



Annual Report 2019

Centre for Human Rights, Faculty of Law, University of Pretoria

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The Centre for Human Rights
is an internationally recognised hybrid
institution; both an academic department
in the Faculty of Law and a NGO/CSO
that combines academic excellence,
effective activism, education, training,
research and capacity-building
to advance human rights in Africa.

The Centre for Human Rights was established in the Faculty of Law, University of Pretoria, in 1986, as part of domestic efforts against the apartheid system of the time.

The Centre works towards human rights education in Africa, a greater awareness of human rights, the wide dissemination of publications on human rights in Africa, and the improvement of the rights of women, children, indigenous peoples, persons with disabilities, sexual minorities and other disadvantaged or marginalised persons or groups across the continent.

Over the years, the Centre has positioned itself in an unmatched network of practising and academic lawyers, national and international civil servants and human rights practitioners across the entire continent, with a specific focus on human rights law in Africa, and international development law in general.

Today, a wide network of Centre graduates contribute in numerous ways to the advancement and strengthening of human rights and democracy all over the African continent, and even further afield.

In 2006, the Centre was awarded the UNESCO Prize for Human Rights Education, with particular recognition for the African Human Rights Moot Court Competition and the LLM in Human Rights and Democratisation in Africa. In 2012, the Centre for Human Rights was awarded the 2012 African Union Human Rights Prize.

www.chr.up.ac.za

Director's Message

In an age during which human rights are increasingly intellectually questioned, and placed under political threat, it is reassuring and important that human rights institutions still prosper.

#HRDA20YEARS

In 2019, the Centre for Human Rights forged ahead to establish itself as a credible institution advancing the rights of particularly the most vulnerable among us in Africa, and to raise levels of understanding and awareness of rights on the continent. Exemplifying this process of institution-building, the Centre-based Master's in Human Rights and Democratisation in Africa (HRDA) marked 20 years of continuous human rights education on the continent. It is through the wide-ranging contributions of the 563 graduates of this programme that the Centre has left its clearest fingerprint on the continent. This milestone was made possible by productive partnership with law schools across the continent, together with great dedication of Centre staff over two decades. A number of events, organised to coincide with the graduation of the HRDA Class of 2019, brought together graduates from across year groups and countries.

GLOBAL CAMPUS OF HUMAN RIGHTS

One of the reasons for the stable growth of the HRDA was the consistent financial support of the European Union. From the very start, the HRDA was embedded in a larger network of EU-supported Master's programmes across the globe. By 2019, this network had increased to seven such programmes, coordinated under the umbrella of the Global Campus of Human Rights. The Centre was privileged to host the election of the first governance structures, and the official launch of the Global Campus of Human Rights on 10 December 2019.

DRIA

In the same year that its oldest Master's programme turned 20, the Centre also introduced a new programme, the Master's in Disability Rights in Africa (DRIA), which is developed and presented in collaboration with the Department of Public Law, of the UP Faculty of Law. This was the Centre's second Master's programme presented by way of hybrid learning (comprising on-line and on-site (residential) teaching and learning).

TILA AND SRRA

A record number of students graduated from two of the Centre's other Master's programmes, with 23 new graduates from the LLM in International Trade and Investment Law in Africa (TILA), and 15 with a Master's in Sexual and Reproductive Rights in Africa (SRRA). A total of 73 Masters and 5 doctoral students graduated from the Centre in 2019.

MOOT COURTS

As has become regional custom, the Centre organised the African Human Rights Moot Court Competition (for the first time in Botswana); and the Nelson Mandela World Human Rights Moot Competition (in Geneva). It was a year of several milestones for the World Moot, which for the first time took place in Spanish (alongside French and English), added a new partner (Academy on Human Rights and Humanitarian Law, Washington College of Law, American University), and hosted the first Nelson Mandela Lecture, which was presented by Justice Albie Sachs (with the High Commissioner of Human Rights responding).

CONFERENCES

The Centre hosted a number of international conferences, including the annual conference on disability rights; and a conference on forced displacement in Africa. The conference on forced displacement tied in with the theme of the Centre's annual campaign, which in 2019 was #AfricanMigrantsMatter.

RESEARCH UNITS

Each of the Centre's Units continued their excellent work in advancing a particular aspect of the rights of vulnerable groups. The highlights of these efforts are covered in the subsequent sections of this report.

