, the South African Human Rights Commission and the National House of Traditional Leaders to host the regional hearings in male initiation and circumcision. A separate report was produced which addressed both the substantive outcomes of the hearings as well as the administrative issues connected to the cooperative nature of the intervention.

Road Forward

Due to the extensive nature of the CRL Rights Commission's commitments, it is clear that strong, positive relationships would only serve its long-term interests.

- i) A formal agreement between the Chapter Nine Institutions that specifies the operational and collaborative interest of each will be addressed during the next year;
- ii) Formal agreements with selected civil society entities that specifies the operational and collaborative interest of each will be addressed during the next year; and
- iii) Dissemination of these agreements will be done in a popular style, through appropriate mechanisms, so that the general public is aware of the appropriate resource given a particular concern or problem.

2. Most relevant of which would be the South Africa Human Rights Commission, the Commission for Gender Equality, the National Youth Commission and the Pan South African Language Board.

4. SUMMARY

KPA	ROLE/ FUNCTION	OBJECTIVE	THEME/TOPIC	KPI	ACHIEVEMENT/ RECOMMENDATIONS
Complaints Handling	Investigation and Conflict Resolution	Foster peace, tolerance, reconciliation, community and nation building	32 Complaints received. Categorised into - cultural - religious - linguistic	12 closed 4 referred to other institutions 6 dealt with as research projects 10 are at different stages of implementation. Developed a system of handling complaints.	Only a few cases were closed, but peace and tolerance is often achieved immediately and the affected parties actively participate in the process of addressing the issues. Established that youth and young adults long for knowledge about their cultures, religions and languages of their families and communities.
Research and Policy Development	Monitoring policies and establishing their responsiveness to cultural, religious and linguistic rights of communities. Recovery of Diminishing heritage Policy development for protection and promotion of rights of cultural, religious and linguistic communities.	Establish the common and unique characteristics of rites of passage to establish a specific aspect to be promoted and protected. Documentation for ease of distribution of knowledge to youth. (ii) Analysis of various cases or complaints about LiEP. Establish challenges of implementing LiEP.	(i) Rites of Passage - Birth rites - Initiation rites - Marriage rites - Death & Burial rites (ii) Language in Education Policy (LiEP) - Towards Effective Implementation (iii) Spaces of spirituality - linking the tangible to the intangible to protect and promote the latter by promoting access to the protected sites.	(i) community participation in: Knowledge gathering, awareness; documentation of the key rites of passage practised by specific communities and establish whether and why they need promotion and protection. (ii) (ii) Analysis of Language in Education Policy (iii) Review of its Constitutionality. (iii) Review of the legislative framework protecting sacred sites such as graves and burial grounds; places of worship; places of cultural significance in terms of the National Heritage Resources Act No. 25 of 1999.	The research report for (i) and (ii) are ready for public consumption. The study enables the CRL Rights Commission to establish which rites are common and which communities practice them. (ii) Produced a report to be used as a resource recommending employment of the practice of roving teacher to improve the effectiveness of the LiEP. This is work in progress as communities have been invited to contribute to the project by identifying sacred spaces in their neighbourhoods. (iii) CRL Rights Commission has established a working relationship with SAHRA in the project as it will benefit the latter in identification and definition of cultural/religious significance of these sites. CRL will contribute to the preparation of management plans to ensure accessibility of the protected sites to people/ communities.

KPA	ROLE/ FUNCTION	OBJECTIVE	THEME/TOPIC	KPI	ACHIEVEMENT/ RECOMMENDATIONS
		(iv) Holy days and Holidays	Religious equality in legislation, policy, and practice.	(iv) Public participation in development equitable protection and promotion of all religions. Analysis of the legislation on national holidays promulgated on 7 December 2004 - established that it provides only for one religion, Christianity.	(iv) Consensus that Christianity continues to be advantaged and the rest of religions are excluded in the national calendar. Government Departments and SABC are not sensitive to the rights of all religions. A dialogue has begun with government departments such as Safety and security and Home Affairs sensitizing them to the need to protect and promote all religions in their scope of work. The CRL Rights Commission has embarked on an intensive and participative research of African indigenous 'holy days' and festivals to facilitate religious equality among all.
		(v) Ulwaluko/ Koma/ Lebollo/ Mophato: Male initiation and circumcision	(v) Hearings in four localities - Qaukeni Cape - Hammanskraal - Qwaqwa - Johannesburg	(v) Community participation; interaction among communities, elders; community leaders; government officials in SAPS, Health; traditional practitioners. Community participation in establishing the real challenges and finding lasting solutions together.	(v) Established an effective partnership of three institutions - CRL Rights Commission, South African Human Rights Commission and the House of Traditional Leaders. Consensus over the fact that male initiations as a rights of passage has been reduced to circumcision. Initiation is a traditional form of formal education. Acknowledgement of the fact that the institution faces serious challenges including loss of lives of initiates. A report was prepared and it makes bold recommendations including the need for: - mobilization of human and economic resources. - Strengthening community structures including traditional leadership - Consideration of extending winter school holidays to accommodate initiation schools.
Public Education and Advocacy	Celebration / commemoration	Promote friendship, peace, unity in diversity	Mpumalanga in partnership with the Dept. of Arts and Culture.	Public participation and display of the characteristics of the various cultural communities- dresses, music and dances, food, languages.	Developed effective partnerships with; - Mpumalanga Department of Arts and Culture.

