



17 April 2023

For Attention:

National Minister of Police, Mr Bheki Cele

Gauteng Provincial Commissioner of Police, Lt Gen E Mawela

Chairperson of the South African Human Rights (SAHRC) Commissioner Professor Bongani Majola

Gauteng Head SAHRC, Ms Zamantungwa Mbeki

Chairperson of Parliamentary Portfolio Committee on Police

Chairperson of Parliamentary Portfolio Committee on Home Affairs

The People of the Republic of South Africa

**PUBLIC STATEMENT: Swift Action against Perpetrators of Threats made against HSF Director**

Global South Against Xenophobia brings to your attention a threat made by a xenophobic individual on social media against the Director of the Helen Suzman Foundation (HSF), Ms Nicole Fritz and her children. This requires swift action against the perpetrators by the South African Police Service (SAPS) and South African Human Rights Commission (SAHRC).

In the twitter post currently circulating, a certain Freeman Bhengu (@zibuseman) writes:

"We are watching her, and we know where she stays, her daughter and their closed offices in Parktown, we will deal with her tomorrow @nicole\_fritz" (Posted on Monday, 10/04/2023 at 8:51).

We understand that other such threats have been made against the litigants, which should also be investigated and the perpetrators brought to book. We undertake to forward any further such information to the SAHRC, with whom we have lodged a formal complaint on the matter.

The HSF is currently engaged in litigation against DHA Minister Aaron Motsoaledi for cancellation of the Zimbabwean Exemption Permit (ZEP), which will seriously impact approximately 178 000 Zimbabwean nationals living in South Africa for over at least 10 years. The above threat on Twitter was posted on the evening before the case hearing in the Pretoria High Court, and has come to our attention in the week of the hearings.

We bring this to the notice of senior SAPS and the SAHRC in order that proper steps be taken for the perpetrator to be identified, apprehended and charged. Anyone has the right to disagree with the HSF, Ms Fritz or any organization or person bringing such litigation against the DHA or undertaking human rights defence work for the rights of immigrants in South Africa or other vulnerable groups. However, such persons are prohibited by law from making threats, stalking or communicating to others the desire to physically harm litigants, human rights activists and their families and place of work.

We request that Ms Fritz, her family and the HSF offices be provided with adequate protection by the SAPS for the duration of the hearings and verdict or until such time that the perpetrator(s) are arrested and charged.

The SAHRC must publicly state its intervention in this matter and make clear that those defending human rights and vulnerable people in the Republic shall not be intimidated, threatened or harmed by any member of the public or any party, whether private or state.

The SAPS and SAHRC must inform the public about their position and progress made on this matter.

Further, we would like to inform the office bearers to whom this letter is addressed and the South African public in general that the rights of activists, civil society members and private citizens to undertake human rights defence work is afforded by our Constitution, as is their safety when doing so. It must not be tolerated that such humans rights defenders and those speaking truth to power are threatened and targeted.

We express our solidarity with the HSF and the ZEP holders in whose interests the case is brought by the HSF. We hold that ZEP litigants' recourse to the courts against the DHA Minister to challenge the ZEP cancellation must be conducted without intimidation or interference of them and their legal representatives.

We stand in solidarity with those making efforts to ensure that the standards of democracy are observed in government and in society. The threat we allude to in this statement is against a woman human rights defender and her daughter. This smacks of gender based violence, which must be made clear we will not tolerate as daily, thousands of women in South Africa act to secure people's human rights, including against xenophobia.

We urge all our people to stand up against xenophobia and perpetrators of other corruptions and to defend the space for activists and civil society actors.

(Global South Against Xenophobia intervenes for the rights and safety of non-locals and local communities affected by xenophobia and other forms of oppression in the Republic of South Africa and broader Global South)

For further information,

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ENDORSED BY:

1. African Diaspora Workers Network (ADWN)
2. Waterberg Women Advocacy Organisation (WWAO)
3. Abanebhongo Persons with Disabilities (APD)
4. Lawyers For Human Rights (LHR)
5. Southern Africa Human Rights Defenders Network (SAHRDN)
6. International Commission of Jurists (ICJ)
7. Zimbabwe Exiles' Forum (ZEF)
8. Network for Immigrant Rights & Responsibilities in South Africa (NIRRSA)
9. Centre for Faith and Community, University of Pretoria (CFC@UP)
10. United Front (UF)
11. Tshwane Leadership Foundation
12. Right2Know Campaign (R2K)
13. Socio-Economics Rights Institute (SERI)
14. Scalibrini Centre of Cape Town

15. Amnesty International South Africa
16. South Durban Community Environmental Alliance
17. Neighbours NPO
18. Chronicles of Refugees and Immigrants (ChRI)
19. Giraffe Heroes South Africa (GHSA)
20. People's Organisation
21. Migrant Workers Union of South Africa (MIWUSA)
22. ZEP National Coordinating Committee
23. Zimbabwe Solidarity Network (ZSN)
24. Kopanang Africa Against Xenophobia (KAAX)
25. Public Services International (PSI)
26. Yes & Amen International Organisation
27. Voice of Azania
28. Botshabelo Unemployed Movement (BUM)
29. One Voice Of All Hawkers Association (OVOAHA)
30. Gauteng Informal Development Alliance (GIDA)
31. People Against Suffering, Suppression, Oppression, and Poverty (PASSOP)
32. Ke Nako MaAfrika
33. Pride Shelter
34. The Peace Centre
35. Synergy Works Afrika
36. Market Users Committee (Dbn, KZN)
37. Human Rights Education Centre (HREC)
38. Housing Assembly (HA)
39. Marikana Youth Development Forum
40. People Against Apartheid and Fascism (PAAF)
41. Mary de Haas KZN Monitor
42. Refugee Social Services (RSS)
43. Desmond & Leah Tutu Foundation