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Speech: The Handover

Desmond Tutu

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may we let express our
Condolences on your recent
bereavement
The Handover
some the Justice Dept

Mr. President, distinguished ladies and gentlemen and fellow
Commissioners. What a wonderful coincidence that this handover which was
scheduled for August last year, should now happen on Freedom Day which in part
commemorates the Sharpeville Massacre some 43 years ago. When we recall that
the TRC held its first meeting on the Day of Reconciliation 1995 which in part
recalls the Battle of Blood River, then one does not have to be superstitious or
religious to wonder if there is not some significance to be drawn from the fact that
we began our work on that day and are now laying down our tools on this day, to
believe that there is an auspiciousness about it all.

our President we commend your leadership & initiatives resulting in NDEPRAD & the AU

Thank you Mr. President for accommodating us in your highly pressured
schedule and I also want to thank the two Ministers of Justice, Mr. Dullah Omar
and Penuel Maduna and all their staff for all the support they have accorded the
Commission during our demanding but such privileged and trendsetting labours to
seek to heal a wounded and traumatized people as ourselves wounded healers.

We are celebrating our Freedom today from the ghastly shackles and vicious
injustice of an awful system. We scored a spectacular victory over an evil system.
We were supported by the international community to whom we are forever
indebted. I wonder whether we might as a nation consider next year when we
celebrate a decade of freedom and democracy perhaps taking out advertisements in

the major newspapers of all those who stood by us and to express thus our profound gratitude for what they did to help us becoming free.

The world has admired us especially for three things; the remarkably peaceful transition from repression to freedom and democracy when most had expected a racial bloodbath to overwhelm our beautiful motherland. And then every country envies us for the fact that we are home to Nelson Mandela, revered as an icon and statesman of forgiveness and reconciliation. Thirdly, there is in the world universal admiration for the work of the TRC, which in many ways was the brain child of the ANC and so is a substantial feather in their cap. Dr. Boraine now heads the International Centre for Transitional Justice in New York begun with a \$30 million grant from the Ford Foundation. I knew he always wanted to be President and that is his title. He says they are working in 17 different countries applying the insights and experiences of the TRC.

at ANU in the NYU Law School

Many of my former colleagues in recognition of the fact that having been associated with the TRC is an important addition to one's C.V. are distinguishing themselves in many different senior positions.

-Sisi Khampepe is a highcourt judge, Yasmin Sooka is on a panel appointed by the former UN High Commissioner for Human Rights Mary Robinson for Sierra Leone and of course she is head of the Foundation for Human Rights.

here at home

- Bongani Finca is regional Electoral Commission head, Faizel Randera was Inspector General for Intelligence Services, and is now with Anglo American?

*He Chamber of Mines head
New York
Section*

Dumisa Ntsebeza is a visiting professor at the University of Connecticut, when he is not involved in anti-apartheid litigation plans. Glenda Wildschutt is a leading light in the Desmond Tutu Peace Centre, Wendy Orr is a leading academic at Wits. Khoza Mgojo continues even in retirement his splendid work in the Methodist Church. Wynand Malan is ~~still outstanding in legal circles~~, Richard Lyster has been spreading TRC learning in places such as Peru Hlengiwe Mkhize is also sought after in international forums as is Mary Burton. Denzil Potgieter is setting the Thames on fire as an advocate and one of the youngest S.C.'s . I pay a very warm tribute to tremendous colleagues who made me look good. I want to include in this tribute, all our Committee members and the staff of TRC who were dedicated and conscientious. I have been a good captain only because I was captaining a winning team.

We know what happens to the captain when your team loses. May I also say how indebted we are to Sue de Villiers and her editorial colleagues for helping to put together this Codicil working under very considerable pressure. I want to commend too my colleagues Yasmin Sooka, Hlengiwe Mkhize, Denzil Potgieter and Mary Burton for their indispensable contributions. We have been wonderfully served by our legal representatives, Gilbert Marcus etc. and here Yasmin was again prominent together with Richard Lyster. Our country should celebrate one of its scintillating achievements in the work of the TRC, which is held in high esteem ~~particularly~~ ^{especially} because ^{now} ~~now~~ ^{honesty} ~~was granted only~~ ^{was granted only} after ~~satisfying~~ ^{satisfying} the most stringent conditions.

Ⓟ This we have to be aware of the fact that by & large our white compatriots were hostile to the TRC. They were badly let down by their leaders who should have said "you don't know how lucky you are. Respond generously to this amazing magnanimity" particularly those leaders who ~~denied~~ denied accountability

We won a great victory and we have many whose achievements should be honoured in that struggle *and I refer here especially to our white compatriots.* I think of stalwarts such as the splendid women of the Black Sash, the Sheena Duncans, and of men such the Francis Wilsons, the Nico Smiths, David Boschs, and Piet Meirings-sons and daughters of our beautiful motherland, of this precious soil. We are a fantastic country with some truly wonderful people. Again I want to refer especially to our white fellow South Africans, gifted, skilled people who would be snapped up overseas for their expertise in different fields who just want to see our country succeeding, who are devoted and dedicated such as the many who labour so selflessly to combat the HIV/AIDS pandemic and who are often frustrated by being ignored-I think of the Solly Benatars, the Nulda Beyers and many, many others whose names should be emblazoned in letters of gold. Ⓡ

In our much admired TRC process which has become the benchmark against which others are measured as something to emulate, our deepest gratitude must go to those who have been designated victims. They have waited long, too long for their reparations. As a nation we have a legal but more importantly a moral obligation to honour in paying reparations. We hope that the handing over of this Codicil will remove any further obstacles to implementing the TRC P3 Victim VSL. recommendations on individual reparations. We pray that our nation will consider the \$3 billion or so rands which the TRC proposal is estimated to cost, money well spent and in a very real sense cheap at the price, for their contribution to the

stability we currently enjoy is incalculable. We plead that substantial, individual reparations as per our recommendations be paid expeditiously as a matter of urgency and national honour.

We should help them to experience closure with dignity

All that we did has been based on ubuntu/botho. We have striven for a new dispensation characterized not just by a change of the guard in the Union Buildings and in Parliament. Far more fundamentally, our struggle was to establish a new kind of society-gentle and compassionate where every person mattered more than things, more than profit. It would be characterized by sharing as a profound attribute of ubuntu where you all ate out of the same dish. The poverty and deprivation and hunger which the government are combating with some of its programs can threaten our infant democracy. I do want to suggest that in the spirit of ubuntu, many of us can adopt an indigent family to which we could contribute R100 or R200pm. It would make a huge difference and help to narrow the gap between the rich and the poor, the haves and the have nots, which we identified in our report as what is most likely to subvert any efforts at reconciliation. We have the capacity and the potential to make this country the scintillating success it has in itself to be for the sake of the world, for God has set us up improbably as a beacon of hope for the rest of the world. Thus people in conflict areas of the world can say: "If it can happen in South Africa then it can happen anywhere, everywhere else. It can happen here too!"