KPA	ROLE/ FUNCTION	OBJECTIVE	THEME/TOPIC	KPI	ACHIEVEMENT/ RECOMMENDATIONS
Diversity Day	Public Education & Advocacy		Northern Cape in partnership with congregants of the Nama church. Establish the heritage activities of the community. Determine the original languages of the community.		The Nama community of Port Nolloth and established that the church (the site) was traditionally a community centre for cultural and religious activities. Resolved that the partnership will be extended to include SAHRA and together recover the culture, religion and language of the Nama community. To invite PanSALB for the latter as the Nama language is diminishing. The spoken languages include Afrikaans, Griquas, Tswana and Xhosa. Youth benefited from the activity - became aware of the heritage which they may not have experienced before.
		Youth development and community building	Homevale Primary School Diversity Day	Partnership unpacked the concept of 'Ubuntu' Youth awareness Of cultural symbols	In partnership with the Homevale Primary School the CRL Rights Commission hosted a Diversity Day celebration under the theme 'Ubuntu Day'. The youth of Homevale Primary School was introduced to cultural symbols of the community. They had an opportunity to interact with members of the community and adults. They were also introduced to different kinds of traditional food.
	Awareness	Dialogue among members of different communities.	Freedom of Expression	Community interaction and awareness of limitations of 'freedom of expression	In KZN Province a dialogue was held to discuss challenges of 'freedom of expression'. The following was recommended: - Promotion of education in all official languages - Promotion of respect for diverse cultural , religious and linguistic communities for the development of a pluralistic nation Production of CRL Rights Commission materials in all the official languages.
	Celebration of diversity	Interaction	Cultural, religious & linguistic diversity.	Community participation and nation building Opportunity for expression of needs of communities.	North West Province, held the cultural diversity day on 03 June 2006 and the following were recommended. - Community ownership of Provincial events is crucial to the long term sustainability of the Commission's relationship to these communities. - Documentation, assessment and a proactive response to community recommendations is essential.

KPA	ROLE/ FUNCTION	OBJECTIVE	THEME/TOPIC	KPI	ACHIEVEMENT/ RECOMMENDATIONS
Community Consultation		Active community involvement in protection and promotion of their cultural, religious & linguistic rights.	Develop criteria for recognition of Community Councils	Views and suggestions on criteria for recognition of Community Councils.	<ul style="list-style-type: none"> - Public road shows & public hearings should be considered as methods by which to focus attention on specific limited issues. - Incorporate existing youth structures that are focusing on culture into the Commission's programming. - The Commission should develop mechanisms & media strategies which will be accessible & effective in addressing provincial matters. <ul style="list-style-type: none"> - Deliberate promotion of indigenous community languages through freedom of expression in languages of choice. - Promotion of sharing of knowledge and experiences. - Clarification of term "Coloured" in the new dispensation; - Immediate formation of the Community Councils for the various communities; - Identification of community organizations. - Involvement of communities in the drafting of regulations for establishment of Community Councils.
Flagship Projects	Research, public awareness, community and public participation	Dialogue on issues of national and international interest	Engagement of academics, community leaders, politicians and international organizations particularly Africans in unpacking sensitive concepts including what is 'African'.	Interaction; debates; knowledge sharing; suggestions and recommendations on addressing common challenges on cultural, religious and linguistic rights.	Mobilisation of communities to observe Africa Day - 25 May - and Africa Human Rights Day - 21 October annually while observing Diversity Day - 21 May to prepare for such activities.
Africa Day Celebrations	Public awareness, community and public participation			Discussion of critical cultural, religious and linguistic interest to minority and majority communities	Academic papers and record of discussions as well as the recommendations of the conference will form part of the agenda of the next NCC in 2008.
Africa Human Rights Day		Public awareness about the mandates of the various Constitutional institutions.	Minority and majority cultural, religious and linguistic rights The concept of mother tongue as well as what each institution does		<p>The event was successful and the people were grateful for the opportunity to address the various institutions jointly. The differences of their mandates were clearly defined.</p> <p>There was a strong presence of teachers who invited the Commission to be involved in the attempts to resolve the serious cultural challenges they face in schools including:</p> <ul style="list-style-type: none"> - teenage pregnancy - school violence - lack of discipline and - clear perspective and - diminishing cultural and religious values in education as well as the threat to African languages

5. CONCLUSION AND STRATEGIC DIRECTION

Part III, Articles 3 - 5 of the Cultural Charter for Africa specifically addresses the question of cultural diversity. First, is the recognition that cultural diversity is a factor for balance within a nation and a "source of mutual enrichment for various communities." Often the perception is that only the community with a diminished heritage will benefit from promotion and protection when actually we in our experience shows that will all benefit from learning and interacting with each other. And the nation as a whole will be stronger when the nation is "balanced" by all the diverse elements of culture, religion and language.

In the next article is the recognition that cultural diversity can be a factor of unity, a weapon for liberty, effective responsibility and full sovereignty. To see diversity in this light requires revising one's paradigms and challenge previous ways of thinking. For the Commission it requires that we review our activities to be able to pin point effective responsibility and movements towards full sovereignty. And once documented, we need to share the lessons so that others will also understand the mental changes required for effective promotion and protection of community cultural, religious and linguistic rights.

