

Centre for Human Rights - Annual Report | 2011

Peace & Security

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African Charter on Human and Peoples' Rights

Mutual assistance
DECOLONISATION
EDUCATION
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25 1986 - 2011
Centre for
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DIRECTOR'S MESSAGE



In 2011, the Centre looked back at its beginning, in 1986, the dark days of apartheid at a whites-only university. A conference on the possibilities of social justice, constitutionalism and a bill

of rights in a future South Africa brought together an unlikely group of people, from all political perspectives – including those fiercely critical of the government of the day. Following the conference, Johann van der Westhuizen, then professor and head of department in the Faculty of Law, and other colleagues at the University of Pretoria, founded the Centre.

Much has changed in South Africa in the 25 years since the Centre came into being. Johann van der Westhuizen, the founding Director, was appointed as a Judge of the Constitutional Court. Christof Heyns became Director, and later Dean of the Faculty of Law. The present Director took up that position in 2007. South Africa became a democracy, and a bill of rights is firmly entrenched as one of the pillars of our constitutional order.

Numerous Centre activities in 2011 took place in the shadow of this history. A social event in May, around the time when the celebrated conference took place in 1986, brought together present and past staff, collaborators and supporters of the Centre. This reunion underlined one of the strengths of the Centre through its existence: its reliance and appreciation of people – for me, the central metaphor describing the Centre is that of a 'family'. We care deeply about the things we do, but equally for those together with whom we do these things.

Specific activities took place under the banner of the '25-years'. The highlight was the annual African Human Rights Moot Court Competition which itself celebrated 20 years of existence. The 2011 Moot was co-organised with the African Commission on Human and Peoples' Rights, in commemoration of 30 years since the adoption of the African Charter on Human and Peoples' rights, the core human rights instrument in Africa. During the Moot, an Academic Conference on the African Charter ('Looking forward while looking back') also took place. Many scholars from all around the world presented papers on this occasion. Selected conference papers were published in the second issue of the 2011 African Human Rights Law Journal. The Centre also in 2011 nominated seasoned human rights activist Advocate George Bizos for an honorary doctorate, which was awarded on 9 December.



The Centre's focus on 'development' as an integral part of 'human rights' has gathered momentum since the appointment of Prof Danny Bradlow as SARChI Chair and the establishment of the International Development Law Unit (IDLU) in the Centre. IDLU was officially 'launched' in 2011, with an important discussion forum on BRICS, and continued to present numerous topical discussion sessions related to global governance.

Amidst all this activity, the Centre did not neglect its core business. A new website was launched, giving the Centre a shining and attractive new face to the world. PULP, located in the Centre, continued with its terrific publication record. Research activities prospered. One of the highlights of the year for me personally was the publication of Criminal justice in Africa – a collection of essays exclusively written by alumni of the Centre's LLM (Human Rights and Democratisation in Africa) programme, and edited by two alumni.

The core academic business of the Centre was not neglected. On the contrary, four doctoral candidates graduated. A big feather goes to Professor Michelo Hansungule's cap, for the graduation of the first three students who completed doctoral studies under his supervision. The other Master's programmes also continued to provide some of the best legal education in Africa.

On a sad note, 2011 was also the year in which one of the stalwarts in the fight for constitutional democracy in South Africa, Prof Kader Asmal, passed away. Prof Asmal for many years served as a member of the Board and supported the activities of the Centre. His role in South African politics, constitutionalism and human rights was very significant. His voice and energetic presence will be sorely missed.

Frans Viljoen
Director: Centre for Human Rights



ACADEMIC PROGRAMMES

LLD (Human Rights)

Thirty-two students were registered for the LLD (Human Rights) in the Centre, under the supervision (or co-supervision) of Professors Christof Heyns, Frans Viljoen, Michelo Hansungule, Danny Bradlow and Dr Magnus Killander. Monthly LLD meetings were held, at which doctoral candidates present their work in progress.

In 2011, four candidates completed their studies and graduated.

These candidates are:

- Hye-Young Lim (Korea)
- Donald Rukare (Uganda)
- Chacha Bhoke (Tanzania) and
- Serges Allain Djoyou-Kamga (Cameroon).

Prof Michelo Hansungule was the supervisor of three of these graduates.





LLM (Master of Laws)(Human Rights and Democratisation in Africa)

The Centre for Human Rights admitted 30 students from 16 countries in 2011. There were 15 women and 15 men. For the first time the programme admitted a visually impaired student, who came from Ethiopia. A non-law South African female student was also admitted to the programme.

As in previous years students went through a rigorous selection process before being admitted to the programme. Arrangements to travel to Pretoria started in November 2010 and all students arrived in Pretoria by the end of January 2011.

The first semester (January to end of June) was spent in Pretoria and as usual proved to be demanding. Students attended lectures, short courses, film shows, debates, a Constitutional Court hearing and in the latter case each wrote a shadow judgment that formed part of their assessed work.

The class was divided into 5 groups and went on study visits to Botswana, Lesotho, Swaziland, Zimbabwe and the Limpopo Province of South Africa. Each student wrote an assignment based on the research that she or he had undertaken during the study visit. The assignments were formally assessed.

Regarding the second semester, the class was divided into groups ranging from 2 to 5 students per group and each partner university received a group of students. During the second semester students wrote their dissertations, worked as interns at renowned human rights or democracy related institutions, attended language classes and courses related to human rights and democratisation.

In the few days leading up to the graduation ceremony students and partner representatives attended a seminar during which students' dissertations were presented. The seminar also provided an opportunity for representatives of partner universities, students and other interested parties to discuss the Universal Peer Review of the United Nations and assess its successes and failures in the countries where the partner universities are based.

Graduation took place on 9 December 2011 and all students graduated. The keynote speaker at the graduation ceremony was Mr Ibrahim Wani from the Office of the United Nations High Commissioner for Human Rights. Respected human rights lawyer - Advocate George Bizos - received an honorary doctoral degree during the ceremony.



The partner universities involved in the LLM programme are: Université d'Abomey Calavi (Benin), Addis Ababa University (Ethiopia), American University in Cairo (Egypt), Catholic University of Central Africa (Cameroon), Universidade Eduardo Mondlane (Mozambique), Université Gaston Berger de Saint Louis (Senegal), University of Ghana (Ghana), University of Lagos (Nigeria), Makerere University, University of Mauritius (Mauritius), University of Venda (South Africa) and the University of the Western Cape (South Africa).

In 2011, the programme was financially supported by: The European Union (main funder), Deutscher Akademischer Austausch Dienst (DAAD) (German Academic Exchange Service), French Embassy in Pretoria, the Royal Netherlands Government and OSISA.





LLM (Master of Laws) (International Trade & Investment Law in Africa)

During 2011 there were 16 students from 12 countries on the programme. The students spend the first 6 months in an intensive lecture programme at UP and this year their lecturers have included academics from UP, American University Washington College of Law, Universities of the Witwatersrand, Western Cape and Cape Town.

Officials from International Organizations such as the WTO, WIPO and the World Bank also contributed to lectures, as well as practitioners in private practice and government.

In 2011 the programme was very fortunate to receive substantial pro bono legal support from New Perimeters, the pro bono division of the international law firm, DLA Piper and its South African Affiliate, DLA Cliff Dekker Hofmeyer. A team of 5 lawyers from the law firm presented a week-long program that included lectures and simulation exercises on export processing zones.

The students spend the second six months of their programme writing their mini-dissertations, and some also work in internships.

During 2011 the LLM (Trade and Investment Law in Africa) was sponsored by AUSAID, and the IDLU is supported by the National Research Foundation's SARCHI Chair Initiative.



LLM/MPhil in Multidisciplinary Human Rights

The LLM/MPhil programme in multidisciplinary human rights is offered to candidates in possession of an LLB degree from a recognized university (who graduate with an LLM) and non-holders of an LLB degree but who hold an honour's degree in another field (who graduate with an MPhil (Multidisciplinary Human Rights)). Eleven students graduated on this programme in 2011.

LLM in HIV and International Law

Collaborating with the Human Rights and Development Initiative (HRDI), and in particular with its director, Ms Asha Ramgobin, extraordinary lecturer in the Centre, a new degree programme was introduced by the Centre in 2011. Eighteen students from across Africa completed the first semester of the programme, which started in June 2011. These students in 2012 return to the law clinics at faculties of law in Southern and Eastern Africa, where they are based, to write their dissertations. This LLM programme is the only one of its kind.





HUMAN RIGHTS EDUCATION

Twentieth African Human Rights Moot Court Competition

The African Human Rights Moot Court Competition (the Moot Competition) is the largest annual gathering of African law faculties and one of the most important human rights educational initiatives in Africa. It offers unparalleled opportunity for networking among young scholars, academics, judges and human rights experts. Since its inception in 1992, it has been hosted in 16 countries and has brought together 140 of approximately 150 law faculties in Africa representing 49 of its 53 countries.