CENTRE STAFF

The Centre is its people: It is the dedication and professionalism of its staff and students that enabled the Centre to continue contributing and growing. In 2019, we saw a few dearly

valued members of our staff leave. Professor Hansungule, who had established himself as a leading expert on human rights in Africa, reached retirement age. He will however still be involved in some postgraduate supervision. Josua Loots, manager of the Business and Human Rights Unit, Adebayo Okeowo, manager of the Advocacy Unit, and Damian Oakes, part of the ACCA Secretariat based in the Centre, also moved on in pursuit of new opportunities. While we will miss them, we were privileged and remain glad to have benefited so much from them, both personally and professionally. It is also gratifying and encouraging that each of them has taken up a position in which they will have the opportunity to gain more experience and make even greater contributions to the protection of human rights in Africa and beyond.

PARTNERS, SUPPORTERS, DONORS AND FRIENDS

It is also a pleasure to acknowledge the collaborative support of so many partners, supporters, donors, and ever-increasing network of friends and supporters.

Frans Viljoen
Director, Centre for Human Rights



Prof Magnus Killander,
Academic Coordinator (HRDA),
Professor of Human Rights Law,
ALUMNI SYMPOSIUM
December 2019

Centre Governance

The Centre, being an academic department in the Faculty of Law, University of Pretoria, reports to the Faculty Board, and through the Faculty Board, to the Senate of the University. In addition to reporting to the Faculty Board, the Centre also has an Advisory Board.

In 2019 the Advisory Board consisted of Prof Andre Boraine (Dean, ex officio); Justice Johann Kriegler, retired Judge of the Constitutional Court; Justice Bess Nkabinde, Judge of the Constitutional Court; Justice Johann van der Westhuizen, retired Judge of the Constitutional Court; Prof Sylvia Tamale, Faculty of Law, Makerere University, Uganda; Mr Edouard Jacot-Guillarmod, Chartered Accountant; Prof David Padilla, former Assistant Executive Secretary, Inter-American Commission on Human Rights; and two members of the Centre staff, elected by Centre staff: Prof Magnus Killander and Ms Patience Mpani.

One meeting of the Advisory Board took place in 2019.



Courtyard
Law Building,
Faculty of Law,
UNIVERSITY OF PRETORIA

Core Management Team

OFFICE MANAGEMENT / FINANCES / COMMUNICATIONS AND ADVOCACY

The ability of the Centre to annually celebrate various accomplishments would not be possible without the consistent, dedicated and professional support of the team that ensures that the Centre's heart keeps beating regularly and that the many parts of its body stay healthy. The management team has four major parts. These parts work in a cross-cutting way and in one way or another have an impact on every Centre project and programme.

First, there is the Director and assistant Director. In 2019, the Director of the Centre was Prof Frans Viljoen; and its Assistant Director Dr Nkatha Murungi.

Then, there is the one who 'holds it all together', and has been doing so for most of the Centre's life: Carole Viljoen, the Office Manager. Her ability to efficiently multi-task is legendary.

Third, there is the financial team, which ensures that the Centre's financial management is impeccable. Harold Meintjes, the Financial Manager, has for many years now worked together with two Assistant Financial Managers, Emily Laubscher and Sarita Pienaar-Erasmus, to ensure that the Centre receives audit reports without any blemish.

Fourth, there is the team that performs the crucial function of presenting the Centre's work activities to a wider audience. Yolanda Booyzen is the Centre's talented Communications and Marketing Manager. She has been ably assisted by Simphiwe Khumalo (Assistant: Communications and Marketing/Website Administration), Tatenda Musinahama, David Ikpo, and Lourika Pienaar (webmaster). Lizette Hermann, Manager of the Pretoria University Law Press, also assisted in the execution of this function from time to time.



Justice Zakeria Yacoob
was awarded an honorary doctorate
by the University of Pretoria
GRADUATION CEREMONY
10 December 2019

Academic Programmes

ACADEMIC STAFF

The Centre hosts seven academics: Professors Christof Heyns, Frans Viljoen, Michelo Hansungule, Charles Fombad, Charles Ngweni, Danny Bradlow, Magnus Killander and Dr Nkatha Murungi. Professor Hansungule reached retirement age, and stood down at the end of 2019. He will however remain engaged in the supervision of a number of doctoral candidates.

AWARD OF HONORARY DOCTORATE

On 10 December the University of Pretoria awarded an honorary doctorate to Justice Zakeria Yacoob, who was nominated by the Centre for the award of the degree.

Justice Yacoob retired in 2013 after serving since 1998 as a Justice of the Constitutional Court of South Africa.

