

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

25 Heystek Street
Rustenburg
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PO BOX 9586
RUSTENBURG
0300

Tel.: 014 592 0694
Fax: 086 747 5111



18 October 2024

To: North West University – Lefapha La Molao

Motlatsa Mokaedi Dithuto tsa Baithuti ba ba Kwa Tlase: Prof Tumi Mmusinyane

Email: Tumi.Mmusinyane@nwu.ac.za

INVITATION TO ATTEND THE SOUTH AFRICAN HUMAN RIGHTS DIALOGUE

1. The South African Human Rights Commission in the North West Province (Provincial Office) invites you and your organisation to participate in the planned dialogue themed “*Bridging the Gap between Human Rights and Traditional Customs*”.
2. Before the dawn of democracy, traditional authorities had vast administrative and judicial powers over traditional communities. These powers included the administration of land and the resolution of civil and criminal disputes. The powers were mainly governed by the Black Administration Act 38 of 1927 (“Black Administration Act”).
3. With the dawn of democracy, the Black Administration Act was repealed, denuding traditional authorities of most of their powers, particularly their judicial powers. This notwithstanding, traditional authorities have continued to appropriate for themselves these powers, resulting in a clash between traditional and democratic values.
4. This clash is more apparent in the areas of land administration. In this regard, over the years, the NWPO has received complaints relating to the eviction of persons and the demolition of such persons’ homes and properties pursuant to eviction and demolition orders. This is the case despite Traditional Courts no longer having the power to evict people.

Together, respecting and realising human rights.

Chairperson: AC Nissen; **Commissioners (Full-Time):** P Ntuli; ENB Khwinana; WH Boshoff; T Madlingozi. **Commissioners (Part-Time):** S Makoasha, AA Gungubele; **Chief Executive Officer:** V Mkhize

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5. Bridging the Gap between Human Rights and Traditional Customs, it would be essential to understand the extent of their role and powers in the democratic dispensation, with the view to strengthening their capacity to adapt to the new democratic norms and respond to the prevailing human rights challenges. The planned dialogue will be one of the mechanisms that will be used by the NWPO to deepen understanding of the role and powers of traditional authorities in the democratic dispensation.
6. We are pleased to invite you to participate in an upcoming dialogue focused on the vital topic of *“the historical context for the apparent chasm between human rights and customary law and practices and establishment of village constitutions”*
7. The dialogue is scheduled to take place as follows:

Date: 19 November 2024
Venue: Taung – exact venue to be confirmed
Time: 09h00 – 16h00
8. We believe that your participation will significantly enhance our collective efforts to bridge the gap between human rights and traditional customs. By strengthening the capacities of traditional leaders, we can better address the prevailing human rights challenges in their communities.
9. We would be grateful if we could receive confirmation of attendance by close of business on **01 November 2024**.
10. In the interim, please contact our Adv Oarabile Gaoraelwe at ogaoraelwe@sahrc.org.za or on **014 592 0694/082 404 5788** should you have any questions or queries.

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Yours faithfully,

A handwritten signature in black ink, appearing to read "Oarabile Gaoraelwe".

Oarabile Gaoraelwe (Adv)
Advocacy & Research Officer
North West Provincial Office
South African Human Rights Commission

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