The competition itself involves students arguing a hypothetical human rights case under the African Charter on Human and Peoples' Rights before benches of law lecturers and human rights experts. Separate preliminary rounds are held in English, French and Portuguese. The best English and French teams advance to the final round where, by draw of lots, they merge to form two new combined teams. The judges in the final round are international human rights lawyers of the highest standing, and simultaneous translation is provided.

The 2011 Moot Competition marked three important anniversaries: The 20th anniversary of the African Human Rights Moot Competition itself; the 25th anniversary of the Centre for Human

Rights; and the 30th anniversary of the adoption of the African Charter on Human and Peoples' Rights.

In 2011, the Moot was presented in partnership with the African Commission on Human and Peoples' Rights and was held at the University of Pretoria from 7 to 12 July 2011.

In total 150 participants from 50 universities representing 23 African countries took part in the Moot in South Africa. Two universities participated for the first time: the Faculdade Dereito of Guinea Bissau and the Muslim University of Morogoro in Tanzania. The African Commission on Human and Peoples' Rights was also well represented at the event, with 5 of the 11 Commissioners present, including the Chair and the Vice Chair, as well as legal officers.

After two full days of preliminary rounds, the best four English-speaking and the best two French-speaking teams advanced to the final round in which they were paired to form two new combined teams arguing for the Applicant or Respondent: two Anglophone and one Francophone team on each side. (There were not enough Lusophone teams to allow for a team in the final round).



This year the following teams were finalists:

Final round Applicant

- Moi University (Kenya)
- University of Ghana
- Université Gaston Berger de Saint Louis (Sénégal)

Final round Respondent

- University of Pretoria
- University of Botswana
- Université de Cocody, Côte d'Ivoire

The winning team was the one arguing for the Respondent.

The judges in the final round were:

- Commissioner Reine Alapini-Gansou (Benin), Chairperson of the African Commission on Human and Peoples' Rights and member of the United Nations Commission of Enquiry on Allegations of Human Rights Abuses in Côte d'Ivoire
- Commissioner Mumba Malila (Zambia), Vice Chairperson of the African Commission, Chairperson of the Working Group on Extractive Industries, Environment and Human Violations in Africa
- Commissioner Catherine Atoki (Nigeria), Special Rapporteur on Prisons Conditions in Africa
- Commissioner Lucy Asuagbor (Cameroon), Special Rapporteur on Human Rights Defenders

- Commissioner Pansy Tlakula (South Africa), Special Rapporteur on Freedom of Expression and Access to Information in Africa

During 2011 the Moot Court Competition was sponsored by the German Government through the Embassy of Germany in Pretoria, the African Commission on Human and Peoples' Rights, the European Union, the University of Pretoria and JUTA.





Eighth Annual African Trade Moot

The Eighth Annual African Trade Moot competition was presented at the University of Pretoria from 3-7 October 2011. The moot focused on a trade and environment problem. Eight teams from South Africa, Cote D'Ivoire, and Zimbabwe competed in the competition. The competition included a training seminar for the students and faculty advisors, which was year given by Dr. Gustav Brink, an Extraordinary Professor at UP. The judges for the final round of the moot were Mr. Lambert Botha (Director of Trade Law Chambers), Dr. Gustav Brink, Mr. Ronnie Mkhwanazi and Prof. Riekie Wandrag.

The competition was won by University of Cape Town, South Africa.

The competition is an unique opportunity for students from African countries to engage in topical trade issues related to international trade law as argued before the WTO Trade Dispute Settlement Body.

In 2011 the competition was supported by the National Research Foundation' SARCHI Chair Initiative.





Advanced Human Rights Courses (AHRC)

The Advanced Human Rights Courses (AHRC) consists of a series of advanced short courses aimed at senior government officials, legal practitioners, managers and staff of human rights institutions, NGOs, intergovernmental organisations, academics and other interested parties with participants from South Africa, Africa and the rest of the world. These courses have been developed by the Centre for Human Rights in a highly successful way over the last 11 years with significant participation from decision-makers across Africa, and lecturers who are internationally recognised as leaders in their field.

Courses presented during 2011 included:

International Law (January); Socio-economic Rights (March); Sexual Minority Rights (April); Disability Rights in an African Context (May); Human Rights and Access to Medicines (May); Indigenous Peoples' Rights (September); Human Rights in Africa (October); International Humanitarian Law (November) and HIV/AIDS, Development and Human Rights (November – December). The last course took place in the Framework of the North-South-South Cooperation, supported by the government of Finland.

All courses covered the main principles relating to the respective fields they address, but seen from a specifically African perspective, focusing on the issues of relevance in the continent. Lecturers and experts from around the world are brought in to teach on the programme. During 2011, a total number of 252 participants attended these courses. Although participants were mainly from Africa, a number of them came from Europe, Asia and the USA.

During 2011 the Advanced Human Rights Courses were sponsored by the Open Society Foundation, the Foundation Open Society Initiative, the International Labour Organization, the Royal Embassy of Norway and the International Work Group for Indigenous Affairs.



International Development Law Unit (IDLU)

IDLU hosted or co-sponsored a number of colloquia this year. The most significant was on 5 September 2011, when IDLU held its official opening.

To honour this occasion and to welcome our 2011 class of LLM students, IDLU hosted a panel discussion on “The BRICS and South Africa” in which the Ambassador from Brazil, the High Commissioner from India and representatives from the Russian Embassy and DIRCO participated.

Other events sponsored by IDLU were:

- “Reviewing the G20’s Development and Financial Inclusion Agenda” Study Group co-sponsored by IDLU and SAIIA, in conjunction with National Treasury, 16th May 2011, University of Pretoria
- “G20 and Agriculture”, Study Group co-sponsored by IDLU and SAIIA, in conjunction with National Treasury, 5 September 2011
- “Land Grab Workshop” Organized in conjunction with the University of Warwick, 1-2 September 2011

- “DO BITS Have a Hidden Bite: Managing Foreign Direct Investment and Public Policy” June 8, 2011, American University Washington College of Law (video-conference with audience at Mandela Institute, University of Witwatersrand). This event was the initial event in what is expected to be an on-going collaboration between IDLU, American University Washington College of Law and the Mandela Institute on the question of regulation of foreign investment and protecting space for transformational social policy.

In 2011 the International Development Law Unit was supported by the National Research Foundation’ SARCHI Chair Initiative.



RESEARCH & ADVOCACY

Multidisciplinary Human Rights Conference

On 2 - 3 June 2011 the Centre for Human Rights hosted a two-day conference on Multi- and Inter-Disciplinary Human Rights in Africa. The purpose of the conference was to showcase scholarship on human rights using perspectives other than the dominant legal paradigm.

The conference was organised to provide an opportunity for academics to ponder and reflect on the benefits that other disciplines bring to the theory and practice of human rights. Although the possible range of 'other disciplines' may extend as far as the sciences and medicine, this Conference focussed on the social sciences and humanities.

The Conference focussed on two main sub-themes:

- The benefits or insights that specific disciplines may bring to human rights and human rights law (the need and advantages of going beyond the legalistic discourse on human rights, by showing how other disciplines may enrich this discourse)
- Examples (case studies) of multi- and inter-disciplinary work on human rights law, with particular focus on the methodological approaches utilised.

This Conference coincided with the 25-year commemoration of the Centre for Human Rights, and marks a shift also in the approach of the Centre towards a more multi- and inter-disciplinary approach to human rights. A publication containing selected conference papers will appear in 2012.

The financial support for this Conference was given by UPEACE.



Gender Unit

In 2011, the Gender Unit undertook a number of activities in advocacy, training, research and outreach. In line with one of the aims of the Unit to strengthen implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, efforts were made to popularise the Guidelines on State Reporting under the Protocol. Karen Stefiszyn, Head of the Unit, attended the annual meeting of the Solidarity for African Women's (SOAWR) network in April to make a presentation on the Guidelines to government and NGO representatives from the 30 countries that have ratified the Protocol. Presentations on the Guidelines were also given to the Women's Caucus of the Pan-African Parliament at the Fourth Ordinary Session in Midrand in May, and to government representatives attending the 49th Session of the African Commission on Human and Peoples' Rights in the Gambia in April.

In close collaboration with Irish Aid, the Gender Unit provided gender mainstreaming training to fifteen Irish Aid partners in Pretoria in 2011. An innovative training module was piloted whereby the participants met initially for one week of theoretical training after which they were given four months to apply gender mainstreaming in a development project within their respective organisations. Following this period the participants reconvened in Pretoria to report back on their assignments.





The Gender Unit also entered into a multilateral agreement with Norwegian Church Aid and the Pietermaritzburg Agency for Christian Social Awareness to promote gender equality in the Christian Churches in Southern Africa. In this respect technical expertise on women's human rights instruments was provided by the Unit.