During the 1990s Justice Yacoob was part of the drafting team of the Bill of Rights for South Africa. In 1994 he served on the Independent Electoral Commission, which oversaw the first democratic elections in South Africa. As an advocate Justice Yacoob defended numerous political prisoners charged under apartheid laws and from 1985 to 1988 he was part of a team that defended the leadership and members of the United Democratic Front and its affiliates in the 'Delmas Four' treason trial.

Justice Yacoob's life, lived in service to humanity, is a towering example of courage and an unending story of overcoming adversity and physical limitation to bequeath a legacy of excellence, service, freedom, inspiration and hope.

Previous recipients of the honorary LLD degrees (*honoris causa*) awarded within the Faculty of Law, by way of nomination by the Centre, include former President Nelson Mandela (1997), former Chief Justice Ishmail Mahomed (1997), Justice Arthur Chaskalson, former Chief Justice of South Africa and the first President of the South African Constitutional Court (2007), Justice Yvonne Mokgoro Judge of the Constitutional Court (2008), Ms Navi Pillay UN High Commissioner for Human Rights (2009), Adv George Bizos, anti-apartheid activist and seasoned human rights advocate (2011), Justice Johann van der Westhuizen Judge of the Constitutional Court (2013) and Justice Dikgang Moseneke, Deputy Chief Justice of South Africa (2018).

DOCTORAL (LLD/DPHIL) PROGRAMMES

As of 2019, more than 50 students were registered for a doctorate (LLD/DPhil) on human rights-related topics in the Centre, under the supervision (or co-supervision) of Centre academics. Monthly doctoral meetings were held, at which doctoral candidates presented their work-in-progress. In the 2019 calendar year, the following students registered in the Centre graduated with a doctoral (LLD) degree:

- **Alex Ekeke,**
with a thesis 'The European Union's trade relations: The potential of extra-territorial human rights obligations in the realisation of the right to development in Sub-Sahara Africa' (supervised by Prof Killander)
- **Osy Nwebo,**
with a thesis 'The role of the Pan African Parliament in promoting constitutionalism and democratic governance in Africa: Lessons from other supranational parliaments' (supervised by Prof Fombad).
- **Anwuli Ofuani,**
with a thesis 'The viability of supported decision-making in protecting adolescent girls with intellectual disability from involuntary sterilisation in Nigeria' (supervised by Prof Ngwena).
- **Christian Aime Chufor Che,**
with a thesis 'An analysis of decentralisation under the 1996 Constitution of Cameroon' (supervised by Prof Fombad).
- **Anthony Etuvoata,**
with a thesis 'The role of civil society in improving compliance with the decisions of the African human rights supervisory mechanisms' (supervised by Prof Killander).

Three LLD/DPhil candidates enrolled for LLD/DPhil with a focus on Sexual and Reproductive Rights in Africa in 2019. All three doctoral candidates are expected to complete their studies and graduate in 2020. The topics for students are as follow:

- **Ayo Sogunro,**
'Advocacy, social control and the criminalization of the same sex relationships: A socio-legal analysis of the evolution and enforcement of the anti-gay laws in Nigeria' (under the supervision of Prof Frans Viljoen).
- **Rudo Chigudu,**
'A phenomenological study of the gendered and sexualize politics of a lesbian identity in contemporary Zimbabwe' (under the supervision of Prof Charles Ngwenya).
- **Chispine Sibanda,**
'The social inclusion approach to realisation of sex workers rights in Malawi' (under the supervision of Prof Charles Ngwenya, with Prof Ebenezer Durojaye from the University of the Western Cape as co-supervisor).

► **FUNDING:** Wellspring Philanthropic Fund

MASTER'S PROGRAMMES

In 2019, 73 students graduated with Master's degrees presented in the Centre:

- **26 HRDA**
from the Master's Degree in Human Rights and Democratisation in Africa
- **9 MDHR**
from the Master's degree in Multidisciplinary Human Rights
- **15 SRRA**
from the Master's degree in Sexual and Reproductive Rights
- **23 TILA**
from the Master's degree in International Trade and Investment Law in Africa



HRDA Class of 2019,
with Prof Jay Aronson
April 2019

► **HRDA: LLM/MPhil (Human Rights and Democratisation in Africa)**

In 2019, Prof Magnus Killander was the Academic Coordinator, and Dr Ashwanee Budoo the Manager of this programme. Johannes Buabeng-Baidoo was the Programme Officer, and the academic tutors were: Marystella Simiyu, Henrietta Ekefre, Susan Mutambasere and Tresor Makunya. Many Centre staff members contribute to this programme in various capacities including, Professors Christof Heyns, Charles Fombad and Michelangelo Hansungule.

