



# LESEDI

*Lighting the way to justice*

MAY/JUNE 2018

EDITION 2 - YEAR 1

“Only when the last prisoner of conscience has been freed, when the last torture chamber has been closed, when the United Nations Universal Declaration of Human Rights is a reality for the world’s people, will our work be done.”

- Peter Benenson,  
Amnesty International founder

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# LESEDI

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South Africa 2018

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## TALK TO US



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# AFRICA AND AMNESTY INTERNATIONAL

*Shenilla Mohamed*



Africa Regional Forum, June 2018. © Amnesty International

**G**reetings, welcome to the second edition of our newsletter, which we have now aptly named “Lesedi” which is the Sesotho word for “light”.

In this edition our main focus is on refugee and asylum-seekers’ rights. We update you on the research being conducted by Amnesty International South Africa (AISA) on the closure of Refugee Reception Offices around the country and the impact this has had on the rights of refugees.

We also highlight our recently released report called ‘They Betrayed Us’, which focuses on women who survived Boko Haram in Nigeria. It is a harrowing account of the abuse of thousands of women, first at the hands of Boko Haram, and then the Nigerian security forces who were supposed to protect them.

Under our Economic Social and Cultural Rights (ESCR) focus we look at the feasibility of the decision by the South African government to introduce a National Health Insurance. Is it actually possible or is this yet another empty promise made to appease the population?

From my side, I would like to report on the Africa Regional Forum, which took place in Dakar, Senegal, from 9-11 June. The forum forms part of the new governance structure agreed at the 33rd International Council Meeting (ICM) in Rome last year. Under this decision the ICM has been replaced by the Global Assembly preceded by regional forums.

The regional forums are critical in that they allow regional delegates to the Global Assembly to prepare adequately and strategically to take the decisions needed to benefit the human rights agenda in their region. It also allows teams to discuss

human rights issues affecting their region as well as the opportunity to provide capacity building around key issues.

The Dakar meeting was attended by Chairs and Directors of Sections and National Offices as well as key staff from the International Secretariat including the Secretary General Salil Chetty.

The meeting spent considerable time analyzing the motions that will be presented at the 2018 Global Assembly, which is scheduled to take place in Warsaw, Poland, from 6-8 July. These included the Role of Sections, Decision 7 as well as the Drug, Climate Change and Abortion Policies, and to try to develop an African position around these.

There was also an extremely sad moment as colleagues held a memorial for West Africa Researcher, Gaëtan Mootoo, who tragically ended his own life. Colleagues shared tributes and stories of working with this amazing person, who served the movement for 32 years. The Secretary General reassured the team that Amnesty was committed, with the help of an independent expert, to examine the circumstances surrounding Gaëtan’s death comprehensively, to ensure that we learn and respond as necessary following this extremely sad event and to provide staff with the support they need. Our thoughts are with Gaëtan’s wife, Martine, and son Robin. 🇳🇮

**Shenilla Mohamed**  
Executive Director  
Amnesty International South Africa



# REFUGEES: WHO ARE THEY?

Kuvaniah Moodley



Refugees welcome. © Amnesty International

There are approximately 22 million refugees around the world today. Instead of receiving protection in countries beyond their borders, they are often met with more hardship and difficulty.

A programme of resettlement by governments is essential to ensure that these people who have been forced to flee their homes, have their human rights protected.

## Who is a refugee?

A refugee is a person who has been forced to flee their home country because they are at risk of serious human rights violations there, including war, persecution or natural disaster. Their own government cannot or will not protect them, so they are forced to seek international protection and safety.

This isn't always easy to do; a refugee's journey can be full of danger and fear. Some are detained by the authorities as soon as they arrive in a new country. Many face racism, xenophobia and discrimination, and risk falling prey to human trafficking and exploitation. Others end up feeling alone and isolated, having lost the support networks of their community, relatives and friends.