But it is Article 5 that perhaps gives us the greatest pause for thought "The assertion of national identity must not be at the cost of impoverishing or subjecting various cultures within the State." We move forward recognizing that we have developed an extensive data of challenges, concerns and issues facing the cultural, religious and linguistic communities of South Africa. Yet our resources cannot begin to extend to providing exemplary service to all of them.. And each decision to address one issue versus another, highlights a community to the detriment of another. However the CRL Rights Commission has an obligation to ensure that all the communities have their issues addressed through appropriate mechanisms.

Over the next year we will strengthen our capacity to be responsive, effective and efficient when interacting with the cultural, religious and linguistic communities. A major focus will be on expanding their own responsibility for their cultures, religions and languages. by recognizing the Community Councils with an appropriate institutional structure. The systematic inventory of traditional heritage will continue through the prioritised research topics and new issues resulting from the investigations and conflict resolution process.

South Africa as a nation continues to grow and develop and the CRL Rights Commission sees itself as a key partner in ensuring that this process is a healthy one. While guided by the Constitution and the enabling legislation, it is clear that a significant contribution has been and will continue to be one of providing signposts for the mutual enrichment of all communities. Diminishing heritage is, and should be, of national concern for the development of a true identity of the new South African nation.

6. STATEMENT OF RESPONSIBILITY

Accounting Officer's Responsibility for the Annual Financial Statements

The Accounting Officer is responsible for the preparation and integrity of the financial statements and related information included in the annual report. In order for the accounting officer to discharge these responsibilities, as well as those bestowed on her in terms of the Public Finance Management Act, Act 1 of 1999 (PFMA), as amended and other applicable legislation, she has developed and maintained a system of internal control including the appointment of a Chief Financial Officer (CFO).

The internal controls include a risk based system of internal accounting and administrative controls designed to provide reasonable assurance that assets are safe guarded an transactions executed and recorded in accordance with generally accepted business practices, as well as the entity's policies and procedures. Monitoring of these controls includes a regular review of their operations by the Accounting Officer and independent oversight by the audit committee.

The Auditor General, as an external auditor, is responsible for reporting on the financial statements.

The financial statements are prepared in accordance with

generally recognized accounting practice and incorporate disclosure in line with the accounting philosophy of the entity and the requirements of the PFMA, as amended. The financial statements are based on appropriate accounting policies consistently applied and supported by reasonable and prudent judgments and estimates.

The Accounting Officer believes that the entity will be a going concern in the year ahead due to its Constitutional mandate and the fact that National Treasury appropriates its budget annually. For this reason the Accounting Officer has adopted the going concern basis in preparing the annual financial statements.

No material events occurred after the balance sheet date that has an influence on the financial statements and financial position of the Commission.

The Accounting Officer approved and signed the annual financial statements for the year 1 April 2006 to 31 May 2007, as set out on pages 27 to 37 on 31 May 2007.



P.P. Madiba
Accounting Officer

7. CORPORATE GOVERNANCE REPORT

Statement of Corporate Governance

The members of the Commission for the Protection and Promotion of Cultural, Religious and Linguistic Communities (The CRL Rights Commission) and management recognize the need to conduct the business of the institution with integrity in terms of sound corporate governance practices and are committed to the fundamental principle of fairness, openness, integrity and accountability.

The Chairperson and Deputy Chairperson

The Chairperson is the Executive Authority of the institution thus accountable to the National Assembly on the affairs of the Commission.

Plenary

The Plenary (decision making body) meets not less that four times a year. This is a provision of section 26 of Act 19 of 2002. During the year under review Plenary met four times. Plenary determines matters relating to formulation or modification and approval of policies, strategic plans, monitoring and evaluation of operational plans and financial expenditure.

Executive Committee (EXCO)

The Executive Committee comprises of the chairpersons of committees and the CEO is in attendance. The chairperson of the Commission chairs the meetings of the committee.

Committees

The Commission has established core function committees which recommend the agenda of the Commission for plenary approval. These are the Investigation and Conflict Resolution (ICR), Research and Policy Development, Public Education and Advocacy and Community Consultation committees.

Audit Committee

The Audit Committee is constituted in terms of the requirements of sections 76(4) (d), 77 of the PFMA and a requirement of sound corporate governance practices.

The committee compromises of three independent members and one non-executive Commissioner and meets not less than twice a year. The Chairperson of the Committee is an independent member.

The Auditor General (external auditors) and the Internal Auditors are an integral part of the Audit Committee and have

7. CORPORATE GOVERNANCE REPORT (continued)

unrestricted access to the Committee and attend all meetings. The terms of reference for the Committee, which details responsibilities of the Audit Committee, are listed in the Audit Committee Charter.

Treasury Regulation 3, Internal Controls, requires the Audit Committee to report on:

- The effectiveness of internal controls in the annual report
- Its evaluation of the CRL Rights Commission's financial statements
- The CRL Rights Commission's compliance to all legal and regulatory provisions in discharging its mandate.

Internal Audit

The internal audit function has been outsourced to a private company which has the required experience and expertise to perform this function.

The Audit Committee reviews the effective functioning of the internal audit and to ensure sufficient distinction between the roles of both external auditors and internal auditors and also to co-ordinate these functions with the intension of providing an objective overview of effective operations of the CRL Rights Commission's system of internal control and reporting. Both functions must be coordinated in order to ensure non-duplication of work by both sides.

Management

The CEO, CFO, Manager of Secretarial Services, and the four managers of the core functionaries constitute a management committee. The management committee facilitates planning, implementation and reporting on programs of the institution.