The Centre is a pioneer in African human rights education, having established the HRDA in 2000 as the first ever Africa-specific human rights Master's degree.

Students spend their first semester in Pretoria and the second semester in smaller groups of 2 or 3 at one of the following 12 partner universities across Africa: Université d'Abomey-Calavi (Benin), Addis Ababa University (Ethiopia), Catholic University of Central Africa (Cameroon), University of Nairobi (Kenya), Universidade Eduardo Mondlane (Mozambique), Université Gaston Berger de Saint Louis (Senegal), University of Ghana, University of Lagos (Nigeria), University of Mauritius, Makerere University (Uganda), University of Venda and the University of the Western Cape (South Africa).

Training on the HRDA programme is a blend of theory and practice, including field study in South Africa and neighbouring countries (Namibia, Eswatini, Lesotho, Mozambique and Botswana). The HRDA is an intense programme which includes expert knowledge and, especially, the development of research, writing, critical thinking and analytical skills.

The 20th graduation of the HRDA was held in a special ceremony organised by the University of Pretoria to mark International Human Rights Day on 10 December 2019. The ceremony was attended by representatives from all twelve HRDA partner universities where 26 students (13 men and 13 women) from 16 countries (Botswana, Burundi, Côte d'Ivoire, Democratic Republic of Congo, Eritrea, Ethiopia, Ghana, Kenya, Malawi, Nigeria, Senegal, South Africa, Sudan, Switzerland, Uganda, Zambia) graduated, 3 of them with distinction.

2019 marked the 20th anniversary of the HRDA and the Centre organised several events preceding the graduation to mark this milestone. The events included an Alumni Braai on Saturday 7 December, an Alumni Symposium on Sunday 8 December where alumni had the opportunity to discuss the prospects and challenges of their current work, and an alumni dinner on the same day where the *Alumni Diaries 2019* was unveiled, along with special

mentions to recognize alumni who are doing commendable work in different categories. The events also included an alumni conference at which the UN Global Study on Children Deprived of Liberty was presented and discussed, as well as a dialogue on Xenophobia in South Africa on Monday 9 December.

Partners constituting the Global Campus of Human Rights, and who present regional master's programmes in human rights and democracy, including the HRDA, had their first institutional meeting of the Global Campus Assembly and the Global Council on 10 and 11 December, respectively.

Prizes for HRDA 2019 students:

Every year, the Centre presents a number of awards to the current class of the HRDA programme. In 2019, the awards were presented as follows:

- **Nelson Mandela Prize** for best overall performance:
Zerene Haddad (Zimbabwe)
- **Keba M'Baye Prize** for best mini-dissertation:
Chisomo T Nyemba (Malawi)
- **Victor Dankwa Prize** for best student in African Human Rights (co-awarded):
Deborah N Mburu (Kenya) and Thomas K White (South Africa)
- **Ubuntu Prize** for the student who best captured the values of humanity (co-awarded):
Tayba Hernler (South Africa) and Osman E Y Eisa (Sudan)

The prestigious annual Vera Chirwa Prize for outstanding achievement in furtherance of human rights and democracy was awarded to **Justice Lydia Mugambe** (Class of 2002), in recognition of her contribution towards advancing the socio-economic rights of the most vulnerable and ensuring gender-based justice in Africa, especially in Uganda, through her courageous and impactful judicial career.

Internships and other opportunities awarded to students in the Class of 2019, to be taken up in 2020:

- **African Committee on the Rights and Welfare of the Child:**
Aline Nininahazwe (Burundi)
 - **African Commission on Human and Peoples' Rights:**
Louisa Ntaji (Nigeria)
 - **African Court on Human and Peoples' Rights:**
Usani Odum (Nigeria)
 - **Doctoral candidate and tutor, Centre for Human Rights:**
Mary Auma (Uganda)
- **FUNDING:** European Union; DAAD; Royal Norwegian Embassy in South Africa; Dutch Government through its Embassy in Pretoria



► **SRRA: LLM/MPhil (Sexual and Reproductive Rights in Africa)**

In 2019, Prof Charles Ngwena and Dr Nkatha Murungi were the Academic co-coordinators of this programme, with Thuto Maqutu as the Manager. The assistance of Prof Ebenezer Durojaye from the University of the Western Cape is also acknowledged.