To help bring comfort to the lives of refugees, Amnesty International encourages governments to welcome refugees and assist them in resettlement.

[Welcome](#), is Amnesty International's global campaign that encourages governments and citizens of countries to welcome and protect refugees through solutions of resettlement and safe and legal routes.

Resettlement can protect those refugees who are most vulnerable: women, children and victims of torture. Safe and legal routes are other "pathways" to safety that governments can open up in emergency situations.

Some of these solutions could include:

- Opportunities for communities to sponsor refugees to come and live in their country.
- Family reunification, so refugees can join close relatives already living abroad.
- Academic scholarships and study visas so that refugees may continue or start studies.
- Medical visas and treatment to get access to life-saving treatment.

Making these opportunities accessible to more refugees will allow them to travel to new host countries in a safe, organized way.

By agreeing to share responsibility for protecting refugees, governments and citizens can show true leadership, invest in people's lives and futures and bring out the very best in us all. ■

*"A refugee is a person who has been forced to flee their own country because they are at risk of serious human rights violations there."*

## WANT TO LEARN MORE ABOUT THE RIGHTS OF REFUGEES?!

Amnesty International has launched its **"Human Rights: The Rights of Refugees"** online course.

Enrol [here](#).

Kuvaniah Moodley  
Digital Content Intern  
Amnesty International South Africa



# TEN YEARS OF TALKING, IT'S TIME FOR WALKING

Jennifer Wells

**A** lot can change in a decade. A blackberry can cease to be but a summer fruit, whilst tweets no longer belong to just birds. Britain can choose to leave the EU, whilst the word 'trump' now has deeper meaning.

Yet, for refugees and asylum-seekers residing in South Africa, a decade has seen little to no change in their access to basic rights and protection from violence. Since the wave of violence in 2008, xenophobia is consistently on the rise in South Africa, and nothing concrete has been done to combat impunity for xenophobic crimes.

Ten years: a decade of government prevaricating around the issue of violence against foreign nationals and a demonstrated lack of political will to deal with the protracted situation. The consequence of this has been continued sporadic bursts of violence, which often end in death, injuries and damage to property.

Despite numerous inquiries, including one conducted by former UN High Commissioner for Human Rights, Navi Pillay, who called for government to take firm action in dealing with the issue, very little has been done to improve the lived experience for refugees and asylum-seekers.

Among Pillay's recommendations were calls for responsible leadership statements, proactive foreign policy development, education campaigns, disaster management plans, developing and enhancing policies to combat xenophobia as well as capacitating organizations that manage migrants,

refugees and asylum-seekers among others. We have seen little of this realized.

Between 2015 and 2017 alone, [Xenowatch](#) – a platform created at the University of the Witwatersrand to track all forms of xenophobic threats and attacks on people and property as well as government responses to incidents in South Africa – found that xenophobia was at the root of more than 66 deaths, 116 assaults and 11,140 displacements.

Recent xenophobic incidents in Rustenburg, Rosettenville, Pretoria West, Atteridgeville, Lotus Gardens and Mamelodi resulted in the victimization of more than 60 foreign nationals.

Non-South African women and girls are often routinely at the receiving end of neglect and abuse in the country's healthcare system.

For a country where equality stands as a pillar of our democracy, years of increased and widespread violence against non-South Africans is a disgrace.

Amnesty International South Africa calls upon government to take urgent measures to protect those seeking asylum in our country and to ensure the perpetrators of violence are brought to justice.

We further appeal to all levels of government to take action against officials that express xenophobic sentiments, and that they be held accountable.

