



Advanced Human
Rights Course on
Disability Rights
in an Africa
context

11- 15 March 2019
Centre for Human Rights
University of Pretoria

Programme

Introduction to and overview of Disability Rights at international and regional levels

08:30 – 09:00

Registration and course logistics

Research assistant, Centre for Human Rights, University of Pretoria

09:00 – 09:20

Introduction to the short course

Prof Frans Viljoen

Director, Centre for Human Rights, University of Pretoria

09:20 – 10:00

The historical development of disability rights

Dr Ilze Grobbelaar du-Plessis

Department of Public Law, University of Pretoria

10:00 – 10:15

Tea

10:15 – 11:30

Introduction to the Convention on the Rights of Persons with Disabilities (CRPD)

Dr Ilze Grobbelaar du-Plessis

Department of Public Law, University of Pretoria

11:30 – 12:45

Introduction to the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa (African Protocol)

Ms Elizabeth Kamundia

Kenya National Commission on Human Rights & Centre for Human Rights

12:45 – 14:00

Lunch

14:00 – 15:30

Panel Discussion: Why should African states ratify the Protocol to the ACHPR?

Panelists:

Prof Serges Kamga

Thabo Mbeki Institute, UNISA

Ms Patience Mpani

Centre for Human Rights

Mr AK Dube

African Disability Alliance

Facilitator:

Mr Jehoshaphat Njau

Centre for Human Rights, University of Pretoria

15:30 – 16:00

Introduction to moot question and assignment of participants to teams

Mr Eduardo Kapapelo

Centre for Human Rights, University of Pretoria

Tuesday 12 March 2019

Taking a closer look: specific rights in the CRPD and the African Protocol

09:00 – 09:10	Rapporteur's recap Bernadette Muyomi and Lovemore Chidemo <i>LLM/MPhil Disability Rights in Africa, Centre for Human Rights, University of Pretoria</i>
09:10 – 10:15	Applying the CRPD and the African Protocol: The right to legal capacity and supported decision-making Prof Robert Dinerstein <i>Washington College of Law, American University</i>
10:15 – 10:30	Tea
10:30 – 11:45	Applying the CRPD and the African Protocol: The right to inclusive education Dr Nkatha Murungi <i>Centre for Human Rights, University of Pretoria</i>
11:45 – 13:00	Applying the CRPD and the African Protocol: Children with disabilities Dr Nkatha Murungi <i>Centre for Human Rights, University of Pretoria</i>
13:00 – 14:00	Lunch
14:00 – 15:00	Applying CRPD and the African Protocol: Living independently and being included in the community Ms Patricia Odong <i>Faculty of Law, Makerere University</i>
15:00 – 15:30	Personal narratives by a person with psychosocial disabilities and a person with albinism Taryn White and Regina Ndlovu
15:30 – 16h00	Breakout session: Group work on moot question

Wednesday 13 March 2019

Intersectionalities and specific groups

09:00 - 09:10	Rapporteur's recap Auberon Jeleel Odoom and Paul Juma <i>LLM/MPhil Disability Rights in Africa, Centre for Human Rights, University of Pretoria</i>
09:00 - 10:30	Critical reflections on intersections of gender and disability Professor Helene Combrinck <i>Faculty of Law, University of North West</i>

10:30 – 10:45	Tea
10:45 – 11:45	Documentary on albinism Facilitator: Mr Jehoshaphat Njau <i>Centre for Human Rights, University of Pretoria</i>
11:45 – 13:00	Albinism in Africa – how far have we come in addressing violence and killings of persons with albinism? Ms Perpetua Senkoro Facilitator: Mr Jehoshaphat Njau <i>Centre for Human Rights, University of Pretoria</i>
13:00 – 14:00	Lunch
14:00 – 15:00	Critical Perspectives: Economic, Social and Cultural Rights in the CRPD and the African Protocol Tim Hodgson <i>International Commission of Jurists</i>
15:30 – 16:00	Breakout session: Group work on moot question
Exhibition viewing (Centre for Human Rights)	