The Gender Unit aims to advance research on women's human rights in Africa, particularly with respect to emerging issues. Ms Stefiszyn presented a paper entitled 'Adolescent girls, HIV, and state obligations under the African Women's Rights Protocol' at a colloquium on sexual and reproductive rights in Africa at the University of the Free State. The paper will be published as a chapter in a book edited by Professor Charles Ngwena.

Community engagement is a priority for the Centre for Human Rights. The Eersterust Community Policing Forum hosted a human rights day event in conjunction with the University of Pretoria, Department of Nursing Science to raise awareness in the community about women's human rights. Ms Stefiszyn from the Gender Unit made a presentation and facilitated a discussion on violence against women.

One highlight of 2011, was a public lecture by Ms Mary Robinson who was invited by the Gender Unit to present the annual Helen Kanzira lecture, a lecture in honour of a graduate of the Centre who died in childbirth. The title of Ms Robinson's lecture was, 'Sexual and Reproductive Health and Climate Change: Connecting the Dots' and was attended by over 200 people. Irish Aid provided

financial support for the event. Also, on the theme of reproductive health, in 2011 the Unit convened a panel discussion on maternal health in South Africa which was attended by close to 100 people from various sectors.

Finally, the Gender Unit aims to mainstream gender into all project of the CHR, in particular the LLM in Human Rights and Democratization in Africa and the Advanced Human Rights Short Courses.

During 2011 the Gender Unit was sponsored by Irish Aid.

AIDS and Human Rights Research Unit

The Unit is a collaboration between the Centre for Human Rights and the Centre for the Study of AIDS at UP. In the past the Unit provided technical assistance to the Southern African Development Community (SADC) Parliamentary Forum (PF) and participated in the drafting a law on HIV and the East African Community. In 2011, the Unit was involved in the civil society campaign to advocate for the establishment of an HIV Committee by the African Commission on Human and Peoples' Rights. In 2011, the Unit also prepared a research report for the Committee.



Expert Workshop: Giving effect to the law on genocide, crimes against humanity and war crimes in southern Africa

Government experts and academics from Southern Africa and around the world participated in a successful workshop on giving effect to the law on genocide, crimes against humanity and war crimes. The workshop, held on 13 and 14 June 2011 at the Centre for Human Rights, was attended by experts from the Attorneys-General's Chambers and national prosecution authorities in the SADC region, particularly from Democratic Republic of the Congo, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. In addition, an expert from the International Criminal Court participated in the workshop.

The workshop was the result of a partnership between the Centre for Human Rights and the International Criminal Law Services (ICLS).

Participants discussed crucial issues relevant to prosecution of international crimes in the sub-region. Such issues included international, regional and sub-regional legal frameworks on prosecution of international crimes, national laws implementing inter-

national treaties such as the Geneva Conventions and Additional Protocols, the Genocide Convention, the Rome Statute of the International Criminal Court and other treaties. Also, participants discussed the ratification of international treaties proscribing international crimes, implementation and domestication of such treaties at national level, the issue of complementarity as found in the Rome Statute of the International Criminal Court, extradition, universal jurisdiction, the duty to prosecute perpetrators of international crimes and, establishment of national implementing committees of international humanitarian law.

Participants engaged in discussions on the challenges and achievements in prosecuting international crimes, and implementation of international treaties in their respective countries. It was observed that the Democratic Republic of the Congo has been able to prosecute individuals for international crimes, particularly war crimes and crimes against humanity. Such prosecutions were before Military Tribunals. Amongst the challenges faced by countries in ratifying or implementing international treaties include the nature of legal systems in the countries (dualism and



monism), lack of experts, capacity and resources, the priorities in ratifying and domesticating treaties, lack of awareness campaigns by civil societies and lack of sufficient trainings on international criminal justice and international humanitarian law in the universities and armed forces in the sub-region. Participants agreed to work together and encourage their governments to cooperate in extradition, surrender and detection or transfer of suspects of international crimes in the sub-region to face prosecutions before courts. There was also consensus about the need for states to ratify and implement or domesticate international treaties prohibiting international crimes so that national authorities, including the judicial institutions can be able to proceed against perpetrators of international crimes.

The financial support of the following organisations is greatly appreciated: International Criminal Law Services (ICLS), Konrad Adenauer Stiftung (KAS) and the Open Society Initiative for Southern Africa.





Pretoria Civil Society Consultation on UN Human Rights Treaty Reform

The Centre for Human Rights, University of Pretoria, together with the Institute for International and Comparative Law in Africa, hosted a consultation of civil society organisations from around the world, to reflect on the strengthening of the UN human rights treaty bodies.

The Consultation took place on 20 and 21 June and forms part of a process to improve the working methods of the treaty bodies. In recent times, the number of treaty bodies, the number of reports required by state parties, and the activities of the treaty bodies have increased dramatically. There is consensus that the situation has become intolerable and that reform is needed. Consultations have now been held among treaty body members, national human rights institutions, treaty body chairpersons and international NGOs.

The Pretoria Consultation is the latest round of consultations, focussing on “grassroots” NGOs/civil society from across the globe. All these efforts culminated in a final consultation and wrap-up meeting in Dublin, in November 2011.

The Pretoria Consultation was attended, as observers, by the Director of the Treaties Division, Office of the High Commissioner

for Human Rights (OHCHR), Geneva, and Zonke Majodina, a South African who chairs the UN Human Rights Committee (the monitoring body of the International Covenant on Civil and Political rights (ICCPR)). Representatives of NGOs based in Argentina, Hong Kong, Indonesia, Kenya, Mozambique, Uganda, South Africa, the United Kingdom and Australia were represented at the consultation.

At the closing of the meeting, the participants adopted the Pretoria Statement on the Strengthening and Reform of the UN Human Rights Treaty Body System.

The consultation was sponsored by the British High Commission.



Human rights and foreign policy project

The Human Rights and Foreign Policy project started at the beginning of 2011, with a vision to monitor South Africa's role in the international arena. How the country deals with issues pertaining to human rights comprises a core focus. Considering South Africa commenced its second term on the UN Security Council (UNSC) on 1 January 2011, the project focuses specifically on South Africa's role within the UN's chief peace and security body.

The work of the UNSC is monitored in the form of monthly reports. Within these condensed versions of the UNSC proceedings, attention is given to the UNSC's focus on Africa as well as the positions taken by the three African countries currently serving on the UNSC, namely Gabon, Nigeria and South Africa. The UNSC's partnership with the African Union (AU) is also looked at in these reports. Comparisons of decision-making methods of relevant issues concerning the continent are highlighted.

This project has aimed to give clarity to the UNSC's decisions and proceedings. It has followed developments in Africa closely, specifically the instability in Côte d'Ivoire, Libya and Somalia. With this strong focus, and the consideration of South Africa's role internationally through the UNSC and the AU, the project allows for a constant assessment of South Africa's implementation of human rights in its foreign policy.

This project is in partnership with the University's Department of Political Sciences.

This project was sponsored by the Open Society Foundation.



Disability Rights Project

In March 2010, the Centre for Human Rights (the Centre) was contracted by the Open Society Initiative for Southern Africa (OSISA) to contribute to and monitor the Disability Rights and Law Schools Project in Southern Africa. The project aimed to introduce the teaching of disability rights/law courses in Southern African law schools.

As direct follow-up to the roundtable discussions and curriculum development workshops of 2010, a decision was made to admit 3 African scholars to the LLM (Human Rights and Democratisation in Africa) programme with a view to providing advanced training to them in order for them to return to their home countries where a module on disability rights will be included in the university curriculum.

These students, Mr Paulo Nhandale from Centro de Direitos Humanos of the Eduardo Mondlane (Mozambique), Mr Mandipa Esau from Midlands State University (Zimbabwe), and Mr Enoch Chilemba from Chancellor College (Malawi), have since graduated from the LLM programme and will return to their institutions to teach disability rights.

During 2011 the disability rights programme was sponsored by the Open Society Initiative for Southern Africa.





Freedom of expression / Access to information

The Centre is engaged in a project to support the African Commission's Special Rapporteur on Freedom of Expression and Access to Information in Africa, with the development of a Model Law on Access to Information in Africa.

This project also advocated for the ratification of the African Charter on Democracy, Elections and Governance in Africa.

On 29 April 2011, during the 49th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) in Banjul, The Gambia, an introductory consultation was held on the draft Model Law. The aim of the consultation was to introduce the Draft Model Law to participants at the Session and solicit feedback on its content.

The Southern African Consultation was held on 28 and 29 June 2011, in collaboration with the Centre for Human Rights, Faculty of Law, Eduardo Mondlane University.

From 29 to 31 August 2011, the Eastern Africa Consultation was held in collaboration with the Africa Freedom of Information Centre (AFIC).

The West Africa consultation was held from 10 to 12 October 2011 in Dakar, Senegal.

The LLM (HRDA) 2011 Clinical Group on Freedom of Expression and Access to Information, produced an eight page summary on the status of access to information on the continent and linked the outcome of this research to need for the development of a Model law on Access to Information to guide African Union Member States in the review or adoption of Access to Information legislation. 200 copies of this report were disseminated during the 49th Ordinary Session of the ACHPR which took place from 28 April to 12 May 2011.