A lot can change in a decade, but for refugees and asylum-seekers in South Africa, it hasn't. Ten years of talk must now become action. In a country risen from the ashes on the wings of equality, it is time for the talk to be walked. <sup>6</sup>

Jennifer Wells  
Justice & Accountability Intern  
Amnesty International South Africa



**ROOT OUT HATE  
AGAINST MIGRANTS  
AND REFUGEES**

AMNESTY INTERNATIONAL 



**TOGETHER, LET'S BUILD  
A BETTER AND SAFER  
AFRICA FOR ALL  
IRRESPECTIVE OF  
THEIR NATIONALITY,  
RACE, GENDER,  
ETHNICITY AND  
LANGUAGE**



# AISA IN THE FIELD: RESEARCH ON REFUGEES AND ASYLUM-SEEKERS

*Susan Tolmay*

In May, Amnesty International South Africa (AISA) headed into the field to conduct research on the rights of refugees and asylum-seekers in South Africa.

The purpose of our research is to document the lived experiences of refugees and asylum-seekers trying to attain refugee status in South Africa.

The research focuses on the effects of the unlawful closure of three of the six urban Refugee Reception Office (RROs) in Cape Town, Port Elizabeth (PE) and Johannesburg.

The closures mean that asylum-seekers have to travel long distances, from Cape Town and PE to the remaining RROs in Pretoria, Durban or Musina, to renew their asylum-seeker permits.

Our visits to Cape Town and PE were enlightening, worrying, disheartening, humbling and at times a little overwhelming.

We spoke to asylum-seekers in groups and one-on-one to hear their stories and experiences of how

the asylum-seeker management system affects their lives day-to-day and over the long-term. While there were some differences in our findings per location, there were many similarities in experiences as a result of the RRO closures – from access and keeping documentation valid, to very long distances travelled for very short-term renewals, and a sense of real desperation for those seeking refugee status.

Many of those interviewed had been in the system for more than seven years and are quite literally living in limbo.

Many refugees and asylum-seekers generously invited us into the homes to assess their lived experiences. We found that inconsistencies in assigning asylum status have even resulted in family members having completely different statuses.

For example, a Somali mother had successfully obtained ID numbers for herself and four of her children, whereas her fifth newborn baby has a birth certificate but no ID number. Her baby,



Refugees and asylum seekers wait outside the Refugee Reception Centre in Cape Town, May 2018. © Amnesty International



A focus group meets to discuss the challenges faced by refugees and asylum-seekers, May 2018. © Amnesty International

and many other stateless children, have difficulty in accessing basic services, such as primary education.

Groups expressed deep frustration at the lack of access to documentation in Cape Town specifically. Both men and women of differing nationalities agreed that the reopening of the Cape Town RRO is of paramount importance and would help alleviate the devastating financial and logistical effects that incur as a result of having to travel vast distances frequently to renew their permits. The research was an invaluable opportunity to document the lived experiences refugees and asylum-seekers face in South Africa as a result of the closure of Cape Town’s RRO, including the negative effects this has on employment, education, access to housing and protection.

AISA’s fieldwork was assisted by the support of the Nelson Mandela University Refugee Rights Centre in PE and University of Cape Town (UCT) refugee rights clinic, who gave us access to their clients and groups who they work with to ensure the rights of asylum-seekers are upheld and protected.

While the research is still ongoing, and will be released later this year after a public dialogue and high-level seminar, AISA will campaign for the reopening of fully functioning RROs in urban centres in accordance with court orders from 2012.

Keep a look out for the report and upcoming campaigns. [6](#)

*“A Somali mother had successfully obtained ID numbers for herself and four of her children, whereas her fifth newborn baby has a birth certificate but no ID number.”*

**SHARE YOUR THOUGHTS WITH US!**



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**Susan Tolmay**

Women’s Rights & Marginalised Groups  
Officer  
Amnesty International South Africa



# IS THE NHI SOUTH AFRICA'S SILVER BULLET?

*Samson Ogunyemi*

In his budget vote speech delivered to Parliament on 15 May 2018, Minister of Health Aaron Motsoaledi, quoting the President of the Republic of South Africa, said: “The time has now arrived to finally implement Universal Health Coverage through the National Health Insurance.”