Thursday 14 March 2019

From rhetoric to practice

09:00 – 09:10	Rapporteur's recap Mercy Gichunge and Sibusiso Getrude Ndlovu <i>LLM/MPhil Disability Rights in Africa, Centre for Human Rights, University of Pretoria</i>
09:10 – 10:45	Workshop on advocacy for disability rights Facilitator: Mrs Robyn Beere Inclusion Southern Africa
10:45 – 11:00	Tea
11:00 – 12:30	Workshop on strategic litigation Annabelle Raw <i>Southern Africa Litigation Centre</i>
12:30 – 14:00	Lunch

14:00 – 15:00	Access to justice strategies: The use of accommodations and intermediaries Dianah Msipa <i>Centre for Human Rights, University of Pretoria</i>
15:00 – 16:00	Breakout session: Group work on moot question
Friday 14 March 2019	
<i>Application of knowledge received</i>	
09:00 – 09:10	Rapporteur's recap Loyiso Mapuma & Nkhasi Sefuthi <i>LLM/MPhil Disability Rights in Africa, Centre for Human Rights, University of Pretoria</i>
09:10 – 10:45	Moot court competition: Oral arguments by the teams before the African Commission
10:45 – 11:00	Tea
11:00 – 11:30	Moot court judgment
12:00 – 12:30	Course evaluation/Closing remarks
12:30	Lunch and end

Biographies



Annel Raw

Annabel Raw runs the Health Rights Programme at the Southern Africa Litigation Centre (SALC). SALC is a regional human rights organisation that works to promote human rights and the rule of law primarily through supporting strategic litigation. Annabel joined SALC in 2014, where she works with lawyers, civil society and community-based organisations to litigate human rights cases in courts. Annabel holds a BA Law, an Honours degree in International Relations, an LLB, and an LLM in International Human Rights and Humanitarian Law.



Heléne Combrinck

Heléne Combrinck is an Associate Professor at the Faculty of Law, North-West University, South Africa. She previously worked as a senior researcher at the Centre for Disability Law and Policy, University of the Western Cape (UWC), Cape Town, which was preceded by a number of years as the project coordinator of the Gender Project at the (then) Community Law Centre, also at UWC. Her publications focus on disability rights as well as gender equality (with an emphasis on gender-based violence). From 2016 to 2017, she was a member of the task force convened by the International Bar

Association's Human Rights Institute to consider the rights of persons with albinism and she has also been a co-editor of the African Disability Rights Yearbook since its launch in 2013. Current research interests include the rights of persons with psychosocial disabilities and the development of disability rights in Africa.



Dianah Msipa

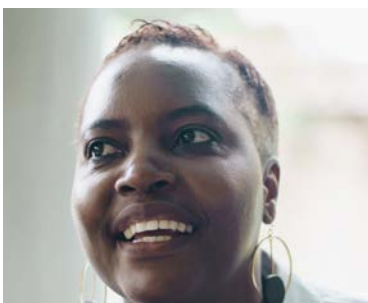
Dianah Msipa is a programme officer in the Disability Rights Unit at the Centre for Human Rights, University of Pretoria. She is also undertaking studies for a Doctor of Laws (LL.D) degree at the Centre for Human Rights. Dianah holds a Master of Laws Degree (LL.M) from McGill University in Montreal, Canada. She also holds a Postgraduate Diploma in Legal Practice (LPC) from Northumbria University in the United Kingdom as well as a Bachelor of Laws Degree (LL.B) from the University of Newcastle upon Tyne in the United Kingdom. Dianah's research interests include access to justice, legal capacity, and the intersection between criminal law and disability rights.