During 2011 this project was sponsored by the Open Society Initiative for Southern Africa, the Open Society Initiative for West Africa, the Open Society Foundation's Rights Initiative - Right to Information Fund, Open Democracy Advice Centre, the East Africa Regional Office of the United Nations Office of the High Commissioner for Human Rights (OHCHR), Addis Ababa, Ethiopia, the Deepening Democracy Programme (DDP) Uganda, and IDASA.



PUBLICATIONS

Pretoria University Law Press (PULP)

The Pretoria University Law Press (PULP), an independent press based at the Faculty of Law of the University of Pretoria, seeks to strengthen the rule of law and promote legal scholarship on the African continent by publishing primary materials and scholarly texts on law and its related disciplines in Africa.

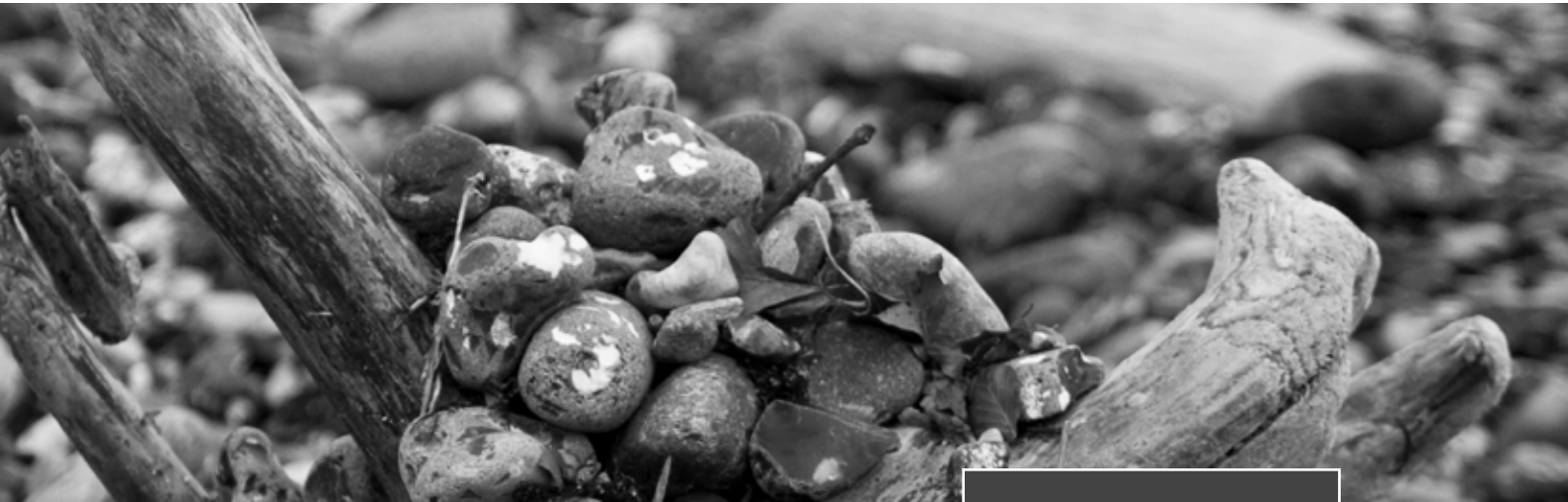
In keeping with PULP's access to information policy - all the books are available online in electronic format at no charge.

PULP now publishes five law journals – the Constitutional Court Review, African Human Rights Law Reports, Pretoria Student Law Review; Botswana Law Reports and the first open-access law journal of the Faculty of Law De Jure goes live on 23 November 2011, discussion papers on topical issues (PULP Fictions); and guides on legal writing and academic publishing in law.

In January, PULP attended the annual Law Teacher's Conference, a marketing platform for all of PULP's publications and a networking opportunity.

Books published by PULP during 2011

- International law and domestic human rights litigation in Africa – Magnus Killander
- Politokrasie: 'n Peiling van die dwanglogika van die territoriale staat en gedagtes – Koos Malan
- Botswana Law Reports Volume 4 – Botswana Law Faculty
- Constitutional Court Review 2009
- Prosecuting International Crimes in Africa - Chacha Murungu & Japhet Biegon (eds)
- PULP Fictions - Disasters of Peace Part 2 A student perspective
- Public International Law and the Regulation of Diplomatic Immunity in the Fight against Corruption – Kenneth Mwenda
- Botswana Law Reports Volume 5 - Botswana Law Faculty
- Constitutional Court Review 2010
- Pretoria Student Law Review (2010) 4 – Student editors
- African Human Rights Law Reports 2009 – Magnus Killander
- PULP Guide: Finding legal information in South Africa 2011/12 - Shirley Ann Gilmore
- Essays in African Land Law – Robert Home (editor)



- Local case studies in African Land Law – Robert Home (editor)
- Disability Law in Southern Africa - Grobbelaar & van Reenen
- The Balancing of Interests in Environmental Law in Africa - Michael Faure & W du Plessis
- Is this seat taken? Conversations at the Bar, the Bench and the Academy
- Recueil Africain des Décisions des Droits Humains 2004
- Recueil Africain des Décisions des Droits Humains 2005

Centre publications published by PULP in 2011

- African Charter on Human and Peoples' Rights (English and French) - Centre
- Celebrating the African Charter at 30: A guide to the African human rights system (English and French) - Centre

Lizette Besaans manages PULP and Danie Brand is the Editorial Manager.

Visit the PULP website: www.pulp.up.ac.za

During 2011 PULP was sponsored, in part, by the World Bank and the Open Society Foundation.

Aspects of disability law in Africa





African Human Rights Law Journal

The African Human Rights Law Journal is edited by Frans Viljoen, Magnus Killander, Annelize Nienaber, Solomon Ebovrah and Tshepo Madlingozi.

During 2011 two volumes were published, in May and November, with a total of 30 articles. A section of the November issue of the Journal was devoted to a Centre conference held in July 2011, entitled 'Thirty years of the African Charter on Human and Peoples' Rights: Looking forward while looking back', and contained articles based on papers delivered at this conference.

The Journal enjoys accredited status with the Department of Education and is included on the IBSS. During 2011 the Journal was sponsored by the European Union.

During 2011 the Journal was sponsored by the European Union.

African Human Rights Law Reports

The African Human Rights Law Reports contains legal decisions of relevance to human rights law in Africa. These include selected domestic decisions from the entire continent, as well as the decisions of the African Commission on Human and Peoples' Rights, sub-region-al courts and the United Nations treaty bodies, dealing with African countries. The Reports are fully indexed, to facilitate access and make research easy. The reports are used by both researchers and legal practitioners. The Reports are edited by Magnus Killander, Christof Heyns, Frans Viljoen and Michelo Hansungule.

The African Human Rights Law Reports 2009 Recueil Africain des Décisions des Droits Humains was published in 2011. The 2004 and 2005 volumes of, the French version, was also published. The Reports are available in hardcopy and free of charge in pdf format at: http://www.chr.up.ac.za/centre_publications/ahrlr/ahrlr.html.

In 2011 the Law Reports were sponsored by the PA & Alize Malan Trust as well as the Open Society Foundation.



UN Glossary of Violations of International Human Rights Law and International Humanitarian Law

The Centre for Human Rights has been contracted by the UN High Commissioner for Human Rights to develop a glossary on violations of international human rights law and international humanitarian law. The glossary will include key elements of around 280 violations as well as examples illustrating these violations.

Around 50 persons from around the world have in one way or another (researchers, experts etc) been involved in this project.

During 2011 the above project was sponsored by the United Nations.





Oxford Reports on International Law (ORIL)

INTERNATIONAL LAW IN DOMESTIC COURTS (ILDC)

Magnus Killander is associate editor for African for ILDC, a database of cases and case discussions of case-law on the application of international law in domestic courts.

The Centre has established an extensive network of reporters across the continent. There are 72 cases from Africa on ILDC from 18 jurisdictions. More than 100 NGOs, law firms, courts etc across the African continent have free subscriptions to ILDC. As part of the ILDC project the Centre arranged seminars with judges, lawyers and academics over the last three years with support from the MacArthur Foundation. This support came to an end in July 2011. A seminar for Ugandan lawyers was held in Kampala in January. The last event was a conference on 30 years of the African Charter in connection with the moot court in Pretoria in July. Papers from this conference will be published in the next issue of the African Human Rights Law Journal. OUP will continue to provide free access to ILDC. The West Africa and East Africa coordinator employed by the project since 2008 will continue to support ILDC.

During 2011 the above project was sponsored by the John D and Catherine T MacArthur Foundation.

INTERNATIONAL HUMAN RIGHTS LAW

Magnus Killander is editor of cases from Africa for the International Human Rights Law section of ORIL. Cases and analysis of cases from the African Commission on Human and Peoples' Rights, the ECOWAS Community Court of Justice, the East African Court of Justice and the SADC Tribunal have been published and a case from the African Court submitted.