The National Health Insurance (NHI) is a financing system that will make sure that all citizens of South Africa (and legal long-term residents) are provided with essential healthcare, regardless of their employment status and ability to make a direct monetary contribution to the NHI Fund. In other words, the NHI is a health financing system that is designed to pool funds to purchase and provide access to quality and affordable healthcare services for all. The Department of Health (DoH) argues that “healthcare is a human right – this is a widely accepted international principle. This right should not depend on how rich we are or where we happen to live”.

The proposed implementation of the NHI in South Africa is consistent with international, regional and domestic rights frameworks.

Internationally, South Africa ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2015. The ICESCR (Article 12) underpins the right to health, recognizing the right of everyone to “the enjoyment of the highest attainable standard of physical and mental health”.

Domestically, the Constitution of South Africa, Section 27 (Health Care, Food, Water and Social Security) reaffirms this right. It states in Section 27(1a), “everyone has the right to have access to healthcare services, including reproductive healthcare”. The progressive realisation of this right will contribute to a healthy population that benefits the entire nation. Furthermore, the provision of the NHI could potentially move the country one step forward in achieving the Sustainable Development Goals (SDG), Goal 3 – “Good health and well-being for people”.

Amnesty International South Africa (AISA) supports the move by the South African government to improve access to the right to health, and to provide Universal Health Coverage (UHC) for all. With this in mind, we call on the government to ensure that the NHI moves beyond rhetoric into concrete application and benefits for all.

From our initial scoping analyses, we have observed numerous challenges to overcome: For the NHI to work effectively, the DoH urgently needs to improve the quality of service in most public

facilities, it needs to address the shortage of medical practitioners and specialists in the public system, and it has to tackle the persistent problem of institutional discrimination faced by people when trying to access healthcare services.

AISA further calls on the DoH to work towards addressing the unacceptably high rates of maternal mortality. It needs to improve access to healthcare facilities for pregnant women as well as information dissemination to maternal health patients and healthcare workers. This is consistent with the recommendations in our research titled [‘Struggle for Maternal Health: Barriers to Antenatal Care in South Africa’](#).

AISA commits to hold the government accountable as we continue to measure the progress made in the implementation of the NHI, and the progressive realisation of the right to health for all. 🇿🇦



Universal Health Coverage: Move beyond rhetoric into concrete application and benefits for all. © Amnesty International

## SHARE YOUR THOUGHTS WITH US!



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# NOTHING FOR US, WITHOUT US

Nthabeleng Mzizi



Youth, Power, Action! © Amnesty International

In early May, over 100 people gathered in Nairobi, Kenya for the inaugural Youth, Power, Action! Summit, organized in collaboration with Amnesty International Kenya and the Amnesty International Secretariat.

The four day Summit saw youth from six continents engage on issues of “Movement Building in a time where Young Human Rights Defenders are Demonized” and “Building Inclusive Human Rights Movements Where Young People Actively Participate at all Levels”.

The main purpose of the Summit was to explore ways to strengthen youth inclusion, both within and outside of Amnesty International.

Albashir Mohamed, a youth activist from Kenya, says about the Youth! Power! Action Summit:

“Here we have a sense of global citizenship. I have witnessed different countries coming here and it is surprising that we are suffering the same challenges. This is motivating us. It is showing us that all over the world people are committed to solving the challenges that we are trying to solve in this country... once we have a common struggle and common goals, automatically we have love and it shows that we need to work together.”

During the Youth Summit, the [Youth Power for Youth Rights: A Toolkit for Developing Your National Youth Strategy](#) was launched. This toolkit outlines the process of developing and implementing a National Youth Strategy.

*“We don’t have to be special to be activists. We are special because we are activists.”*

- Manuel Coutinho, Board Member,  
Amnesty International Portugal

The toolkit can be used to integrate a youth perspective into existing, or soon to be developed, strategies, such as an activism, fundraising, growth and human rights education strategies.