Objects of the CRL Rights Commission

In terms of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, 19 of 2002, the functions and objects of the CRL Rights Commission is:

- To promote respect for and further the protection of the rights of cultural, religious and linguistic communities.
- To promote and develop peace, friendship, humanity tolerance and national unity among and within cultural, religious and linguistic communities on basis of equality, non – discrimination and free association.
- To foster mutual respect among cultural, religious and linguistic communities
- To promote the right of communities to develop their historically diminished heritage
- To recommend the establishment or recognition of community councils in accordance with part 7 of the CRL act (19:2002)

Roles of the CRL Rights Commission

A. An 'Educative' role

To explore with population at large

- What do rights on culture, language and religion entail?
- Who can be said to be bearers of these rights?
- How do these rights fit within our constitutional order?

The aim of the CRL Rights Commission's educative role is to inculcate the principle of equality of status and value for all cultures, religion and languages.

B. A 'Community focused' Role

The CRL Rights Commission's role in this regard is to engage with these communities with a view to promoting dialogue amongst themselves and with other communities.

C. A 'Redress' Role

The CRL Rights Commission's role in this regard is to work to provide redress for the past inequalities through

- Promoting the right of communities to reclaim their own historically – diminished heritages
- To play a facilitative role in relation to the establishment of Community Councils

D. An 'Investigative' Role

The CRL Rights Commission is required to investigate and report on any issue concerning the rights of CRL Communities and to mediate in disputes.

E. Community Councils

The CRL Rights Commission is expected to recognize and encourage the establishment of Community Councils where they do not exist. The establishment of and recognition of community councils will strengthen community participation in the affairs of the CRL Rights Commission as well as contribute to community development.

Materiality

The CRL Rights Commission has determined a materiality figure of R 135 000, which is 1% of the budgeted expenditure for the period April 2005 to 31 March 2006.

Any material fact or error of a quantitative nature must be disclosed if in excess of the stipulated materiality figure of R 135 000, any loss of a quantitative nature must be disclosed in the financial statements if they arose through fruitless, irregular or wasteful expenditure and all material losses arising through criminal conduct must be disclosed in the financials and the annual report.

8. REPORT OF THE AUDIT COMMITTEE

We are pleased to present our report for the financial year ended 31 March 2007.

Audit Committee Members and Attendance

The present audit committee was formally appointed on 21 May 2007, and therefore, held no meetings during the year under review. It consists of the members listed hereunder:

Name of Member

Mr D Coovadia (Chairperson) CA(SA)
Mr M Mohohlo
Mr B Mbewu
Mr H Gouvelis

The committee met subsequent to the financial year end to review the audited annual financial statements, Auditor - General management letters and draft audit report.

The previous Audit Committee which consisted of the members listed hereunder resigned during the year under review:

Name of Member Meetings attended

O Moosa (Chairperson)	2 of 2
M Straus	1 of 2
H Gouvelis (Commissioner)	1 of 2

Audit Committee Responsibility

The new audit committee reports it has adopted appropriate formal terms of reference. However is has yet to comply with its responsibilities arising from Section 38(1) {a} of the PFMA and Section 3.1.13 of Treasury Regulations.

The Effectiveness of Internal Control

The system of controls is designed to provide cost effective assurance that assets are safeguarded and that liabilities and working capital are efficiently managed. In line with the PFMA and the King II Report on Corporate Governance requirements, Internal Audit provides the Audit Committee and management with assurance that the internal controls are appropriate and effective. This is achieved by means of the risk management process, as well as the identification of corrective actions and suggested enhancements to the controls and processes.

Although the Committee is unable to express an opinion at this stage, however the Committee placed reliance on the Auditor - General's audit report. The Auditor - General's audit report highlights a number of control weaknesses that still need to be addressed by management.

The audit committee further reports that it has commenced the process of overseeing the drafting and review of formal policies and procedures.

The quality of in year management and monthly / quarterly reports submitted in terms of the PFMA and the Division of Revenue Act

The Audit Committee has not satisfied itself with the content and quality of monthly and quarterly reports prepared and issued by the Accounting Officer during the year under review.

Evaluation of Financial Statements

The Committee has:

1. Reviewed and discussed the audited annual financial statements to be included in the annual report with the Auditor - General and the Accounting Officer;
2. Reviewed the Auditor - General's management letter and management response thereto;
3. Reviewed changes in accounting policies and practice;
4. Reviewed significant adjustments resulting from the audit;
5. Requested Management to submit strategies to correct matters mentioned in the audit report for oversight by the audit committee.

The Audit Committee concurs and accepts the Auditor - General's conclusions on the annual financial statements and is of the opinion that the audited financial statements be accepted and read together with the report of the Auditor - General.



Dawood Coovadia
Chairperson of Audit Committee

20 September 2007
Date

9. REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON THE FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION OF THE COMMISSION FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CULTURAL, RELIGIOUS AND LINGUISTIC COMMUNITIES (CRL RIGHTS COMMISSION) FOR THE YEAR ENDED 31 MARCH 2007

REPORT ON THE FINANCIAL STATEMENTS

Introduction

1. I have audited the accompanying financial statements of the CRL Rights Commission which comprise the statement of financial position as at 31 March 2007, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes, as set out on pages 27 to 37.

