

ADVANCE QUESTIONS TO SOUTH AFRICA – ADDENDUM 1

CANADA

Violence against Women:

We would be grateful if you could indicate what specific steps the government and South African Police Services are taking or intend to take to improve the latter's handling of cases of sexual and domestic violence.

We are pleased to see that certain sections of the long-awaited *Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007* came into operation this past December. However, we note that many of the measures initially proposed by the South African Law Reform Commission (SALRC) in the draft legislation with a view to supporting and protecting complainants in court and to providing comprehensive state-funded post-sexual assault medical care and treatment services have been removed.

Given that the Act's stated objective is "to afford complainants of sexual offences the maximum and least traumatizing protection that the law can provide", we would be grateful if you could explain why the SALRC's recommendations were not followed on these important points.

HIV/AIDS:

We would be grateful if you could indicate what South Africa is doing to address inequities in access to HIV/AIDS treatment and support, particularly as they concern the rural South African.

Criminal Justice System:

Given the widespread perception that political agendas are compromising the integrity of the South African criminal justice process, and the need for justice to be done as well as be seen to be done, we would be grateful if you would indicate whether the government of South Africa intends to take any steps to address these concerns.

Freedom of Expression:

We consider post-Apartheid South Africa to have a relatively free, independent and dynamic media that is willing and able to hold the government and any other institution or individual to account in the face of evidence of corruption, illegality or a failure to discharge responsibilities. However, a number of developments and controversies over the past year or so have raised some concerns that the level of press and media freedom in South Africa may be declining. These notably include the rash of controversies surrounding the government's Film and Publications Amendment Bill, the appointment of public broadcaster SABC's new board and the ANC's Polokwane Conference resolution regarding the establishment of a Media Appeals Tribunal. Controversies have also arisen concerning the reported bid by an investment consortium involving several of President Mbeki's closest allies to purchase Johncom, the company which owns or enjoys a controlling stake in a number of South Africa's most influential papers, including The Sunday Times, one of the papers most critical

of the current administration. This same paper saw members of its editorial staff arrested last year.

All of these issues raise the spectre of state interference with that freedom of expression currently enjoyed by the South African media and we would be grateful if you could indicate whether such concerns are justified and what steps, if any, the government intends to take in the near future to protect and promote the freedom of expression, notably as it concerns the freedom of the press and other media, that it is constitutionally obligated to respect.

DENMARK

- What measures does the government of South Africa intend to take in order to ensure that the reported use of torture is abolished?