

SOUTH AFRICA 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

South Africa is a multiparty parliamentary democracy in which constitutional power is shared among the executive, judiciary, and parliamentary branches. In May 2019 the country held a credible national election in which the ruling African National Congress won 58 percent of the vote and 230 of 400 seats in the National Assembly. In May 2019 African National Congress president Cyril Ramaphosa was sworn in for his first full term as president of the republic.

The South African Police Service has primary responsibility for internal security. The police commissioner has operational authority over police. The president appoints the police commissioner, but the minister of police supervises the commissioner. The South African National Defense Force, under the civilian-led Department of Defense, is responsible for external security but also has domestic security responsibilities. On March 23, the president announced measures to curb the spread of COVID-19 and directed the South African National Defense Force to assist the South African Police Service with enforcement of a nationwide lockdown. Civilian authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included: unlawful or arbitrary killings by security forces; torture and cases of cruel, inhuman, or degrading treatment or punishment; harsh and life-threatening prison conditions; arbitrary arrest or detention; official corruption; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, and intersex persons, and the worst forms of child labor.

Although the government investigated, prosecuted, and punished some officials who committed human rights abuses, there were numerous reports of impunity.

Section 1. Respect for the Integrity of the Person, Including Freedom from

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domestic workers. Most domestic workers were either subject to staying with their employers or risk losing both their income and employment.

Farm workers also reported health and sanitation concerns. In a 2017 report, the NGO Women on Farms Project stated that 63 percent of the female farm workers surveyed did not have access to bathroom facilities and were forced to seek a bush or a secluded spot. The report also included the responses of female farm workers and their children who reported suffering from health problems such as skin rashes, cholinesterase depression, poisoning, harmful effects on the nervous system, and asthma due to the pesticides to which they were exposed.

Mining accidents were common. Mine safety has steadily improved from prior decades, however. For example, 553 miners lost their lives in 1995 compared with only 51 deaths in 2019 and 81 deaths in 2018. Mining operations were scaled down significantly during the year due to the COVID-19 pandemic, particularly deep-level mining. According to the Department of Mineral Resources and Energy, between January and September, there were 37 reported fatalities and 1,053 injuries among workers in the mining industry.

In July 2019 the Constitutional Court ruled employees assigned to workplaces via a labor broker (“temporary employment service”) are employees of the client and entitled to wages and benefits equal to those of regular employees of the client.

In August 2019 the High Court of Gauteng expanded statutory workers’ compensation coverage to domestic workers for injuries suffered in the course of their employment.