Responsibility of the accounting officer for the financial statements

2. The accounting officer is responsible for the preparation and fair presentation of these financial statements in accordance with the South African Statements of Generally Accepted Accounting Practices (GAAP) including any interpretations of such Statements issued by the Accounting Practices Board, with the effective Standards of Generally Recognised Accounting Practices (GRAP) issued by the Accounting Standards Board replacing the equivalent GAAP Statement and in the manner required by the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA). This responsibility includes:

- designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error
- selecting and applying appropriate accounting policies
- making accounting estimates that are reasonable in the circumstances

Responsibility of the Auditor-General

3. As required by section 188 of the Constitution of the Republic of South Africa, 1996 read with section 4 of the Public Audit Act, 2004 (Act No. 25 of 2004) and section 35 of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, 2002 (Act No. 19 of 2002) (CRL Commission Act), my responsibility is to express an opinion on these financial statements based on my audit.
4. I conducted my audit in accordance with the International Standards on Auditing and General Notice 647 of 2007, issued in Government Gazette no. 29919 of 25 May 2007. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free of material misstatement.

5. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.

6. An audit also includes evaluating the:

- appropriateness of accounting policies used
- reasonableness of accounting estimates made by management
- overall presentation of the financial statements.

7. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Basis of accounting

8. The CRL Rights Commission's policy is to prepare financial statements on the basis of accounting determined by the National Treasury as set out in accounting policy note 1.

Audit opinion

9. In my opinion the financial statements present fairly, in all material respects, the financial position of the CRL Rights Commission as at 31 March 2007 and its financial performance and cash flows for the year then ended, in accordance with the basis of accounting as described in note 1 to the financial statements and in the manner required by the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA).

OTHER MATTERS

I draw attention to the following matters that are ancillary to my responsibilities in the audit of the financial statements:

Internal control

10. Poor monitoring controls to ensure compliance with rules and regulations as well as policies and procedures resulted in areas of non-compliance and poor governance.
11. Due to the high vacancy rate, the finance section did not have adequate capacity. Therefore, independent supervision

and review of the preparation of financial statements were not performed. Furthermore, incompatible duties were also not adequately segregated.

Material non-compliance with laws and regulations

12. The Income Tax Act, 1962 (Act No 58) 75 (1) (a) and the Fourth Schedule to the Income Tax Act (Part 11) requires employers to submit employees' tax returns. The employees' tax returns were not submitted for certain tax periods. This has resulted in the non-payment of employees' tax to the value of R132 638. The non-payment of employees' tax will result in fruitless and wasteful expenditure due to penalties and interest.

Material corrections made to the financial statements submitted for audit

13. The following material adjustments were made to the financial statements submitted for audit on 31 May 2007:

- The comparative amounts disclosed in the Statement of financial position and statement of financial performance did not agree to prior year balances, there was a net difference of R1 632 000.
- The statement of financial position did not balance by R240 000.
- An adjustment of R374 000 was made to the cash flow statement to balance it to the Statement of financial position.

Matters of Governance

14. The conditions of appointment for Commissioners were not finalised as required by section 14(1) of the CRL Rights Commission Act. Furthermore, the Commissioner's roles and responsibilities were not clearly defined in order to provide guidance regarding the relationship of the Board of Commissioners with the accounting officer.

15. Contrary to the audit committee charter, the audit committee only met twice during the year under review. The second meeting was held without a quorum. Furthermore the audit committee did not evaluate the effectiveness of the internal audit function.

Value for Money

16. As reported in the previous financial year, the vacancy rate at CRL Rights Commission was still high. At the end of the financial year under review, the vacancy rate was 57%.

OTHER REPORTING RESPONSIBILITIES

Reporting on performance information

17. I have audited the performance information as set out on pages 17 to 20.

Responsibility of the accounting officer

18. The accounting officer has additional responsibilities as

required by section 40(3) (a) of the PFMA to ensure that the annual report and audited financial statements fairly present the performance against predetermined objectives of the constitutional institution.

Responsibility of the Auditor-General

19. I conducted the engagement in accordance with section 13 of the Public Audit Act, 2004 (Act No. 25 of 2004) read with General Notice 646 of 2007, issued in Government Gazette No.29919 of 25 May 2007.

20. In terms of the foregoing my engagement included performing procedures of an audit nature to obtain sufficient appropriate audit evidence about the performance information and related systems, processes and procedures. The procedures selected depend on the auditor's judgement.

21. I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for the audit findings reported below.

Audit findings

22. The annual report did not include a report on performance against predetermined objectives for certain programs as required by section 40(3)(a) of the PFMA.

APPRECIATION

23. The assistance rendered by the staff of the CRL Rights Commission during the audit is sincerely appreciated.



P. Stamper for Auditor-General

Johannesburg

31 July 2006



AUDITOR-GENERAL

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Statement of Financial Performance

	Notes	2006/07 R'000	2005/06 R'000
Revenue			
Transfers from Government Entities	2	13 403	11 286
Other Operating Revenue	3	-	311
Total Revenue		13 403	11 597
Expenses			
Administrative	4	2 783	1 776
Audit fees	5	310	350
Staff costs	6	6 287	5 043
Other operating expenses	7	4 419	4 038
Depreciation	8	311	225
Total expenses		14 110	11 432
Surplus/(deficit) from operations		(707)	165
Finance income	9	217	88
Surplus/(Deficit) for the year		(490)	253

Statement of Financial Position

ASSETS			
Current assets			
Cash and cash equivalents	10	3 073	3 613
Trade and other receivables	11	-	332
		3 073	3 945
Non-current assets			
Property, plant and equipment	12	1 002	1 232
Total assets		4 075	5 177
LIABILITIES			
Current liabilities			
Payables	13	251	968
Provisions	14	73	49
Total liabilities		324	1 017
NET ASSETS			
Accumulated surpluses	15	3 751	4 160
Total net assets		4 075	5 177