The LLM/MPhil in Sexual and Reproductive Rights in Africa is the Centre's first hybrid learning programme. The programme is delivered on-line as well as through contact block weeks. One of these block weeks took place in Kigali, Rwanda, and was hosted with the assistance of the University of Kigali.

The fourth cohort on this programme completed their first year in 2019 in readiness to complete their studies in the 2020 academic year. Fifteen students from 11 African countries have been selected for the fifth cohort beginning in 2020.

► **FUNDING: Wellspring Philanthropic Fund, Open Society Initiative**



Students from the DRIA Class of 2019
MASTER'S WELCOMING
CEREMONY
March 2019

► **DRIA: LLM/ MPhil (Disability Rights in Africa)**

In 2019, Dr Ilze Grobbelaar-Du Plessis was the Academic Coordinator, and Innocentia Mgijima the Manager of this programme. Jehoshaphat Njau and Dianah Msipa made considerable contributions.

The Centre, together with the Department of Public Law, Faculty of Law, UP, introduced and ensured the approval of a new Master's degree programme, the LLM/ MPhil (Disability Rights in Africa) (DRIA). The Master's programme focuses on the implementation of disability rights in Africa in line with the Convention on the Rights of Persons with Disabilities and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa. The mission of the programme is to "[educate] passionate defenders of the rights of persons with disabilities with a deep understanding of the rights of persons with disabilities and providing tools to work towards reasonable accommodation and against discrimination and stigma of persons with disabilities." This programme is presented in a hybrid format, combining on-line learning with block-weeks on the UP campus.

The first cohort of students on the programme is comprised of ten students who registered in 2019 and are due to graduate in December 2020. The students in 2019 completed the following modules: Research Methodology for Human Rights (NRM 801); Principles of International Human Rights Law (RHP 803), Principles of Social Science (DRL 802); Protection of Persons with Disabilities in a Global Context (DRL 803).

► **FUNDING:** Ford Foundation, Open Society Initiative for Southern Africa



Students from the MDHR Class of 2019
MASTER'S WELCOMING
CEREMONY
March 2019

► **MDHR: LLM/ MPhil (Multidisciplinary Human Rights)**

In 2019, Professors Frans Viljoen and Michelo Hansungule were the Academic Coordinators, and Rutendo Chinomona the Manager of this programme.

This programme is offered on a part-time basis, over two years, principally for students with fulltime employment in South Africa. During 2019, 16 new students registered on the programme. Nine students graduated from the programme in 2019.

POST-DOCTORAL FELLOWS

Four **post-doctoral fellows** were involved in the Centre's work in 2019:

- **Dr Ciara O'Connell**,
who was awarded the Vice-Chancellor's Postdoctoral Fellowship, worked in the area of women's rights;
- **Dr Romola Adeola**,
(LLD, UP 2016) returned to the Centre, worked in the area of migration;
- **Dr Oyeniya Abe**,
who was appointed as a Postdoctoral Fellow under the SARChI Research Chair within IDLU; and
- **Dr Admark Moyo**,
joined the Centre as post-doctoral fellow in late 2019.



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RESEARCH

In 2019, Prof Magnus Killander was the Centre's Research Manager.

PUBLICATIONS BY STAFF

Journal articles

Abebe, A 'Taming regressive constitutional amendments: The African Court as a continental (super) Constitutional Court' (2019) 17(1) *International Journal of Constitutional Law* 89-117

Adeola, R 'The impact of the African Union Convention on the protection and assistance of internally displaced persons in Africa' (2019) 19 *African Human Rights Law Journal* 591-607

Adeola, R 'The African Union Protocol on Free Movement of Persons in Africa: development, provisions and implementation challenges' (2019) 3 *African Human Rights Yearbook* 260-275

Akinyi, E 'Evaluating the conciliation dispute settlement mechanism of the African Continental Free Trade Area' (2019) *Afronomics Law*

Akinyi, E 'Western deontology versus Eastern consequentialism: Whether Rwanda needs democracy to achieve economic development' (2019) *African Journal of Commercial Law* 149-172

Akinyi, E 'National Treatment Rule and Public Procurement Rule under the EAC Common Market' (2019) *Journal of Corporate and Commercial Law*

Bradlow, D 'Multilateral Development Banks, their Member States and public accountability: A proposal' (2019) XI *Indian Journal of International Economic Law* 21-37

Dibaba, M 'The implications of article 12 of the Convention on the Rights of Persons with Disabilities for the legal capacity of persons with psychosocial and intellectual disabilities in Ethiopia' (2019) 7 *African Disability Rights Yearbook* 3-34