STAFF

Centre Interns

In 2011 the Centre once again benefited from the hard work and talent of several interns from different parts of the world. The following people did internships of between three and six months:

- Juliette Bécuwe, France
- Leila Gaspard, Reunion
- Savannah Lengsfelder, USA
- Bianka Kretschmer, Germany
- Adele Vidot, Reunion
- Herrero Rocio, Spain
- Julian Palma, Columbia
- Christina Mosalagae, South Africa
- Margherita Melillo, Spain and
- Christine Petré, Sweden.

Centre Staff Members

Executive Committee

Frans Viljoen

Director

Norman Taku

Assistant Director

Carole Viljoen

Office Manager

Harold Meintjes

Financial Manager



Staff Members

Adem Kassie Abebe

LLD Candidate & Tutor

Horace Adjolohoun

LLD Candidate and Alumni Association Coordinator

Dennis Kweku Antwi

Project Manager: Advanced Human Rights Courses

Melvik Abebe Bekele

LLD Candidate & Tutor

Japheth Biegona

LLD Candidate & Researcher

Yolanda Booyzen

Webmaster

Cherryl-Lee Botterill

Consultant: Gender Unit

Danny Bradlow

SARCHI Chair in International Development and African Economic Relations

Danie Brand

Research Associate; Senior Lecturer in the Faculty of Law

Joy Chilongo

Assistant: Advanced Human Rights Courses

Matthieu Ciaba

Researcher

Louise de Bruin

Researcher: Human Rights and Foreign Policy Project

Elize Delport

Advisor: Gender Unit

Isabeau de Meyer

Publication Manager: African Human Rights Law Journal
Administrator: LLM (Human Rights and Democratisation in Africa)

Edouard Jacot Guillarmod

Voluntary Consultant

Michelo Hansungule

Professor in Human Rights Law
Academic Co-ordinator: LLM (Multidisciplinary Human Rights) and MPhil (Multidisciplinary Human Rights)

Lizette Hermann

Manager: Pretoria University Law Press (PULP)



Waruguru Kaguongo

Researcher

Susan Karungi

LLD Candidate & Tutor

Magnus Killander

Head of Research

Ryan Kilpatrick

Voluntary Consultant

Berita Kopolo

LLD Candidate & Researcher

Emily Laubscher

Assistant Financial Manager

Eric Taseera Lwanga

Administrative Assistant

Phenyo Maganedisa

Administrative Assistant: Good Governance Programme (GGP)

Mxolisi Makinana

Researcher

Sydney Mdlhophe

PULP Assistant

Chacha Bhoke Murungu

LLD Candidate & Tutor

Jehoshaphat Njau

Academic Associate

Martin Nsibirwa

Programme Manager: LLM (Human Rights and Democratisation in Africa)

Sarita Pienaar-Erasmus

Assistant Financial Manager

Ololade Shyllon

Coordinator: Freedom of Expression and Access to Information Project; Doctoral Candidate

Olufemi Soyaju

LLD candidate and Tutor

Karen Stefiszyn

Gender Unit Coordinator

Armand Tanoh

LLD Candidate, Moot Court Coordinator

John Wilson

Project Coordinator: LLM (Human Rights and Democratisation in Africa)



Board Members

Justice Johann Kriegler

Retired Judge of the Constitutional Court

Justice Yvonne Mokgoro

Retired Judge of the Constitutional Court

Justice Johann van der Westhuizen

Judge of the Constitutional Court

Ms Shirley Mabusela

Former Chairperson of the South African Human Rights Commission

Prof John Dugard

United Nations Special Rapporteur

Justice Johann Kriegler

retired Judge of the Constitutional Court

Prof Edward Kwakwa

World Intellectual Property Organization

Prof Cephias Lumina

United Nations Special Rapporteur

Prof Kenneth Mwenda

World Bank

Dr David Padilla

former Assistant Executive Secretary,
Inter-American Commission on Human Rights

Ms Mary Robinson

former United Nations High Commissioner for Human Rights

Extraordinary Professors

Prof Jakkie Cilliers

Executive Director, Institute of Security Studies

Mr Mustaqeem da Gama

Department of Trade and Industry



Honorary Professors

Justice Yvonne Mokgoro

Retired Judge of the Constitutional Court

Justice Johann van der Westhuizen

Judge of the Constitutional Court

Extraordinary Lecturers

Mr Jean Allain

Lecturer, Queens University of Belfast

Ms Cecille Aptel

Legal Advisor to the UN International Independent Investigation Commission, Lebanon

Ms Elize Delpont

Gender Consultant

Dr Oagile Dingake

Judge, High Court of Botswana

Dr Solomon Ebobrah

Lecturer, Niger Delta University, Nigeria

Ms Nicole Fritz

Executive Director, Southern Africa Litigation Centre

Ms Sarah Knuckey

Centre for Human Rights and Global Justice, New York University

Justice Jody Kollapen

former Chair of the South African Human Rights Commission, Judge of the High Court

Ms Asha Ramgobin

Executive Director, Human Rights Development Initiative



STAFF ACTIVITIES

Staff Activities and Staff Publications

FRANS VILJOEN

Publications

- 'Human rights in Africa: normative, institutional and functional complementarity and distinctiveness' (2011) 18 *Southern African Journal for International Affairs* 191-216
- 'Contemporary challenges to international human rights law and the role of human rights education' (2011) 44 *De Jure* 207-231

Teaching on academic human rights programmes at foreign universities

- LLM/MA in Human Rights, Essex University, United Kingdom, January/February
- MA programme in Human Rights, United Nations University for Peace, St José, Costa Rica, March
- Doctoral defence, acting as 'Opponent', Åbo Akademi, Finland, April
- MA in International Human Rights Law, University of Oxford
- Advanced International Human Rights Programme, Institute for Human Rights, Åbo Akademi, Turku, Finland, August
- European Master's in Human Rights and Democratisation, Venice, Italy, September

Presentations at conferences/workshops

- Inaugural address as Head of Department, Centre for Human Rights, March
- Paper on 'The need for an African instrument on disability rights', Roundtable on Disability Rights in Africa, Cape Town, February
- Presentation at Seminar on 'Implementation of international human rights in the African Regional human rights system', organised by Interights, London, June
- Hosting Conference on Multi-disciplinary Human Rights, Pretoria, 2, 3 June 2012
- Paper on 'Homophobia, HIV and Human Rights' at Conference on HIV and the Social Sciences, Durban, June
- Opening remarks, Regional Consultation on the Model law on Access to Information, Nairobi, August
- Response to Opening Presentation, Meeting on Strengthening of UN Human Rights Treaty Body System, Dublin, November
- Plenary Address, Conference on Human Rights Education, Durban, November
- Presentation at training of ASEAN Secretariat, Jakarta, Indonesia, December



Research and other visits

- 49th session of African Commission on Human and Peoples' Rights, April
- Courtesy Visit to Rector, Eduardo Mondlane, in connection with Moot Court Competition in 2012
- Partner's meeting, Regional Human Rights Master's Programmes, Venice, Italy, September
- Visit to STIAS on 'African Scholars' programme, November
- 50th session of African Commission, Banjul, The Gambia, November
- Event about implementation of international law, organised by University of Bristol, Addis Ababa, November

MICHELO HANSUNGULE

Publications

- The Human Rights of Refugees, in *Refugee Law* (ed. Azizur Rahman Chowdhury), accepted for publication in Brill, Martinus Nijhoff Publishers, 2012
- Refugee determination process, in *Refugee Law* (ed. Azizur Rahman Chowdhury) accepted for publication in Brill, Martinus Nijhoff Publishers, 2012
- *Critical Analysis of the African Human Rights Strategy*, jointly with Evelyn B. Edroma (ed. Andre Mangu, UNISA), 2012
- The History of the African Charter on Human and Peoples' Rights (ed. Andre Mangu) UNISA, 2012
- Aspects of Zambian constitutional law, in *Zanzibar Yearbook of Law* (ed. Chris Maina Peter, 2012

- The human rights work of Prof. Kader Asmal, in *Law, Politics and Rights: Essays in Memory of Kader Asmal* (ed. Tiyanjana Maluwa, The Pennsylvania State University, USA, 2012
- 'Making peoples heard: Essays in honour of Gudmunder Alfredsson' in *Minority protection in the African system of human rights* (2011) Martinus Nijhoff 409-424
- 'How to tackle impunity – A comment' in 2011 (57) *Development Dialogue* Dag Hammarskjöld Foundation 108-122