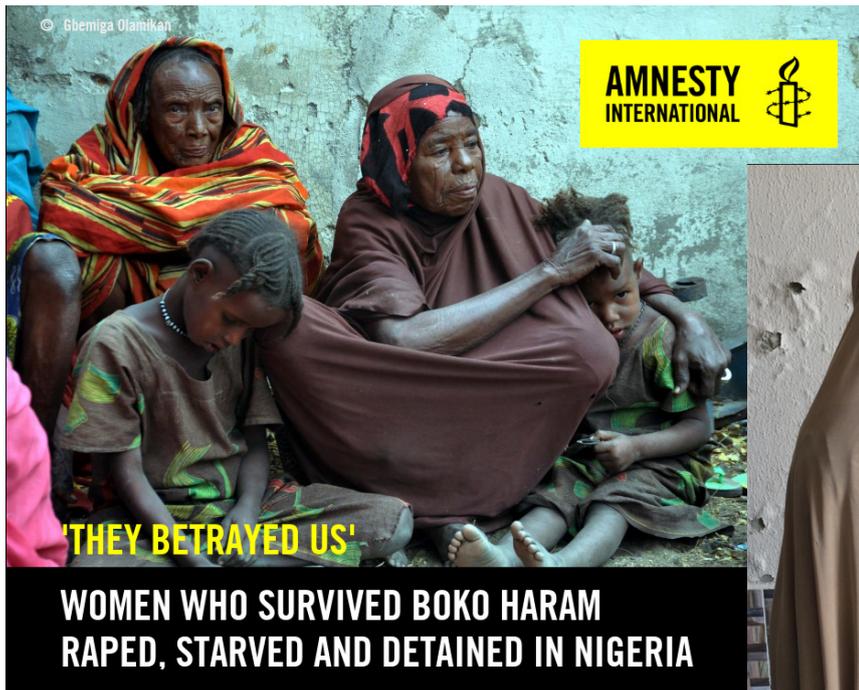
The Summit culminated in a Call-to-Action. This Call-to-Action includes the ten recommendations participants suggested as a way for Amnesty International to advance its work with, for and by young people in the protection of human rights. ■

Nthabeleng Mzizi  
Membership & Growth Officer  
Amnesty International South Africa

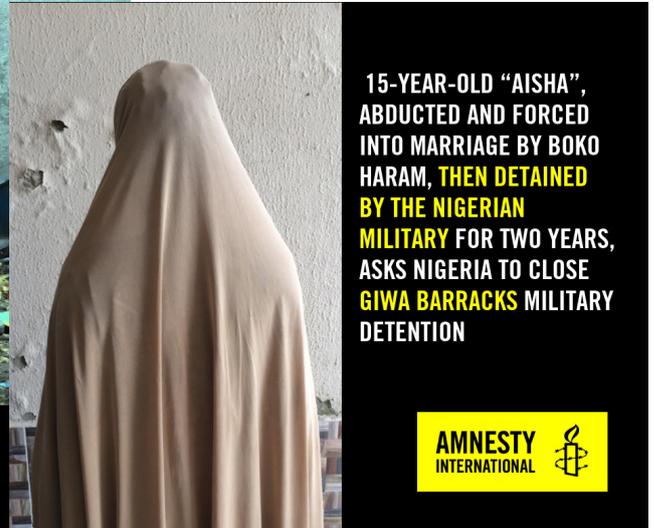


# NIGERIA: 'THEY BETRAYED US.'

Kuvaniah Moodley



Watch the [video](#)  
'They betrayed us'.



**T**housands of women and girls who survived Boko Haram faced further attacks and abuse from the Nigerian security forces who claimed to be rescuing them. 'They Betrayed Us' is a report by Amnesty International Nigeria documenting these human rights abuses and violations.

