

A Society for All!

By Mohamed Ameerma

The General Assembly proclaimed 20 February as World Day of Social Justice in 2007. It invited Member States to devote the day to promoting national activities in accordance with the objectives and goals of the World Summit for Social Development and the twenty-fourth session of the General Assembly. During the World summit, it was stated that social development aims at social justice, solidarity, harmony and equality within and among countries. The summit reiterated that social justice, equality and equity constitute the fundamental values of all societies. The member states in order to achieve "a society for all", pledged to create programmatic actions to promote social justice in their jurisdictions.

As South Africa celebrates this day, it is time to introspect on how far we have gone as a country to achieve social justice for all. This year's celebration of the day world day of social justice coincides with the 20th anniversary of the signing into law of the Constitution of the Republic of South Africa. The celebrations of the world day of social justice come at a time when the Sustainable Development Goals (SDGs) which were adopted by the United Nations through its General Assembly in September last year, came into force in January 2016. This post-2015 agenda was a successor framework to the Millennium Development Goals (MDGs), which was a worldwide commitment by leaders of 189 nations to proactively tackle poverty and inequality. The SDGs, which consist of 17 goals, envisage a framework to transform the world we live in over the next 15 years, by ending poverty and putting an end to the ever-widening chasm between the have-lots and have-nots. The rallying call during the development of the post-2015 development agenda was, not to "leave anyone behind". This message is clear from the text setting out the SDGs, as it is steeped with references to human rights. The concept of universality of human rights, as well

as the integrated approach to human rights found in the text, is akin to the interdependence and indivisibility of human rights.

The MDGs were previously criticised for not containing a stand-alone goal on access to justice. The importance of a self-standing goal on access to justice becomes clear in the context of the African continent where a majority of the populace are unable to claim their rights because of poverty and inequality, as most people due to lack of financial means remain vulnerable to abuse and exploitation. Therefore, in including a stand-alone goal on access to justice, the SDGs have given teeth to the other goals encapsulated in this framework. For example, goal 6 refers to the need for everyone to have access to clean water and sanitation. The inclusion of the goal on access to justice will serve to protect and shield those who have hitherto not enjoyed such benefits, from being further deprived to enjoy such rights. Further, a stand-alone goal will now serve as an enforcement mechanism for people living in poverty to ensure that exploitation by powerful public or private actors, is prevented.

The adoption and coming into force of the SDGs present an entry-point for the South African Human Rights Commission in its capacity as a National Human Rights Institution. As a National Human Rights Institution, the Commission in terms of the SDGs, will continue to play its role to promote human rights in the country by engaging with the government to ensure that nationally tailored targets, are human rights centred. The Commission will continue to monitor and hold government to account for poor or uneven progress in the attainment of the SDGs, simultaneously, striving to secure redress for victims of human rights violations.

Further, the adoption of the SDGs, particularly goal 16, which envisages access to justice for all, provides an opportune moment for a rethink on the importance of the community advice offices in our country. Community advice offices are one of the avenues utilised by communities to access justice. Community advice offices operate in remote areas serving as conduits for the indigent and marginalised communities

to access justice. These community advice offices, which are staffed by paralegals, deal hands on with the problems vulnerable and marginalised people face on a daily basis, and thus they constitute a vital component in access to justice. In light of the fact that Legal Aid South Africa predominantly takes on criminal matters, paralegals in community advice offices fill the lacuna *apropos* civil legal matters. Notwithstanding such good work, community advice offices continue to be hamstrung by insufficient funding. Therefore, in order to ensure that access to justice transcends from being a rhetorical expression, to a lived reality, there is a need for the community advice offices to be adequately capacitated as they form a key component in the attainment of social justice for communities they serve.

The SDGs are the vehicle to the future we want. A future where everyone will be free from want, free from poverty and free from hunger. However, to ward off the criticism that the SDGs are idealistic, the buck ultimately stops with the state. The state should do more to ensure that these goals are implemented. Otherwise without implementation this new vehicle, which is the SDGs, may not take us to the future we want. After all, it was South Africa, who chaired the Group of 77 nations in the UN General Assembly, supported by China, moved for the adoption, that resulted in the culmination of the process, of the SDGs.

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