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Statement of Changes in Net Assets

	Notes	Accumulated surpluses/(deficit) R'000	Total R'000
Balance at 1 April 2005 as originally stated		3 907	3 907
Net surplus		253	253
Balance as at 31 March 2006	15	4 160	4 160
Restatement		81	81
As restated		4 241	4 241
Net (deficit)		(490)	(490)
Balance as at 31 March 2007	15	3 751	3 751

Cash Flow Statement

CASH FLOW FROM OPERATING ACTIVITIES		(676)	4 110
Cash receipts from Treasury		13 403	339
Cash paid to suppliers & employees		(14 079)	3 771
Cash generated from/(utilised in) operations	16	(676)	4 110
Net cash flows from investing activities		136	(508)
Proceeds on disposal of:			
Property, plant and equipment		11	-
Acquisition of			
Property, plant and equipment		(92)	(596)
Interest received		217	88
Net increase in cash and cash equivalents		(540)	3602
Cash and cash equivalents at beginning of year		3 613	11
Cash and cash equivalents at end of year	10	3 073	3 613

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

1. Accounting Policies

The Financial Statements have been prepared in accordance with the South African Statements of Generally Accepted Accounting Practice (GAAP) including any interpretations of such statements issued by the Accounting Practices Board, With the effective Standards of Generally Recognised Accounting Practice (GRAP) issued by the Accounting Standard Board replacing the equivalent GAAP statement as follows.

Standard of GRAP

GRAP 1: Presentation of financial statements

GRAP 2: Cash flow statements

GRAP 3: Accounting policies, changes in accounting estimates and errors

Replaced Statement of GAAP

AC101: Presentation of financial statements

AC118: Cash flow statements

AC103: Accounting policies, changes in accounting estimates and errors

Currently the recognition and measurement principles in the above GRAP and GAAP Statements do not differ or result in material differences in items presented and disclosed in the financial statements. The implementation of GRAP 1, 2 & 3 has resulted in the following changes in the presentation of the financial statements:

1. Terminology differences:

Standard of GRAP

Statement of financial performance

Statement of financial position

Statement of changes in net assets

Net assets

Surplus/deficit

Accumulated surplus/deficit

Contributions from owners

Distributions to owners

Replaced Statement of GAAP

Income statement

Balance sheet

Statement of changes in equity

Equity

Profit/loss

Retained earnings

Share capital

Dividends

2. The cash flow statement can only be prepared in accordance with the direct method.

3. Specific information has been presented separately on the statement of financial position such as:

a. Receivables from non-exchange transactions, including taxes and transfers;

b. Taxes and transfers payable;

c. Trade and other payables from non-exchange transactions;

4. Amount and nature of any restrictions on cash balances is required.

Paragraph 11 – 15 of GRAP 1 has not been implemented due the fact that the budget reporting standard has not been developed by the local standard setter and the international standard is not effective for this financial year. Although the inclusion of budget information would enhance the usefulness of the financial statements, non-disclosure will not affect the objective of the financial statements.

The following are the principle accounting policies of the CRL Rights Commission which are, in all material respects, consistent with those applied in the previous year, except as otherwise indicated:

1.1 Basis of preparation

The financial statements comply with the standards of GRAP or the accrual basis of accounting. The measurement base applied is historical cost adjusted for revaluation of assets. The financial statements have been prepared on a going concern basis and the accounting policies has been applied consistently throughout the period except in cases where errors and omissions were detected.

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

1.1.1 Currency

These financial statements are presented in South African rand since that is the currency in which the majority of CRL Rights Commission's transactions are denominated.

1.2 Revenue Recognition

Revenue is recognised when it is probable that future economic benefits will flow to the CRL Rights Commission and these benefits can be measured reliably.

Revenue comprises budget allocations for the activities of the CRL Rights Commission in the vote of the Department of Provincial and Local Government (DPLG), as transfer payments.

Interest income is accrued on a time proportion basis, taking into account the principal outstanding and the effective interest rate over the period to maturity.

1.3 Property, plant and equipment

Property, plant and equipment are stated at cost less any subsequent accumulated depreciation and adjusted for any impairment.

Depreciation is charged so as to write off the cost or valuation of assets, over their estimated useful lives, using the straight line method, on the following bases:

Computer Equipment	3 years
Furniture and Fittings	10 years
Office Equipment	5 years
Cell Phone	3 years
Motor Vehicles	5 years

1.4 Financial instruments

Recognition

Financial assets and financial liabilities are recognised on the commission's statement of financial position when the CRL Rights Commission becomes a party to the contractual provisions of the instrument.

All "regular way" purchase and sales of financial assets are initially recognised using trade date accounting.

Measurement

Financial instruments are initially measured at cost, which includes transaction costs. Subsequent to initial recognition these instruments are measured as set out below.

Financial assets

The CRL Rights Commission's principle financial assets are trade and other receivables and cash and cash equivalents.

- Trade and other receivables
Trade and other receivables are stated at their nominal value as reduced by appropriate allowances for estimated irrecoverable amounts.
- Cash and Cash equivalents
Cash and cash equivalents are measured at fair value

Financial liabilities

The CRL Rights Commission's principle financial liabilities are trade and other payables

- Trade and other payables
Trade and other payables do not bear interest and are stated at their nominal value

1.5 Fair value considerations

The carrying amounts of financial assets and liabilities with a maturity of less than one year are assumed to approximate their fair value due to the short term trading cycle of these items.