Since March 2015, the Nigerian military and Civilian Just Task Force (JTF) – a militia that assists the military – have carried out intensive missions to reclaim territory that fell under control of the armed group Boko Haram. Their operations were meant to free thousands of people who were trapped in these areas but, instead, survivors have experienced further human rights abuses, this time committed by the Nigerian Military and Civilian JTF.

The women and girls who have survived Boko Haram, have been forced to live in "satellite camps", where many have been subjected to rape, often in exchange for food. A number of women described how soldiers and Civilian JTF members used force and threats of rape in satellite camps, taking advantage of hungry women, coercing them into becoming their "girlfriends", that is, being available for sex on a continuous basis.

Death caused by starvation is another violation these women have had to face. Hundreds, and possibly thousands reportedly died in Bama Hospital camp during the 2015-2016 food shortage. Those interviewed consistently reported that between 15 to 30 people would die every day from illnesses related to hunger and starvation. Satellite imaging showed how graveyards inside the camp grew, confirming their testimonies.

In some cases, the abuses appeared to be part of a pattern of persecution of anyone perceived to have a connection to Boko Haram. Women reported being beaten and called "Boko Haram wives" by the security officials when they complained about their mistreatment. Some women found themselves more at risk of abuse because their husbands were forcibly taken away, or they travelled unaccompanied without their husbands.

*"Women reported being beaten and called 'Boko Haram wives' by the security officials when they complained about their mistreatment."*

In some locations, military and Civilian JTF members detained men and boys aged between 14 and 40, claiming that these men and boys were members of Boko Haram. The detention of so many men left women to care for their families alone, isolated and desperate.

This is not the narrative these women want to live with any longer. A group of women called the

Knifar Movement are campaigning for justice, for their husbands to be released and military officials to be brought to justice.

The Knifar Movement is made up of around 1,300 women and girls.

They have collected a record of almost 800 names from their villages, listing those who died of hunger and sickness in satellite camps. They have also reported acts of sexual violence involving the military and the civilian militias in the camps.

The group has submitted detailed testimony to a Presidential Investigative Panel about the violations that they faced, but the report is yet to be released. 📄

**Join Amnesty International and the Knifar Movement as they strive for justice and accountability by urging the Nigerian government to release the results of the report. Read the report [here](#).**

**Kuvaniah Moodley**  
Digital Content Officer  
Amnesty International South Africa



## A NOTE FROM THE REGION

# TAKE ACTION FOR PILATO

*Vongai Chikwanda, Amnesty International Southern Africa Regional Office*

**C**an you imagine being arrested for singing a song? Unbelievable right? Can you imagine a president feeling threatened by your music? You might be thinking: “That would never happen.”

But, it’s happened in Zambia. President Lungu feels insulted and defamed by a musician called Pilato and, yet, President Lungu’s name is not mentioned in the song.

Fumba Chama affectionately known as Pilato, a 33-year-old Zambian musician, was forced to flee Zambia following threats to his life by ruling party Patriotic Front members over a song he released in December 2017. Entitled “Koswe Mumpoto”, it literally translates as “rat in the pot”. The song is deemed to be insulting of President Lungu.

Pilato left Zambia in early January 2018 after receiving threats and sought safety in South Africa.

On 16 May, he returned to Zambia and was arrested at Kenneth Kaunda International Airport upon arrival in the country.

He appeared before court on 17 May, was remanded in custody, and later released on bail of USD3000. He currently awaits trial, beginning on 25 June 2018.

