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## Human Rights Day 2021: Inclusion - a commitment to dismantling barriers by Abigail Dawson

The 2021 school year in South Africa is exhibited as shops display new uniforms and an array of colourful stationery for children to fill their suitcases. Although the first term is coming to its end, the school year has not yet started for many children.

Dural\* is six years old. He has a school to go to in Johannesburg and a bright new uniform that he has been unable to put on. The school administrator has asked his mother to pay R1800 before he can start the year. Although the District has stated that registration fees are illegal, the school has said that all "foreigners" must pay. He wakes up early every morning, hoping he can go to school. His mother, an asylum seeker in South Africa, lost her job due to the COVID-19 lockdown and is currently dependent on donations. For her, this registration fee is an impossibility.

Naomi\*, aged fourteen, arrived in South Africa from the Democratic Republic of Congo to stay with her mother in South Africa in February 2020. She has been unable to secure documentation due to the temporary closure of the Refugee Reception Offices. Documentation is not a requirement to access education. Yet, Naomi is still not admitted to a school as she has no proof of identity.

The 21 March commemorates the victims of the Sharpeville Massacre, which took place on this day in 1960. It is an opportunity to remember those who fought for the freedom and rights we enjoy today. This day is also a celebration of human rights as recognised in our Constitution that took effect for all in South Africa following the 1994 democratic elections.

This Human Rights Day, the Jesuit Institute and Jesuit Refugee Services draw attention to children excluded from their right to access basic education. Access to education is a universal human right. It is an immediately realisable right. It cannot be dependent on government resources. Education must be affordable and accessible to all people.

Various legislative frameworks support the implementation of access to basic education based on non-discrimination. This includes the South African Schools Act and the Admissions Policy for Ordinary Public Schools. A recent call for public comments on amendments to the admissions policy was published. Important amendments have been included in this policy to ensure legal documentation is not a requirement for admission. What is excluded is that registration fees are illegal and not a requirement for admission to schools. Registration fees, particularly for refugee and asylum seekers, continue to be a barrier in accessing education.

Inclusion is the actual implementation of non-discrimination. Inclusion is often associated and concerned with removing all barriers to participation – especially for those vulnerable to exclusion and marginalised.

As we celebrate the human rights we enjoy, this day draws us to reflect on those excluded from access to basic rights and calls us to a commitment to ensure their inclusion.

*\*Pseudonyms used*



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