Teaching

- Several modules of the Advanced Human Rights Courses offered by the Centre
- Responsible for and taught the entire course in first semester in Socio-economic Rights under Comparative and International Law (one of the courses in LLM (Multidisciplinary) Human Rights
- Responsible for one of the modules in the LLM in Human Rights and Democratisation in Africa (first semester)
- Taught a number of topics in LLM in Human Rights and Democratisation in Africa first semester
- Continued to supervise one LLM candidate by research
- Supervised nine (9) LLM dissertations (Multidisciplinary) Human Rights
- Continued to supervise 7 LLD candidates, three graduated in December, 2011
- Supervised 3 LLB University of Pretoria Faculty of Law dissertations



Keynote addresses

- Keynote address to a public workshop held in Mbabane, Swaziland in September 2011 on: Independence of the judiciary in southern African countries
- Keynote address to the workshop on the Rule of Law and Human Rights organised by the International Commission of Jurists (ICJ) in Maseru, Lesotho, March
- Keynote address to the workshop on Business and Human Rights organised by the International Commission of Jurists (ICJ) in Geneva, June
- Keynote address to the African Human Rights Day organised by the Ministry of Justice, Lesotho, 8 December

Papers presented

- Paper on the SADC Tribunal to a workshop organised jointly by ICJ-Africa Office and SALC in Bonani, Johannesburg
- Paper on Access to the SADC Tribunal and relations between international and domestic law in SADC states, to a workshop organised by ICJ Africa Office in Johannesburg
- Paper on children's rights and their protection in Africa presented at an international workshop organised by Save The Children, in Johannesburg
- Paper on 'challenges to the teaching of multidisciplinary human rights' to a workshop organised by the Centre for Human Rights at the University of Pretoria
- Paper on Safety and Occupational Hazards Act to a group of company executives from Zambian mining and other companies, at a workshop held in Lusaka, Zambia
- Paper on 'The ICC in Africa, a critical analysis' presented to Sudanese Law Society members in Khartoum, Sudan
- Paper on 'The History of the African Charter on Human and Peoples' Rights', to the 30th Anniversary of the African Charter held during the All Africa Moot Court Competition at the Centre for Human Rights, University of Pretoria
- Workshop on Rule of Law and Human Rights for Lesotho and SADC judges at Maseru, Lesotho, March
- South African Human Rights Commission to celebrate Human Rights Day, October
- Seminar organised by UN Expert on Debt and Human Rights at Addis Ababa, Ethiopia, July
- Workshop on Constitutionalism in Africa organised by the African Union/IDEA at Nazareth, Ethiopia July
- Workshop for Zimbabwe Legal Practitioners organised by the Zimbabwe Law Society in Harare, September
- Workshop for Zimbabwe Judges organised by the Zimbabwe Law Society at Victoria Falls, October
- Workshop on phenomenon of land grabbing organised by the Zambian Land Alliance in Lusaka, Zambia, September
- Workshop on justiciability of socio-economic rights organised by the International Commission of Jurists (ICJ) in Johannesburg, South Africa, September
- Seminar organised by the Office of the UN High Commissioner for Human Rights for West African Members of Parliament and National Human Rights Institutions in East and West Africa, at Monrovia, Liberia, November



External Examinations

- Continued to serve as External Examiner for LL.B and LL.M students at the University of South Africa (UNISA)
- Continued to serve as External Examiner for LL.M students at the University of Witwatersrand, Johannesburg
- Served as an external examiner for LLB, LL.M and LLD students at the following institutions: University of South Africa (UNISA) and the University of Witwatersrand in Johannesburg
- Served as External Examiner for a PhD student at the University of Sussex, United Kingdom

Committees

- Continued to serve as member of the Postgraduate Committee of the Faculty of Law as member
- Permanent member of the Faculty Senior Appointments Committee representing academic staff
- Member of the Faculty Board

Community Service

- Ministry of Justice over the Constitution-making process in Zambia
- Minority Rights Group International (MRG)
- International Commission of Jurists (ICJ) Africa Office
- Law Society of Zimbabwe
- Human Rights Institute of Southern Africa (HURISA)
- Freedom House

- Zambia Land Alliance
- UN High Commissioner for Human Rights, Geneva
- South African Human Rights Commission
- Ethiopian Human Rights Commission

External appointments

- Re-appointed as Member of Section 5 Committee on the Rights of the Child, South African Human Rights Commission for 2012
- Continued to serve as Commissioner in the International Commission of Jurists (ICJ)
- Continued to serve as Member of the Advisory Board of UNIFEM
- Continued to serve as International Advisor to KREDDJA International, an international mediation body comprising former heads of state and government, and experts, based in The Hague, The Netherlands

Consultancies

- UNDP Consultancy on challenges to human rights in Southern Africa
- Expert on the Constitution making process in Zambia
- Consultancy on legal aid in Swaziland
- Consultancy on the Human Rights Institute for the African Court of Human and Peoples' Rights



DANNY BRADLOW

Editor

Volume 3: *Law, Justice and Development*, D Bradlow, H Cisse and B Kingsbury (editors, The World Bank) (October, 2011)

Publications

- “Public Participation and the Private Sector: The Role of Multilateral Development Banks and the Evolving Legal Standards” *Erasmus Law Review* Vol. 4 #2 (December 2011) available at: <http://ssrn.com/abstract=1971695> (with Megan S. Chapman)
- “The Reform of the Governance of the IFIs: A Critical Assessment” *Law, Justice and Development*, D Bradlow, H Cisse and B Kingsbury (editors, The World Bank) (October, 2011)
- “Lessons from L’Affaire Lagarde:” *G20 Update*, Issue #8 (August-September 2011), Heinrich Boell Stiftung. (a shorter version published on 6 September 2011 on Vox Eu with title “A Critical Assessment of the Strategy and Tactics for Reforming Global Financial Governance” available at: <http://www.voxeu.org/index.php?q=node/6946>)
- “Europeans Must Pay to Head IMF”, *Foreign Policy in Focus*, June 9, 2011 available at http://www.fpif.org/articles/europeans_must_pay_to_head_imf
- “Reforming Global Economic Governance: A Strategy for Middle Powers in the G20” *Going Global*, AIIA and Konrad Adenauer Stiftung (May 2011)

- “Independent Accountability Mechanisms at Regional Development Banks” *Handbook of New Forms of Transnational Governance* (David Held and Thomas Hale (editors) (Polity Press May 2011) (with Andria Naudé Fourie)
- “The Evolution of Operational Policies and Procedures at International Financial Institutions: Normative Significance and Enforcement Potential” Report to the ILA Study Group on Responsibility of International Organizations (April 2011) Co-authored with Andria Naude Fourie) (available at: <http://ssrn.com/abstract=1858897>.)

Presentations, Participation in Workshops and Media

- “International Legal Perspectives on Norms for Fiscal Transparency” presentation via video-conference to Norms and Incentives Working Group, GIFT, Washington DC, 14 December 2011
- “Differing Conceptions of Development, Human Rights and Extractive Industries in “Normal” Conditions, Presentation to First Meeting of African Commission on Human and People’s Rights Working Group on Extractive Industries and Human Rights, Nairobi, 29 November 2011
- “Pre-Contractual Obligations of Financial Institutions” Presentation to a Conference on “A New Framework for South Africa: Financial Institutions, Human Rights and International Best Practices” Wits University, Johannesburg, 24 November 2011
- Participated in invitation-only workshop on “An Unfinished House: Filling the Gaps in Global Governance”, organized



by Center for International Governance Innovation (CIGI), Waterloo, Canada, 28-30 October 2011

- Lectured on “The Bretton Woods Institutions and the G20” in DIRCO diplomats training program, Pretoria 24 October 2011
- Co-Organizer, Study Group on Food Security and the G20 organized by South African Institute for International Affairs, and International Development Law Unit, Centre for Human Rights, University of Pretoria, Pretoria, South Africa, 5 September, 2011
- “Foreign Investors, International Standards, and Investments in Land” presentation to workshop on “Land Grabs” co-sponsored by IDLU and U. Warwick, 1 September 2011
- Interviewed on US Debt Ceiling Challenge on “Beyond Markets” CNBC Africa, 18 July 2011. Interview available at <http://www.youtube.com/watch?v=JofED8u9Yj8>
- Made opening presentation and led roundtable discussion on “Applying the Emerging Human Rights Framework in the African Context to Foreign Investment in Africa and to Intra-African Investments” at Seminar on “Financial Institutions, Human Rights and International Best Practices” hosted by School of Law, University of Witwatersrand and the Institute for Human Rights and Business, Johannesburg, 19 July 2011
- Participated in Invitation-only experts meeting with UN Special Rapporteur on Right to Food (Olivier de Schutte) at U. Pretoria, July 12, 2011
- Co-Organizer (with World Bank Inspection Panel) of Conference on “Challenges of International Accountability: The Case of the IAMs”, International Conference organized at American University Washington College of Law, Washington DC, June 24, 2011. Also moderated panel discussion on “Credibility and Effectiveness of IAMs” as part of this conference
- Participated in 8th Annual Meeting of the Independent Accountability Mechanisms
- Organized and moderated panel (including video-conference link between Washington DC and Johannesburg, SA) with panelists at Mandela Institute, University of Witwatersrand and at American University Washington College of Law on “Do BITS have Bites: Foreign Investment, Social Policy and Lessons from the Foresti Case” 8 June 2011
- Moderator and Participant, Panel on Financial Inclusion, Study Group on G20 Development Working Group, organized by South African Institute for International Affairs, Oxfam and International Development Law Unit, Centre for Human Rights, University of Pretoria, Pretoria, South Africa, May 16, 2011
- Lead Discussant, “The Interplay of Hard and Soft Law in International Global Economic Governance” panel at conference on “Legitimacy and Efficiency in Global Economic Governance”, The Group of Lecce and University of Salento, Lecce, Italy, May 6-7, 2011
- Talk to WCL Faculty on reforming the global economic governance arrangements, April 19, 2011
- Participated in Invitation only consultation with Bill and Melinda Gates Foundation on paper on financial innovation that Bill Gates is writing for G20 Summit in November 2011 in France, Washington DC, April 14, 2011