1.6 Offsetting

Financial assets and liabilities are offset if there is any intension to realize the asset and settle the liability simultaneously and legally enforceable right to set off exists.

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

1.7 Provisions

Provisions are recognised when the CRL Rights Commission has a present obligation as a result in an outflow of economic benefits that can be estimated reliably. Long term provisions are discounted to net present value.

1.8 Government grants

Government grants are recognised when it is probable that future economic benefits will flow to the CRL

Rights Commission and these benefits can be measured reliably. The grant is recognised to the extent that there are no further obligations arising from the receipt of the grant.

1.9 Comparative figures

Where necessary, comparative figures have been adjusted to conform to changes in presentation in the current year.

2006/07 **2005/06**
R'000 **R'000**

2. Transfers from Government Entities

Department of Provincial & Local Government
Total

13 403	11 286
13 403	11 286

3. Other Operating Revenue

Gifts, donations and sponsorships
Rental on Library Space
Surplus on disposal of Computer
Total

-	300
-	6
-	5
-	311

4. Administrative expenses

General and Administrative expenses

- Advert recruitment
- Insurance
- Decoration
- Legal fees
- Entertainment
- Stationary and printing
- Venues and facilities
- Bank charges

Total

233	318
65	29
1	-
6	27
483	77
910	345
1 076	978
9	2
2 783	1 776

5. Audit Fees

Consist of:

Regulatory Audit
Accounting fees

Total

310	285
-	65
310	350

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

	2006/07 R'000	2005/06 R'000
6. Staff costs		
Wages and Salaries	5 527	4 643
- Basic salaries	3 396	2 654
- Other non-pensionable allowance	1 089	689
- Commissioners' remuneration	1 042	1 300
Defined Pension contribution plan expense		
Social Contributions (employer contributions)	651	371
- Medical aid	134	81
- UIF	21	12
- Provident fund	496	278
Other salary related cost (resettlement)	109	29
Total	6 287	5 043
Staff Compliment	17	17
7. Other operating expenses		
Staff training and development	15	6
Loss on disposal of asset	3	-
Consultants, contractors and special services	1 497	1 264
Marketing Cost	61	485
- Promotional items	60	-
- Photographic services	1	485
National skills development levy	42	29
Maintenance, repairs and running costs	16	8
- property and buildings	2	-
- Machinery and equipment	12	5
- Other maintenance, repairs and running costs (fuel)	2	3
Municipal services	61	-
Travel and subsistence	1 466	1 091
Courier and delivery services	25	34
Telecommunication cost	333	285
Reconciling items written off	34	-
Rentals	866	836
- Buildings	865	820
- Equipment	1	16
Total	4 419	4038

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

2006/07
R'000

2005/06
R'000

8. Depreciation

Computer equipment and peripherals	169	144
Office furniture and fittings	49	35
Office Equipment	52	36
Motor Vehicles	41	10
Total	311	225

9. Finance income

Interest on call account	217	88
Total	217	88

10. Cash and cash equivalents

Cash and cash equivalents comprise cash and short-term, highly liquid investments that are held with registered banking institutions with maturities of three months or less and that are subject to insignificant interest rate risk. The carrying amount of these assets approximates to their fair value.

Cash in Demand Deposit Account	11	-
Cash in Call Account	3 060	3 611
Cash on hand	2	2
Total	3 073	3 613

As required in section 7(2) and 7(3) of the Public Finance Management Act, the National Treasury has approved the banks where the bank accounts are held.

11. Trade and other receivables

Other receivables	-	332
Total	-	332

The directors consider that the carrying amount of trade and other receivables approximates to their fair value.

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

12. Property, Plant and equipment

	Computer Equipment & Peripherals	Office furniture & fittings	Office Equipment	Motor Vehicles	Totals R'000
Year ended 31/3/2006					
Opening net carrying amount	397	322	141	-	860
Cost	529	354	170	-	1 053
Accumulated depreciation	(132)	(32)	(29)	-	(193)
Accumulated impairment losses	-	-	-	-	-
Additions	127	164	102	204	597
Depreciation charge	(144)	(35)	(36)	(10)	(225)
Net carrying amount 31 March 2006	380	451	207	194	1 232
Year ended 31/3/2007					
Opening net carrying amount	380	451	207	194	1 232
Cost	656	518	272	204	1 650
Accumulated depreciation	(276)	(67)	(65)	(10)	(418)
Accumulated impairment losses	-	-	-	-	-
Additions	95	-	19	-	114
Depreciation charge	(169)	(49)	(52)	(41)	(311)
Disposals	(33)	-	-	-	(33)
Net carrying amount 31 March 2007	273	402	174	153	1 002
Consisting of:					
Cost	718	518	291	204	1 731
Acc Depreciation	(445)	(116)	(117)	(51)	(729)
Net carrying amount 31 March 2007	273	402	174	153	1 002

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

2006/07
R'000

2005/06
R'000

13. Payables

Trade creditors	118	968
Employees tax payable	133	-
Total	251	968

The directors consider that the carrying amount of trade and other payables approximates to their fair value.

14. Salary and related expense provision

Opening balance	49	74
Unused amounts reversed during the year	(49)	(74)
Provisions made during the year	73	49
Closing balance	73	49

The leave pay provision relates to the CRL Rights Commission's estimated liabilities arising as a result of services rendered by employees.