Nkatha Murungi

Dr. Nkatha Murungi is an Assistant Director of the Centre for Human Rights, and a Senior Lecturer in the Faculty of Law at the University of Pretoria. She holds a Master of Laws (LLM in Human Rights and Democratisation in Africa) in human rights from the University of Pretoria, and a Doctorate in Law from the University of the Western Cape in South Africa. She oversees the Centre's Women's Rights, Disability, and Children's Rights Units. Dr. Murungi is a qualified advocate of the Kenyan Bar, and a lecturer and researcher in human rights with a keen focus on the rights of vulnerable groups such

as children, women and persons with disabilities, and sexual and reproductive health rights. She has extensive experience in pan-African human rights programming and advocacy, civil society engagement with the African Union and its mechanisms, as well as human rights research, particularly in Africa. Her research covers a range of human rights issues including child rights, education, sexual and reproductive health rights of women and girls in Africa, disability rights, and access to justice.



Patience Mungwari Mpani

Patience Mungwari Mpani is the Women's Rights Unit Programme Manager at the Center for Human Rights at the University of Pretoria. She is a women's rights activist, driven to improve the lives of women and girls by eradicating, gender inequality and other human rights abuses that pose a constraint to achieving a dignified and fulfilled existence. Her research interests are in sexual and reproductive health rights, gender based violence and women's participation in social movements.



Eduardo Kapapelo

Eduardo Kapapelo is a human rights researcher and Project Coordinator at the Centre for Human Rights, University of Pretoria. Eduardo is a DPhil candidate writing on the topic, "the role of state institutions in preventing violent conflict in Angola", Eduardo's research interests include , trafficking in humans, sexual and reproductive rights, the nexus between foreign policy and human rights, African approaches to international law, and comparative constitutional law in Africa.



ReginaMary Ndlovu

ReginaMary Ndlovu is the founder and Host of My Voice Albinism the New Era. She is an accomplished Actress, Motivational Speaker, Life Coach, and a Human Rights Activist. She has written Articles, performed in Theatres and has appeared in the Press advocating for people with albinism. Regina Mary believes that developing youth with or without albinism will encourage and inspire them not to be held back by the negative circumstances and social ills they are subjected to, but to expand their vision and build their own legacies like what she is building right now. she was part of the

6 African women who climbed Mountain Kilimanjaro in the Climb for Albinism which took place in September 2018 in Tanzania. To amplify their voices from Africa's highest peak and challenge the stigma associated with albinism. Regina represented South Africa and the other five ladies were from Kenya, Tanzania, Zimbabwe, Senegal, and Nigeria.



Frans Viljoen

Prof Frans Viljoen holds the degrees MA, LLB and LLD from the University of Pretoria, and an LLM from Cambridge University. He is a professor of law and Director of the Centre for Human Rights in the Faculty of Law at the University of Pretoria. His research area is international human rights law, with a focus on the African regional human rights system. He has been involved in advocacy and training on the African regional human rights system, and published widely on international human rights law, including International human rights law in Africa (Oxford University Press, second

edition, 2012). He is editor-in-chief of the African Human Rights Law Journal and co-editor of the English and French versions of the African Human Rights Law Reports. He is also the academic co-ordinator of the Master's programme in Human Rights and Democratisation in Africa, presented by the Centre, in collaboration with partner law faculties across Africa. He has been involved with advocacy campaigns and litigation before the African Commission on Human and Peoples' Rights.



Ilze Grobbelaar-du Plessis

Ilze Grobbelaar-du Plessis (Bluris LLB LLM LLD (UP)) is a senior lecturer in the Department of Public Law, Faculty of Law from the University of Pretoria. Ilze currently lectures Constitutional Law for the LLB undergraduate students, and also lectures Constitutional Law and Disability Law for LLM / MPhil postgraduate students. Ilze is the supervisor of both LLM and LLD-candidates in the field of Constitutional and Disability Law. She co-edited Aspects of Disability Law in Africa(2011) PULP with the late TP van Reenen and is a co-editor of the African Disability Rights Yearbook(ADRY).