- Participated in Invitation only roundtable on International Organizations in Transition at Vanderbilt University School of Law, April 9, 2011 (Nashville, Tennessee)

Work in Progress:

- Article on participation in policy making in international financial institutions, Invited article for a law journal
- Report to ILA Study Group on Responsibility of International Organisations—focus is on rule making procedures in international organisations

Other Activities:

- Provided International law advice to creating international norms on budgetary transparency, engagement and participation for the Global Initiative on Fiscal Transparency, a multi-stakeholder initiative involving governments, international organizations and NGOs (November 2011- January 2012)
- Ad Hoc Compliance Review Expert, Project Compliance Review Mechanism, European Bank for Reconstruction and Development (November 2011- March 2012)
- Expert Member, African Commission on Human and People's Rights Working Group on Extractive Industries and Human Rights, (appointed 2011 for 3 years)
- Member, High Level Panel on Governance of the Financial Stability Board (preparing a report to be presented to FSB and G20) March—September 2011
- African Development Bank: Chair Roster of Experts, Independent Review Mechanism

- International Lawyers and Economists Against Poverty: Chaired Board of Directors Executive Director Search Committee, Member, Program Committee
- Member, Advisory Boards for Law, Social Justice and Global Development, American University International Law Review, and Sustainable Development Law and Policy.
- Co-Rapporteur, International Law Association Study Group on Responsibility of International Organizations
- Invited to provide comments to SA Department of International Relations and Cooperation for Minister's speech on Business and the MDGs and to National Treasury on draft policy on FDI regulation.
- Consultant, Commonwealth Secretariat - lead researcher on study of incorporation on international standards into financial supervisory structures in SACU member states - wrote 4 briefing papers for policy makers and regulator on international standards (the Basel Committee on Banking Supervision's Core Principles for Effective Banking Supervision (BCP); the International Organization of Securities Commissions' Objectives and Principles of Securities Regulation (OPSR); the International Association of Insurance Supervisors' Insurance Core Principles and Methodology (ICPM); the Core Principles for Systematically Important Payment Systems that was prepared by the Committee on Payment and Settlement Systems (CPSIPS); and the Recommendations for Securities Settlement Systems and the Assessment Methodology for the Recommendations for the Securities Settlement Systems (RSSS-AM), both of which were jointly prepared



by the Committee on Payment and Settlement Systems and the Technical Committee of the International Organization of Securities Commissions.); supervised comparative studies on financial regulation in each of the 5 SACU countries and undertook a comparative analysis of the incorporation of the international standards into the domestic statutes of the 5 countries. Report to be published by Commonwealth Secretariat

- Member, Executive Council, American Society of International Law (elected March 2011 for 3 year term)
- Member, Board of Directors, New Rules for Global Finance (elected February 2011)
- Signed Book contract with Edward Elgar Press to write book on reform of global economic governance
- Negotiating with publisher regarding an offer to publish a textbook on "INTERNATIONAL BUSINESS NEGOTIATIONS: A Practical Skills Approach through an Extended Simulation Module utilizing Collaborative Teaching Methodology" to be co-authored with Jay Finkelstein
- Member, International Advisory Board, Financial Regulation and Human Rights Project, Rethinking Bretton Woods, Center of Concern

Journal Reviewer:

Completed reviews for *South African Journal of Human Rights*, *African Human Rights Law Journal* and *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* (Journal of Contemporary Roman-Dutch Law)

Lectures and Conferences Organised

- "The BRICS and South Africa" panel discussion with Ambassadors from Brazil, India and representatives from Russian Embassy and DIRCO, 5 September 2011, event organized as formal opening of IDLU and welcome for new LLM students
- "G20 and Agriculture", Study Group co-sponsored by IDLU and SAIIA, in conjunction with National Treasury, 5 September 2011
- "Land Grab Workshop" Organized in conjunction with U. Warwick, 1-2 September 2011
- "DO BITS Have a Hidden Bite: Managing Foreign Direct Investment and Public Policy" June 8, 2011, American University Washington College of Law (video-conference with audience at Mandela Institute, University of Witwatersrand)
- "G20 and Financial Inclusion", Study Group on G20 Development Working Group, organized by South African Institute for International Affairs, Oxfam and International Development Law Unit, Centre for Human Rights, University of Pretoria, Pretoria, South Africa, May 16, 2011

NORMAN TAKU

Conferences attended

- Le renouvellement de la Constitution: Le pouvoir constituant dans la continuité d'un ordre juridique constitutionnel, Round Table of the International Association of Constitutional Law, Istanbul, Turkey, April



- The Rights to Social Security in Comparative Constitutional Law, Round Table of the International Association of Constitutional Law, Xi'an, Macau and Hong Kong, China, November

Research and other visits

- Debriefing meeting on African Commission/CHR collaboration around the 30th anniversary of the African Charter, Banjul, The Gambia, September
- Visit to plan 21st African Human Rights Moot Court Competition, Maputo, Mozambique, August
- Partner's meeting, Regional Human Rights Master's Programmes, Venice, Italy, September

MAGNUS KILLANDER

Editorships

- Editor-in-chief: *African Human Rights Law Reports / Recueil Africain des Décisions des Droits Humains* (PULP)
- Associate editor: *Oxford Reports on International Law in Domestic Courts* (Oxford University Press)
- Africa editor: *Oxford Reports on International Human Rights Law* (Oxford University Press)
- Co-editor: *African Human Rights Law Journal* (JUTA)

Publications

- 'Judicial immunity, compensation for unlawful detention and the quest for the elusive self-executing treaty provision'

- (2010) 26 *South African Journal on Human Rights* 386-394
- 'Interpreting regional human rights treaties' *SUR* – International journal on human rights, no 13, 2010, 144-169

Reviewer

Book proposal peer reviewer for Oxford University Press and article peer reviewer for *South African Journal on Human Rights* and *SA Public Law*.

Conferences

- Presented a paper titled "Accountability for gross human rights violations and nation-building – Lessons from Africa" at the conference organized by the German-Southeast Asian Centre of Excellence for Public Policy and Good Governance, Bangkok, Thailand, January 2011
- Presented a paper on legal harmonization in Africa at a conference organized by the Department of Political Science, University of Pretoria, February 2011
- Organized the conference 'Thirty years of the African Charter on Human and Peoples' Rights: Looking forward while looking back' in connection with the moot court in Pretoria in July 2011

Research visits

- Washington DC, United States, October 2011
- Addis Ababa, Ethiopia, November 2011



Teaching

- Assistant academic coordinator, LLM in Human Rights and Democratisation in Africa
- Teaching on LLM programme in International Human Rights Law and HIV in Africa and Advanced Human Rights Courses

Student supervision

- LLD students : Prudence Acirokop; Melhik Bekele; Adem Kassie Abebe (co-supervisor, supervisor Frans Viljoen); Horace Adjolohoun (co-supervisor, supervisor Erika de Wet); Armand Tanoh (co-supervisor, supervisor: Danie Brand); AJ Beredugo (co-supervisor, supervisor: Frans Viljoen)
- LLM student: Mxolisi Makinana

Committees

Member of the Research Committee and the Research Ethics Committee of the Faculty of Law

MARTIN NSIBIRWA

Conferences/training

- Research visit at Raoul Wallenberg Institute for Human Rights and Humanitarian Law, Lund, 25 March to 15 April 2011
- Workshop on the role of academic institutions in promoting regional cooperation, human rights and peace in sub-Saharan Africa, 5-9 April 2011

WARUGURU KAGUONGO

Publications

- 'Resource allocation towards socio-economic rights: Lessons from domestic courts' *Human Rights Review* DOI: 10.1007/s12142-011-0203-1 (22 September 2011)
- 'Reflections on the complexities in adjudicating ESC Rights from the perspective of resource allocation and budgetary issues' *Judiciary Watch Report 2011* International Commission of Jurists - Kenya

KAREN STEFISZYN

Publications

- 'Health and reproductive rights, HIV, and the Protocol to the African Charter on the Rights of Women in Africa' (2011) 12(4) *ESR Review* 3

Presentations at conferences

- Presented a paper entitled 'Adolescents, HIV, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa' at a colloquium on reproductive and sexual health and rights in the African region, University of the Free State, 22-23 October 2011.



