

ANC Submission on Human Rights Commission  
18 March 1995

- 1 The Constitution should provide for an independent Human Rights Commission accountable to Parliament.
- 2 The HRC should have a broad mandate to protect and promote human rights, and its powers and functions should include:
  - 2.1 education and awareness raising about human rights;
  - 2.2 investigate violations of human rights;
  - 2.3 monitor and review legislation, administrative provisions, and policies to evaluate compliance with human rights;
  - 2.4 the power to advise parliament and the government and to make recommendations iro 2.3;
  - 2.5 the ability to act on request and on own initiative;
  - 2.6 the promotion of the harmonisation of national policies, laws and administrative practices with international human rights norms;
  - 2.7 the power to commission research,
  - 2.8 encouragement of ratification of international instruments and to measure compliance;
  - 2.9 contribute to national reports on international treaty obligations;
  - 2.10 powers of mediation, arbitration and referral of matters to court;
  - 2.11 such other powers as may be given to the HRC in legislation.
- 3 The constitution should refer to all human rights and should not exclude the HRC playing a role iro social and economic rights.
- 4 The constitution must state that the HRC may deal with both the vertical and horizontal application of rights.
- 5 The constitution should provide for parliament to appoint the commissioners, who should be independent and qualified persons.
- 6 AN other matters should be dealt with by legislation.