Fombad, C 'Constitutional literacy in Africa: Challenges and prospects' (2019) 44(3) *Commonwealth Law Bulletin* 492-513

Fombad, C 'Taming executive authoritarianism in Africa: Some reflections on current trends in horizontal and vertical accountability' (2019) *Hague Journal on the Rule of Law*

Heyns, C & Fombad, C 'The right to political participation in Sub-Saharan Africa' (2019) 8 *Global Journal of Comparative Law* 128-161 (with Tlakula, P & Kainja, J)

Hofisi, S 'Military-assisted transition, constitutional order in Africa and transitional justice in Zimbabwe: Towards effective change management' (2019) 6(2) *Journal of African Foreign Affairs* 139 – 155

Juma, P 'Right to self-representation for people with mental disabilities in Kenya's courts' (2019) 7 *African Disability Rights Yearbook* 81-95

Kenyon, K 'Health advocacy on the margins: Human rights as a tool for HIV prevention among LGBTI communities in Botswana' (2019) 37(2-3) *Journal of Contemporary African Studies* 257-273

Kenyon, K 'Viewing international concepts through local eyes: Activist understandings of human rights in Botswana and South Africa' (2019) 23(9) *International Journal of Human Rights* 1395-1421

Killander, M 'Criminalising homelessness and survival strategies through municipal by-laws: Colonial legacy and constitutionality' (2019) 35(1) *South African Journal on Human Rights* 70-93

Mgijimi, I 'Country Reports: Sudan' (2019) 7 *African Disability Rights Yearbook* 229-246 (with Odaudu, T & Mapokgole, R)

Nabaneh, S 'Female genital mutilation/cutting in Africa: A complex legal and ethical landscape' (2019) 145 *International Journal of Gynecology & Obstetrics* 253-257 (with Muula, A)

Nabaneh, S 'The Gambia's political transition to democracy: Is abortion reform possible?' (2019) 21(2) *Health and Human Rights* 169-179

Ngwena, C 'Human rights and access to health care for persons with albinism in Africa' (2019) 7 *African Disability Rights Yearbook* 35-58 (with Durojaye E)

Ngwena, C 'Book Review: Simon Foley: Intellectual disability and the right to a sexual life' (2019) 7 *African Disability Rights Yearbook* 268

Njau, J 'Payday: Business as usual or a dew dawn rising for persons with disabilities in the workplace' (2019) 52 *De Jure* 267-294 (with Grobbelaar-du Plessis, I)

Nyarko, M 'The right to property and compulsory land acquisition in Ghana: A human rights perspective' (2019) 27(1) *African Journal of International and Comparative Law* 100-125

Nyarko, M 'Towards effective implementation of the African Charter on the Rights and Welfare of the Child in Egypt' (2019) 11 *African Journal of Legal Studies* 141-177

O'Connell, CM 'Reconceptualising the first African Women's Protocol case to work for all women' (2019) 19 *African Human Rights Law Journal* 510-533

O'Connell, CM 'The human rights impact of gender stereotyping in the context of reproductive health care' (2019) 144(1) *International Journal of Gynecology & Obstetrics* 116-121 (with Zampas C)

Ogendi, P 'Pharmaceutical trade policies and access to medicines in Kenya' (2019) 19(2) *African Human Rights Law Journal* 698-720

Viljoen, F & Kareithi M 'An argument for the continued validity of woman-to-woman marriages in post-2010 Kenya' (2019) 63(3) *Journal of African Law* 303-328



Books and chapters in books

Adeola, R & Jegede, A 'Governance in Nigeria post-1999: revisiting the democratic new dawn of the Fourth Republic' in Adeola & Jegede (eds) *Governance in Nigeria post-1999: Revisiting the democratic 'new dawn' of the Fourth Republic* (Pretoria University Law Press, 2019) (Chapter 1)

Adeola, R 'Democratic governance and human rights protection from 1999-2019: Obasanjo, Yar'Adua, Jonathan and Buhari's Nigeria' in Adeola & Jegede (eds) *Governance in Nigeria post-1999: Revisiting the democratic 'new dawn' of the Fourth Republic* (Pretoria University Law Press, 2019) (Chapter 2)

Adeola, R 'Resolving Biafra post-1999: how should we look back to reach forward?' in Adeola & Jegede (eds) *Governance in Nigeria post-1999: Revisiting the democratic 'new dawn' of the Fourth Republic* (Pretoria University Law Press, 2019) (Chapter 6)