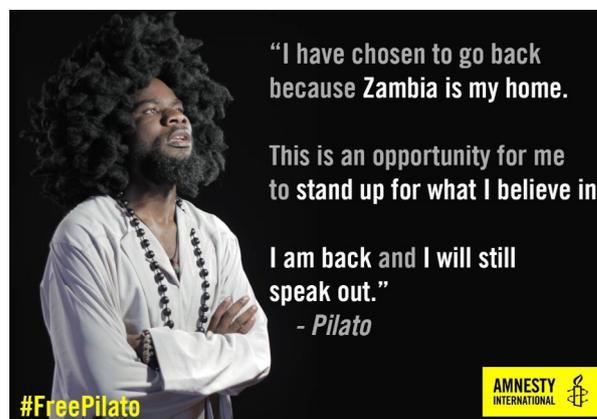
Pilato is not appearing alone in court. He is co-accused with five other activists – Lewis Mwape, Laura Miti, Sean Enock Tembo, Bornwell Mwewa, and Mika Mwambazi – for staging a peaceful protest outside the Zambian parliament in September 2017 over corruption on the procurement of 42 fire trucks at an exorbitant cost of USD 42 million.

The cost of the trucks was widely seen as outrageous by the general Zambian population.

The six activists were arrested, beaten and charged with disobeying lawful orders. They were

later released on bail pending trial. The court appearances only began in 2018.

However, since he fled the country, Pilato was not able to appear in court with fellow activists. As a result, an arrest warrant was issued in his name, but it is being contested as having been issued irregularly. 📄



**CALL FOR PILATO’S IMMEDIATE AND UNCONDITIONAL RELEASE!  
TAKE ACTION [HERE!](#)**

And join Amnesty International on Monday morning, 25 June 2018, to protest outside the [Zambian Embassy](#) in Pretoria.

**Vongai Chikwanda**  
Campaigner – Southern Africa  
Amnesty International  
Southern Africa Regional Office



# WELCOME AMNESTY UKZN

*Nthabeleng Mzizi*

“Where I come from, no one tells or shows you what it (Ubuntu) is, you feel it. Where you have wronged me, you should show me Ubuntu.”

These are the words spoken by the Chairperson of the interim Executive Committee of Amnesty International University of KwaZulu-Natal (AI UKZN), Mthobisi Gwacela, during a public lecture with Judge Albie Sachs on Section 25 of the Constitution of the Republic of South Africa.

The AI UKZN University Chapter was officially launched at this public event where the Amnesty International South Africa Durban Group collaborated with the UKZN School of Law.

UKZN has a rich history of activism and movement building having been formed as merger between University of Durban-Westville, a site of major anti-apartheid struggle, and the University of Natal (UN). Under apartheid, UN was known for the activism of its staff and students against government-imposed racial segregation.

Reflecting on the public lecture, Gwacela says that showing Ubuntu would be the core of the chapter’s work.

Amnesty International South Africa’s (AISA) University Chapters are at the heart of our movement and shine the light for youth activism and campaigning across the country. Therefore, it gives us great pleasure to welcome AI UKZN into the Amnesty family and are excited to support the members in contributing to the movement.

As AISA, we hope that our university chapters ensure that young people’s perspectives are at the centre of our human rights work, and that young supporters and members are inspired and encouraged to become human rights defenders.

Other members of the AI UKZN University Chapter Executive Committee include Ms Lindelwa Mthiyane, Mr Ethan Chetty, Mr Lwazi Mpulu, Ms Princess Dlodla, Mr Themba Mncube and Mr Mfundo Khanyile. 📧

**WOULD YOU LIKE TO START AN AMNESTY INTERNATIONAL CHAPTER AT YOUR SCHOOL, COLLEGE OR UNIVERSITY?**



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University of KwaZulu-Natal Amnesty International Chapter Executive Committee. © Amnesty International



# ACTIVATE WITH AMNESTY!

**A**mnesty International South Africa (AISA) had it's first Activate with Amnesty event on 23 May, kicking off it's volunteer network, with supporters and activists gathering for an evening of ideas and signing up as AISA volunteers.

**Together we're not powerless**, so join us and sign up as a volunteer [here](#).

Our next Activate with Amnesty is planned for August, so watch this space and activate with Amnesty. <#>



**SOUTH AFRICA**

**AMNESTY  
INTERNATIONAL**



***LESEDI***

MAY/JUNE 2018

EDITION 2 - YEAR 1