

# OBJECTION TO SECTION 6 & SECTION 9 OF THE NEW CONSTITUTION BILL

Dear Judges:

My name is Shameshini Naidoo. I am six years old. I want to study Telugu at school. Please protect my rights.

Thank you

**SHAMESHINI NAIDOO**

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I, Mrs Prushni Naidoo, am assisting my six-year old daughter, Shameshini in her objection to the certification by the Constitutional Court of section 6 and section 9 of the new Constitution Bill.

I. SPECIFIC PROVISIONS IN THE CONSTITUTION OBJECTED TO: SECTION 9

II. Grounds for the Objection:

- a) Section 6 does not comply with constitutional principles I, II, III, V, VII and XI as it discriminates among different race and linguistic groups, including children in those groups.
- b) Section 9 states that there can be discrimination which is not unfair but, at the same time, there must be equality for all.

Section 9 should grant equal rights for all children. Yet some children might be discriminated against if 'some one' (law makers/judges?) decides that it is 'fair'.

The constitution principles state that the constitution must treat all citizens equally and there should be no discrimination. Children also have constitutional rights.

- c) Section 6 and section 9 are not in accordance with constitutional principles II and VII which refer to universally recognized fundamental rights, freedom and civil liberties.

The Republic of South Africa ratified the UN Convention on the Rights of the Child 1989 on Youth Day 1996. When they drafted sections 6 and section 9 the constitutional Assembly should have considered all the universally recognized rights and freedoms, including Articles 2, 8, 13, 14, 17, 29 and 30 of the UN Convention on the Rights of the Child 1989.

III. Specific Constitutional Principles as set out in Schedule 4 of the 1993 Constitution and not complied with Constitutional Principles I, II, III, V, VII and XI.

**PRUSHNI NAIDOO**

Durban

27 May 1996