15. Accumulated surplus

Balance at the beginning of the year	4 160	3 907
Prior year adjustments	81	-
As restated	4 241	3 907
Net surplus/ (deficit) for the year	(490)	253
Balance at The end of the year	3 751	4 160

16. Notes to the cash flow statement

Surplus/(deficit) from operations	(490)	253
Adjusted for		
Separate disclosable items	(220)	(88)
- Interest received	(217)	(88)
- Profit and loss on stolen asset	(3)	-
Non-cash movements	334	200
Depreciation on property, plant and equipment	311	225
Increase in leave pay provision	24	(25)
Working capital changes	(300)	3 745
- Increase/(decrease) in trade and other payables	(633)	681
- Decrease in receivables	333	3 064
Net Cash inflow / outflow from operating activities	(676)	4 110

17. Taxation

This entity is exempt from income tax in terms of section 10(1) (a) of the Income Tax Act, 1962

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

18. Senior Management Emoluments

	Fees and services	Salary	Expense Allowance	Provident fund contributions	Other benefits	Totals R'000
Executive management and directors						
Chair person M Guma	-	474	-	70	249	793
Chief Executive Officer PP Madiba	-	406	-	60	210	676
Chief Financial Officer E Ntsowe (resigned)	-	84	-	13	59	156
Chief Financial Officer CM Smuts	-	168	-	25	108	301
Chief Operations Officer (resigned)	-	140	-	21	60	221
Senior Manager GH Philander	-	290	-	43	148	481
Senior Manager MA Masoga	-	281	-	32	133	446
Senior Manager RW Maruma	-	11	-	2	4	17
Total	-	1 854	-	266	971	3 091
Non executive management (Commissioners)						
WA Boezak	105	-	10	-	-	115
LP Boshego	107	-	17	-	-	124
M Bethlehem (Deputy Chair Person)	194	-	2	-	-	196
S Dangor	25	-	1	-	-	26
MAE Dockrat	26	-	4	-	-	30
H Gouvelis	35	-	3	-	-	38
MD Jobson	7	-	-	-	-	7
JCH Landman	67	-	3	-	-	70
WRJ Langeveldt	39	-	21	-	-	60
M Le Roux	28	-	-	-	-	28
TSC Magwaza	30	-	6	-	-	36
DKK Marais	39	-	1	-	-	40
BB Mgcina	87	-	-	-	-	87
N Mndende	77	-	-	-	-	77
SE Ngubane	36	-	-	-	-	36
MKS Ntlha	74	-	3	-	-	77
M Soni-Amin	65	-	-	-	-	65
Total	1 041	-	71	-	-	1 112
Audit committee members						
O Moosa	8	-	-	-	-	8
M Strous	4	-	-	-	-	4
Total	12	-	-	-	-	12

No other transactions occurred during the year.

10. ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Notes to the Annual Financial Statements for the Year Ended 31 March 2007

19. Material losses through criminal, irregular, fruitless and wasteful expenditure

To the best of our knowledge, no material losses through criminal conduct or irregular, fruitless and wasteful expenditure were incurred during the year ended 31 March 2007.

Material loss through criminal conduct	- None
Irregular expenditure	- None
Fruitless and wasteful expenditure	- None

20. Contingent Liability

An application in respect of the retention of funds to the value of R 3, 073 m has been made. The outcome of the request is awaited.

Possible interest charges relating to the non submission and timely payment of employees tax deducted from employees to the South African Revenue Services (SARS). Amount of interest is estimated to be R1, 362 which has not been accrued for at year end.

21. Reporting against budget

The standard of Generally Recognised Accounting Practice (GRAP) on presentation of financial statements requires that entities subject to budgetary limits must provide information on whether resources were obtained and used in accordance with the legally adopted budget.

22. Comparative information

Comparative information has been adjusted to changes in presentation in the current year. The following accounts and classes of transactions have been restated:

Nature	Amount of restatement	Reason for reclassification
Finance income	88	Restatement is in line with reporting requirements of National Treasury. Income is in respect of interest on the call account and not as a direct result of operations.
Marketing cost	485	Restatement is in line with reporting requirements of National Treasury.
Administrative expenditure	2 790	Restatement is in line with reporting requirements of National Treasury. Claims of commissioners are reported as periodic payments. Rental and travel expenditure is reported as other operating expenses.
Staff costs	1 299	Restatement is in line with reporting requirements of National Treasury. Claims of commissioners are reported as periodic payments.
Other operating costs	1 491	Restatement is in line with reporting requirements of National Treasury.
National skills fund expenditure	30	Restatement is in line with reporting requirements of National Treasury. Rental and travel expenditure is reported as other operating expenses.

Compiled and published:
CRL Rights Commission

No 1 Kotze Street
Constitutional Hill
Women's Gaol, West Wing
Braamfontein

Private Bag X90 000
Houghton
2041

Tel: +27 11 339 1775

Fax: +27 11 339 2234

www.crlcommission.org.za

RP 126/2007

ISBN 978-0-621-37230-4

Produced by:



Mantuba Business Communications (Pty) Ltd

Tel: 011 468 3708

Material from the Annual Report may be freely
quoted as long as full acknowledgement is given

CRL
Rights
COMMISSION

FOR THE PROMOTION AND PROTECTION
OF THE RIGHTS OF CULTURAL, RELIGIOUS
& LINGUISTIC COMMUNITIES