Adeola R 'The legal protection of internally displaced persons in Nigeria: challenges, imperatives and comparative lessons' in Adeola & Jegede (eds) *Governance in Nigeria post-1999: Revisiting the democratic 'new dawn' of the Fourth Republic* (Pretoria University Law Press, 2019) (Chapter 15)

Adeola, R, Jegede, AO & Karibi-Whyte, A 'Restructuring Nigeria's federalism post-1999: how should Nigeria federate and share resources?' in Adeola & Jegede (eds) *Governance in Nigeria post-1999: Revisiting the democratic 'new dawn' of the Fourth Republic* (Pretoria University Law Press, 2019) (Chapter 10)

Adeola, R 'Literature and human rights in Africa: making a case for a trauma-sensitive approach in proving persecution in asylum processes through Adichie's *The American Embassy*' in Adeola, Nyarko, Okeowo & Viljoen (eds) *Art of human rights: commingling arts, human rights and the law in Africa* (Springer, 2019) (Chapter 4)

Adeola, R, Nyarko, M, Okeowo, A & Viljoen, F 'Arts, human rights and the law in Africa: an introduction' in Adeola, Nyarko, Okeowo & Viljoen (eds) *Art of human rights: commingling arts, human rights and the law in Africa* (Springer, 2019) (Chapter 1)

Biegon, J 'Perspectives on the proposed African Court of Justice and Human Rights' In Jalloh, Clarke & Nmehielle (eds), *The African Court of Justice and Human and Peoples' Rights in Context*, (2019) Cambridge University Press 1101-1125 (with Belay, N)

Bradlow, D & Hunter D (eds) *Advocating Social Change Through International Law: Exploring the Choice Between Hard and Soft International Law*, Brill Publishers

Bradlow, D 'Introduction: Exploring the Relationship between Hard and Soft International Law and Social Change' Bradlow & Hunter (eds) in *Advocating Social Change Through International Law: Exploring the Choice Between Hard and Soft International Law*, Brill Publishers (with Hunter, D)

Bradlow, D 'Soft International Law and the Promotion of Financial Regulation and Responsibility' in Bradlow & Hunter (eds) *Advocating Social Change Through International Law: Exploring the Choice Between Hard and Soft International Law*, Brill Publishers

Bradlow, D 'Hard and Soft International Law and Their Contribution to Social Change: The Lessons Learned' in Bradlow & Hunter (eds) *Advocating Social Change Through International Law: Exploring the Choice Between Hard and Soft International Law*, (2019) Brill Publishers

B udoo, A 'The golden jubilee of the Mauritian Bill of Rights: A milestone to celebrate or time for reflections?' in Addaney, Nyarko & Boshoff (eds) *Governance, Human Rights and Political Transformation in Africa*, (2019) Palgrave MacMillan 91-117 (with Mahadew R)

Fombad, C 'Regional and continental frameworks for decentralisation in Africa. The African Charter on Decentralisation' in Steytler & Fombad (eds) *Decentralisation and Constitutionalism in Africa*, (2019) Oxford University Press, 70-97

Fombad, C 'Cameroon and the anomalies of decentralisation with a centralist mindset' in Steytler & Fombad (eds) *Decentralisation and Constitutionalism in Africa*, (2019) Oxford University Press, 326-364

Fombad, C 'Constitutional review and constitutional justice in Africa: Past, present and future' in Narey (ed) *Separation des Pouvoirs et Contre- pouvoirs*, (2019) Harmattan Press, 135-157

Fombad, C 'An overview of NHRIS in eastern and Southern Africa' *Compendium of documents on National Human Rights Institutions in eastern and Southern Africa*, (2019) Pretoria: Pretoria University Law Press, 5-19

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OTHER RESEARCH

Human Rights Law and Implementation Project (HRLIP)

The Centre participated in the [Human Rights Law Implementation Project \(HRLIP\)](#), a collaborative project between 4 leading academic human rights Centres (Bristol, Essex, Middlesex and Pretoria) and the Open Society Justice Initiative. The aim of the project is to examine the factors which impact on human rights law implementation by nine states across Europe, Africa (Burkina Faso, Cameroon, Zambia) and the Americas, looking at (i) selected decisions deriving from individual complaints to UN treaty bodies; and (ii) selected judgements and decisions of the bodies in the three regional human rights systems.