Community service

- Addressed members of the community in Eersterust on women's human rights. This was on the invitation of the Community Policing Forum as part of their community awareness programme on human rights, 17 March 2011

Other Activities

- 49th session of the African Commission on Human and Peoples' Rights, Banjul, the Gambia, April 2011; facilitated a parallel session with the Special Rapporteur on the Rights of Women in Africa on state reporting guidelines for the Women's Rights Protocol attended by state representatives.
- Annual meeting of the Solidarity for African Women's Rights Network in Nairobi, Kenya; presentation on the reporting guidelines for the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, April 2011.
- Presentation to the women's caucus of the Pan African Parliament at the fourth ordinary session in Midrand, South Africa, to make a presentation on the reporting guidelines of the Women's Protocol, May 2011.
- Pietermaritzburg Agency for Christian Social Awareness and Norwegian Church Aid Gender Audit Exploratory Consultation; presentation on CEDAW and the Women's Rights Protocols to members of Southern African Council of Churches, October 2011

ARMAND TANO

Conferences attended

- Justiciability of socio-economic rights, 25-26 May 2011, Paris, France

Others activities and Projects in 2011

- Translation of the commemorative publication of the 30 years of the African Charter on Human and Peoples' Rights
- Co-organiser of the 3rd Human Rights World Moot, 7-11 December 2011

BERITA KOPOLO

Courses Attended

- African Human Rights Consortium & University of Botswana, Institute on 'New Media'

Working Groups/Meetings

- SAIIA-National Treasury-CHR, "The BRICS and South Africa", Pretoria, South Africa; "Reviewing the G20s Development and Financial Inclusion Agenda"
- Foreign Direct Investment Working Group Meeting(s), University of Pretoria, South Africa
- Centre for Environmental Economics and Policy in Africa, International Seminar on 'Public Policy and Governance Analysis' Pretoria, South Africa



Conferences and workshops

- SADC Regional Conference on the 'Impact of HIV/AIDS on Social Law', Maputo, Mozambique
- ONE: 'Transparency and Technology', Johannesburg, South Africa
- SARW: 'Promoting Land and Environmental Accountability in Southern Africa', Johannesburg, South Africa
- WITS: 'Financial Institutions, Human Rights and Best Practice', Johannesburg, South Africa
- OSF: 'Public Health Seminar', Livingstone, Zambia
- UNDP: 'Regional Workshop on IP', Pretoria, South Africa

LLM (International Trade and Investment in Africa)

Academic/Personal Tutor

LLM (Human Rights and Democratisation in Africa)

Clinical Group Supervisor: Access to Medicines

SERGES ALLAIN DJOYOU KAMGA

Publications

- 'Realising the right to primary education in Cameroon' *African Human Rights Law Journal* 11 (2011)
- 'The right to development in the African human rights system: The Endorois case' 2 (2011) *De Jure*
- 'The rights of women with disabilities in Africa: Does the Protocol on the Rights of Women in Africa offer any hope?' Barbara Faye Waxman Fiduccia Papers on Women and Girls with Disability – Centre for Women

Policy studies (February 2011) available at http://www.centerwomenpolicy.org/programs/waxmanfiduccia/BFWFP_TheRightsofWomenWithDisabilitiesinAfrica_DoesTheProtocolontheRightsofWomeninAfrica.pdf

Teaching activities at the Centre

- 'The right to development in the African human rights system', Advanced Human Rights course, October

Involvement in projects

- Appointment as clinical group coordinator on the Disability Rights under the LLM and democratisation
- Coordinated the ongoing OSISA project on disability rights.
- Participation in the Research paper: HIV, the law and human rights in the African Human Rights system: Key challenges and opportunity for the rights based responses to HIV, prepared for the Committee on the Protection of the Rights of People Living with HIV and those at Risk, Vulnerable to and Affected by HIV (HIV Committee)

Presentations at international conferences

- Manchester, UK, 7-8 July 2011 'Protection of the rights of persons with disabilities under the African human rights system: A call for a regional treaty, paper presented at the first international conference on Disability and the majority world – Towards a global disability studies, hosted by Manchester Metropolitan University, UK
- Victoria Falls, Zimbabwe, 28-30 November 2011, 'Forgotten or accommodated? Disabled children access to primary



education in Cameroon' paper presented at the 3rd AfriNEAD symposium – Building Communities of Trust: Evidence- to-Action on Disability Research

Other activities

- Acted As a referee for the *African Human Rights Law Journal*
- Represented the Centre at Roundtable to Develop Continental Disability Strategy “An Opportunity to Lead!” organized by The by the Secretariat of the African Decade on the Rights of Persons with Disabilities 31st August – 1st September 2011
- “Towards an African disability rights protocol? Contours for the process ahead” Concept paper for the African Commission Disability Protocol – Commissioned by the Secretariat of the African Decade on the Rights of Persons with Disabilities (with Prof Frans Viljoen)

ADEM KASSIE

Publications

- ‘Human rights under the Ethiopian Constitution: An overview’ (2010) 3 (3) *Journal of African and International Law* 639
- ‘Limiting limitations of human rights under the Ethiopian Constitution’ (2011) 4 *Ethiopian Constitutional Law Series*, Addis Ababa University, Ethiopia

Activities

- Doctoral Research Fellow, Centre of Governance and Human

Rights, University of Cambridge, October 2011 – January 2012

- Researcher to the UN OHCHR project to develop Glossary of Violations of International Human Rights and International Humanitarian Law, January - October 2011
- Lecture on the counter-majoritarian dilemma in Africa, LL.M in Human Rights and Democratisation, June 2011

CHACHA BHOKE MURUNGU

Publications

- ‘Immunity of state officials and the prosecution of international crimes’ in Murungu and Biegon (eds) *Prosecuting International Crimes in Africa*, (2011) Pretoria University Law Press: Pretoria 33-60
- ‘Prosecution and Punishment of international crimes by the Special Court for Sierra Leone’ in Murungu and Biegon (eds) *Prosecuting International Crimes in Africa*, (2011) Pretoria University Law Press: Pretoria 97-118
- ‘Towards a Criminal Chamber in the African Court of Justice and Human Rights’ (2011) 9 (5) *Journal of International Criminal Justice* 1067-1088

Papers presented

- ‘The legal framework on the prosecution of genocide in Southern Africa’ Paper presented at the Workshop on Residual Mechanisms after ICTR trials, organised by SALC, Johannesburg



Editorial activities

- Editor (with J Biegon) of Prosecuting International Crimes in Africa, (2011) Pretoria University Law Press: Pretoria

LOLADE SHYLLON

- Attended a workshop on 'Women and Law in Africa' organised by Legal Resources Centre, Cape Town, 13-15 September
- Presentation on the Draft Model Law on Access to Information for AU Member States at the 49th Session of the ACHPR from 25-30 April, Banjul, The Gambia
- Co-ordinated/presented at the following meetings on the Draft Model Law on Access to Information for AU member States: Maputo 28-30 June; Nairobi 29-31 August; Dakar 10-12 October
- Presentation on the LLM (Human Rights and Democratisation) in Africa Clinical Groups, at the Public Interest Law Gathering, Wits University, 2 December 2011

OLUFEMI SOYEJU

Lectures

- Delivered the lecture "Development-drive approach to law: A strategy for tackling the under-development in Africa" at the African Scholar Lecture Series, University of South Africa, 8 September 2011

Colloquia

- "The BRICS and South Africa" hosted by the International Development Law Unit, 5 September 2011
- "Reviewing the G20s Development and Financial Inclusion Agenda" Study Group co-sponsored by IDLU and SAIIA, in conjunction with National Treasury, 5 September 2011
- "Land Grab Workshop, organised in conjunction with the University of Warwick, 1-2 September

YOLANDA BOOYZEN

Papers presented

- 'Advocating for the 'disconnected': Division, development and dissent' Paper presented at the International Conference on Arts, Society and Sustainable Development at the Pretoria Campus, Tshwane University of Technology (TUT), 27 - 29 June 2011.

Other activities

- Attended the UNESCO Open Access Publishing Workshop, jointly presented by the Academy of Science of South Africa and UNESCO, held in Pretoria, South Africa, 18-19 August 2011.
- Panelist: Panel Discussion on 'Open Access ETDs and Publications in the Humanities and Social Sciences' at the 14th International Symposium on Electronic Theses and Dissertations, Cape Town, South Africa



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- Embassy of Germany
- European Union
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- IDASA
- International Criminal Law Services (ICLS)
- International Labour Organization
- International Working Group for Indigenous Affairs
- Irish Aid
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- Open Society Initiative for Southern Africa (OSISA)
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Centre for Human Rights
Annual Report 2011

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