

MEDIA RELEASE

13 April 2020

On 13 April 2020, media reports surfaced that 8 people have been killed by the South African Police Services (SAPS) and members of the South African National Defence Force (SADF) since the implementation of the national lockdown on 27 March 2020 by the South African government. There have been 13 complaints of shootings and 14 assault cases. 12 of these cases are related to Covid-19.

Covid-19 is a communicable virus which has called for global leaders to act diligently to prevent further infection and loss of lives. The South African government has taken necessary measures to protect civilians from a national disaster by curbing the infection rates of the Covid-19 through the imposition of a national lockdown. However, the lockdown has exposed violation of human rights which form the very fabric of South Africa's Constitution. The Community Constituency Covid-19 Front urges that human rights continue to be respected and fulfilled during the lockdown. Any limitation must be reasonable and justifiable in an open and democratic society based on the values of dignity, freedom, and equality. The presence of public officials in communities has caused fear, animosity and anxiety. Officials have been granted immunity by the State which creates a superiority complex and unfair power dynamics over less empowered and vulnerable community members. Communities are also urged to respect procedures and to mutually respect officials working to ensure that communities are being faithful to the regulations. Opportunist criminal behaviour should not be condoned. However, violation of lockdown regulations does not warrant murder and brutal assault. The principles of criminal law must apply, and murder and self-defence must be distinguished.

As the Community Constituency Covid-19 Front monitors the following:

The right to dignity: respect for human dignity requires the recognition of everyone regardless of race, socio-economic status, nationality, sexual orientation and gender. Police beatings and hate speech are against an individual's right to human dignity.



Privacy: public officials must be in possession of search warrants unless there is reasonable suspicion that lockdown regulations are being infringed upon. No public official may unreasonably enter your home or premise without a search warrant.

Freedom from torture and other cruel, inhumane or degrading treatment or punishment: it has been reported that officials are forcing community members to do humiliating and degrading acts in order to escape prosecution for violating lockdown regulations. No person is to be subjected to any form of torture, cruelty or degrading treatment.

The right to life: the intentional killing of civilians in the enforcement of the national lockdown constitutes to murder. Murder is a violation of the right to life and government should take appropriate measures to safeguard life by taking steps to protect all individuals if their life is at risk. Reports of police brutality and failure of officials to act according to national disaster regulations include the recent murder of a man in the township Alexandra and the unfounded assault of his wife reported on 13 April 2020. Two weeks ago, a man from Vosloorus was killed by a member of Ekurhuleni Metro Police Department (EMPD) and a private security guard. The man was shot in front of his two nieces on accusations of contravening the lockdown. The right to life extends to preserving the health of all South Africans through the implementation of measures to reduce infection and this too must be respected.

The right to equality: all citizens must be treated equally and must be not discriminated against on grounds stipulated in section 9 of the Constitution. Improvised communities have particularly been subjected to this unfair treatment thereof rehashing the cruelties of the past and exposing racial and class inequalities in the South Africa.

Corruption, bribery, unlawful arrest and detention: a person may be arrested either on the strength of a warrant of arrest or when a police officer witnesses a person committing an offence or has probable cause to believe that a person was involved in the commission of a crime. Where persons are arrested, it is important that Covid-19 precautions such as social distancing are enforced. Officials must ensure the rights and protocols applicable to detained persons are followed and arrests must be lawful. Both officials and community members must not offer to pay a bribe.

Human rights are not exclusive to certain groups or segments of the population. They apply to every person. The Community Constituency Covid-19 Front calls on government to respond to these injustices and ensure that moving forward, lives are not lost in the implementation of a lockdown which aims to protect society as opposed to disrupting and endangering individuals and communities. The Community Constituency Covid-19 Front will be developing

About the Community Constituency Covid-19 Front

The Community Constituency Covid-19 Front was established as a formal advisory body to facilitate the participation of civil society sectors and networks, including those represented in the national response and implementations of Community-Based Measures in response to the novel Coronavirus (Covid-19). The Community Constituency Covid-19 Front promotes an inclusive, competent and responsive civil society that effectively serves the needs of communities by linking and diversifying civil society actors, expanding the sector's response and ensuring better coordination, thus improving operations, and enhancing connections between civil society organisations with government, business labour, their stakeholders and beneficiaries. The Covid-19 Front aims to provide a hub of information and contacts for distribution and engagement through our members across the country.

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**Community
Constituency
Covid-19 Front**
civil society working together to beat the coronavirus

**I am, You are, We are
Together in ending COVID-19**

CAMPAIGN