



17 July 2014

SA Human Rights Commission
Email: nvkwaza@sahrc.org.za

LETTER TO THE SA HUMAN RIGHTS COMMISSION

THREATENING, RACIST AND ABUSIVE LANGUAGE DIRECTED AGAINST THE SOUTH AFRICAN JEWISH COMMUNITY

The South Africa Jewish Board of Deputies (SAJBD) is the representative spokesperson and civil rights lobby of the South African Jewish community. Its stated aims include the protection of the civil liberties of Jews and to combat racism, including antisemitism, in all its forms.

The SAJBD hereby refers to you for your consideration its complaint regarding a serious breach of the Prohibition of Hate Speech as contained in The Promotion of Equality and Prevention of Unfair Discrimination Act, nr4/2000 by Mr Ziyaad Kayat. Specifically, Mr Kayat has been guilty of contravening:

- Chapter 2(10)(1) of the Act stating that “no person may publish, propagate, advocate or communicate words based on one or more of the prohibited grounds, against any person, that could be construed to demonstrate a clear intention to (a) be hurtful; (b) be harmful or to incite harm and (c) promote or propagate hatred.
- Chapter 2 (11), which states: “No person may subject any person to harassment.

Mr Kayat is an employee at the Johannesburg branch of the company Broadway Sweets, physical address: 563 Main Reef Road, Wychwood Ext. 1, Cleveland, JHB, Postal address: PO Box 18207, Actonville, 1506. His Mobile number is 0760165958 and his email address is ziyaad@broadwaysweets.co.za.

On 23 July 2014, Mr Kayat sent the following two messages via direct message to the Facebook page of the South African Jewish Board of Deputies:

- 1) All Jews are pigs.
- 2) I think we should kill you S.A. jews and kill your kids and let you feel what the Palestinians are feeling

SAJBD



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These two messages, in particular the second, are clearly aimed at threatening and intimidating without exception those who belong to the South African Jewish community.

All Jews in the country are held to be collectively guilty of what their co-religionists are said to be doing elsewhere in the world. In addition, the insulting epithet 'pigs' is intended as being demeaning to and essentially dehumanising those of the Jewish faith and/or ethnicity.

In referring this to you for consideration, we record that all our rights are reserved to take further steps against Mr Ziyaad Kayat, including steps in terms of Act 4 of 2000.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mary Kluk'.

MARY KLUK
NATIONAL CHAIRMAN