

Defend Ethical Doctors from Unethical Politicians

15 May 2008

We apologise profusely to readers who received numerous copies of the last newsletter, as well to the even more unfortunate readers who received no copies. We believe that cause of the error has been found and removed, but in case we are wrong, we apologise in advance.

For media comment on any TAC newsletter item please phone 071-501-6594.

Contents

- Defend Ethical Doctors from Unethical Politicians:
 - [The AIDS Law Project, acting on behalf of the Southern African HIV Clinicians Society, the Rural Doctors Association of Southern Africa and the Treatment Action Campaign calls for the South African Human Rights Commission to investigate human rights violations committed by the KwaZulu-Natal MEC for Health](#)
 - Dr. Malcolm Naude went to the labour court on 12 May to challenge his 2000 dismissal by the Mpumalanga Department of Health for providing antiretroviral drugs to rape survivors. [Read the ALP press statement.](#)
- [TAC condemns attacks on foreigners in Alexandra township](#)
- [ALP challenges constitutionality of the South African National Defence Force's \(SANDF\) discrimination against HIV-positive soldiers](#)

Complaint to the South African Human Rights Commission against MEC of Health for KwaZulu-Natal

The AIDS Law Project, acting on behalf of the Southern African HIV Clinicians Society, the Rural Doctors Association of Southern Africa and the Treatment Action Campaign has made a submission to the South African Human Rights Commission requesting an investigation into human rights violations committed by the MEC for Health in KwaZulu-Natal, Ms Peggy Nkonyeni and her staff.

To read the complaint please follow [this link](#).

[END OF SAHRC COMPLAINT]

TAC and the ALP Condemn Xenophobic Violence in Alexandra

Call for deportation moratorium and acceptance of political crisis in Zimbabwe

On Sunday 11 May at about 22h00 people living in Alexandra, Johannesburg (who are mainly from Zimbabwe, Malawi

and Mozambique) were attacked by a large group of people, mainly South Africans. They were evicted from their homes, robbed of their possessions, stabbed, and beaten.

Violence erupted again on Monday 12 May. Three people have since been killed. We condemn these attacks. About 1000 people are now homeless and fear for their lives. They are staying at the Alexandra police station and seeking protection there. About 75 children are part of this group. Despite this, the Gauteng provincial government has only provided a place of shelter that can cater for up to 50 people. The Alexandra health clinic has also reportedly run out of essential medical supplies thus requiring humanitarian organisations to step in and help.

Addressing xenophobia and the crisis in Zimbabwe

The SA government and UNHCR must take immediate steps to conduct a mass education campaign to eradicate such violence, which we believe is rooted in xenophobia. Xenophobia is also fuelled by the SA government's official reluctance to accept, in particular, that there is a political crisis in Zimbabwe right now. For this reason, local communities do not accept that refugees from Zimbabwe are fleeing political persecution, starvation, a collapsed economy, a collapsed health care system, massive inflation and a country torn apart by electoral violence.

They are therefore attacking foreigners, mainly Zimbabweans, who are fleeing persecution in their home country instead of helping them and giving them refuge in SA. Until our government accepts that the majority of people fleeing Zimbabwe are refugees, then local communities will continue to be violent towards them.

The TAC and ALP therefore believe that until such time that political and economic order is restored in Zimbabwe, that the Minister of Home Affairs should (as she is entitled by law to do):

- Allow Zimbabweans to seek refuge in SA without having to apply for individual asylum status (called a 'class exemption');
- Declare a moratorium on the deportation of Zimbabweans particularly from Musina and Lindela; and
- Tell us under whose authority the Musina detention centre deports Zimbabweans and other foreigners seeking refuge in SA? this occurs on a daily basis in breach of our own laws and international obligations.

We also call on the Premier of Gauteng and the Gauteng MEC for Safety and Security to report if they will:

- Provide adequate police and/or military protection against further violence;
- Provide adequate shelter for all those rendered homeless by the xenophobic attacks as well as provide food and blankets;
- Investigate, arrest and speedily prosecute those responsible for the violence;
- Issue a directive to the department of home affairs to ensure that those without documentation are not deported but instead helped with getting the appropriate and required documentation to regularize their stay in SA.

For comment please call TAC's International Campaigns Coordinator, Regis Mtutu: 084-310-8614

[END OF ALEXANDRA ATTACKS]

ALP challenges SANDF ban on HIV positive soldiers

The AIDS Law Project has brought a case against the South African National Defence Force on behalf of the South African Security Forces Union (SASFU) and three individuals with HIV who have been discriminated against. The case will be heard in the Pretoria High Court on 15 to 16 May 2008. TAC will demonstrate outside of the courthouse prior to and during the hearing of the case. The demonstration will begin at 9am on Thursday 15 May at 9am.

For more information about the case and to download some of the court papers please click [here](#).

Queries relating to the case should be directed to:

Ms Nonkosi Khumalo (AIDS Law Project): 074 194 5911

Mr Matile Mmagare (President of SASFU): 073 157 1611

Mr Sipho Mthetwa (An applicant in the case): 072 729 5624

[END OF SANDF]

- [TAC News](#)

- [TAC News](#)

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