Robert D. Dinerstein

Robert D. Dinerstein is professor of law and director of the Disability Rights Law Clinic at American University, Washington College of Law, where he has taught since 1983. He is the author of many publications and has made numerous presentations in domestic (US) and international disability law, including the Americans with Disabilities Act and supported decision making and alternatives to guardianship for people with disabilities (especially Article 12 of the CRPD). His relevant publications include *Implementing Legal Capacity Under Article 12 of UN Convention on the Rights of*

Persons with Disabilities: The Difficult Road From Guardianship to Supported Decision-Making,¹⁹ Human Rights Brief 8 (Winter 2012); *Emerging International Practices in Guardianship Law for People with Disabilities* (with Grewal and Martinis), 22 (2) ILSA J. of Int'l & Comparative Law 435-460 (Winter 2016); and **Supported Decision-Making for People with Disabilities: International Origins and Influences**, 42 (3) TASH CONNECTIONS 15-18 (Fall 2017).



Robyn Beere

With an LLB and Hons Degree in Political Science, Robyn works as the Deputy Director of the Equal Education Law Centre. Here she supports the organisation to engage in litigation and non-legal processes to advocate for legal and policy development in the education sector. Prior to this Robyn was the Director of Inclusive Education South Africa (IESA) for eight and a half years. During her time with IESA she built up the organisation to become a leading civil society voice promoting the right to meaningful access to participation in learning for all children in South Africa.

She is also the Chairperson of the Right to Education for Children with Disabilities Alliance. Robyn led the development of an alternative report and submissions to the UN Committee on the CRPD and a delegation to the UN in March 2018. Robyn is a passionate education activist.



Serges Kamga

Prof Serges Djoyou Kamga holds an LLD from the Centre for Human Rights, University of Pretoria and is currently an Associate Professor at the Thabo Mbeki African Leadership Institute (TMALI), UNISA where he teaches Thought Leadership for Africa's Renewal. He previously worked as a Researcher for the Centre for Human Rights, for the South African Institute for Advanced Constitutional, Public, Human Rights and International Law (SAIFAC) which is a centre of the University of Johannesburg.

He is a member of the 'building committee' of the Cross-cultural Human Rights Centre, a consortium of one European University, ten Chinese and four African universities aimed at bringing Southern concepts and ideas in the area of human rights to Northern audiences

His areas of interest include Leadership and African renaissance, Development and human rights, human rights from a cross-cultural perspective, and Disability rights. He publishes in these areas. He is a co-editor of the African Disability Rights Yearbook.



Tim Hodgson

Tim is Legal Adviser on Economic, Social and Cultural Rights at the International Commission of Jurists (ICJ). Before joining the ICJ, Tim worked as a Senior Researcher at the Socio-Economic Rights Institute (2016-17) and as a Legal Researcher at SECTION27 (2013-16). He also worked as a law clerk for Justice Zakeria Yacoob at the Constitutional Court of South Africa (2011-12).

Tim holds Bachelor of Business Science (Hons) and Bachelor of Laws degrees from the University of Cape Town. He also holds a Master of Laws from the University of Michigan (2013) and a Master of Studies in International Human Rights Law from the University of Oxford (2017, with Distinction). Tim's dissertation on the right to inclusive education in South Africa was subsequently published in the South African Law Journal in 2018.

Tim has published various opinion pieces, book chapters, research reports and submissions to state institutions on inclusive education in South Africa. In 2016 he authored a submission to the Committee on the Rights of Persons With Disabilities ("the Committee") on its Draft General Comment No. 4 Article 24 the Right to Inclusive Education. He also contributed to The Right to Education for Children with Disabilities Alliance's 2017 Alternative Report to the Committee, and later presented the report to the Committee in Geneva. He is coeditor of the Basic Education Rights Handbook, which deliberately incorporates disability rights issue throughout.



Jehoshaphat Njau

Jehoshaphat holds an LLM from the Faculty of Law, University of Pretoria. He is currently a Project Coordinator at the Disability Rights Unit, Centre for Human Rights, University of Pretoria where he is responsible for the Disability Rights Masters Scholarship Programme. He is also an admitted attorney and a Notary Public of the High Court of South Africa.

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