The Project explored an issue which is of concern to state actors (governments, legislatures and judiciaries); civil society actors; human rights bodies; and victims (and potential) victims of human rights violations. It is hoped that the research will impact on the actual compliance by the states with selected decisions and thereby result in greater justice for individual victims.

The Impact of the UN Human Rights Treaty System

In 2019, Prof Heyns, Director of ICLA, and Frans Viljoen embarked on a research project on the impact of the UN human rights system in 20 states. The main question addressed in this project is: What has been the influence to date of the main United Nations human rights on the domestic level, worldwide?

A team of 20 researchers in 20 countries worldwide is currently conducting the most comprehensive study yet undertaken on this question. The study is conducted in collaboration with the UN Office of the High Commissioner for Human Rights. Twenty years ago, the same two researchers conducted a similar study in the same countries, also in collaboration with the UN OHCHR.

The 20 researchers are all based in the countries that they study, each working from the same template of questions provided by the study leaders. They look at the relevant primary sources in those countries (such as white papers and policy documents) and conduct interviews with government officials and NGOs, to answer questions such as the

following: What evidence is available about the influence of the UN treaties, and the work of the treaty bodies, on the constitution of the country in question; on its legislation; on its policies; has the work of the treaty bodies been cited in the courts; is it taught in the universities; is it covered in the newspapers? Also, to what extent have the views and the concluding observations of the treaty bodies been implemented? The countries covered by this part of the study are Australia; Brazil; Canada; Colombia; Czech Republic; Egypt; Estonia; Finland; India; Iran; Jamaica; Japan; Mexico; Philippines; Romania; Russia; Senegal; South Africa; Spain; and Zambia. Full information is available at www.icla.up.ac.za/research/impact-of-the-un-human-rights-treaties-on-domestic-level

SHUREA PROJECT

The Centre for Human Rights participated in the SHUREA (Strengthening Human Rights Research and Education in Sub-Saharan Africa) programme which will come to an end in early 2020.

The project brought together doctoral students, postdoctoral fellows and academics from University of Pretoria, Åbo Akademi University (Finland), Makerere University (Uganda), University of Nairobi (Kenya) and Addis Ababa University (Ethiopia). The 2019 African Forum for Doctoral Research in Human Rights (AfriDoors) was hosted by the Addis Ababa University from 1 to 5 October.

Previous editions of the Forum had been hosted in Pretoria in (2018) and Nairobi (2017). The Centre for Human Rights also received doctoral students for research stays from the other three African universities and sent one of its doctoral candidates for a research stay at Åbo Akademi.

- **FUNDING: SHUREA is a project funded by the Ministry of Foreign Affairs of Finland, through the Finnish Agency for Education (EDUFI) and is aimed at strengthening policy relevant human rights research**

Adv Pansy Tlakula,
Information Regulator
(South Africa)
11th International
Conference of
Information
Commissioners
(ICIC)
March 2019





Dr Nkatha Murungi,
Assistant Director,
Centre for Human Rights
and Prof Bonolo Dinokopila,
Head of the Law Department,
University of Botswana
#AFRICANMOOT2019
July 2019

HUMAN RIGHTS EDUCATION PROJECTS

AFRICAN HUMAN RIGHTS MOOT COURT COMPETITION

In 2019, Yusuf Sayaad was the African Moot Court Manager.

The 28th edition of the African Human Rights Moot Court Competition was hosted and held at the University of Botswana, from 1 to 6 August 2019. The event brought together 37 Anglophone, 5 Francophone and 5 Lusophone teams. 20 African countries were represented.

A first in the history of the Moot Competition was the participation of a team of inmates from Luzira Maximum Security Prison in Uganda. The inmates are registered for an LLB Programme with the University of London international curriculum. This programme is run by African Prisons Project (APP), a non-profit organisation that works with people in prison. The NGO provides legal advice, training, and education to those living and working in prisons. Another first for the Moot Competition was of a technological nature as the team of inmates' participation was made possible by a state of the art live video link.

Preliminary Rounds

Held on 2 and 3 July at the Main Campus, University of Botswana, the preliminary rounds involving all participating teams were held separately in English, French and Portuguese.

Final Round

The final round of the moot was presided over by Justice Terence Rannowane (Chief Justice of Botswana) and was held at the High Court of Botswana on 6 July 2019. Other eminent jurists on the bench included Commissioner Jamesina Essie King (Mrs) (African Commission on Human and Peoples' Rights), Dr David Padilla (Former Assistant Executive Secretary of the Inter-American Commission on Human Rights), Lady Justice Maria Mapani-Kawimbe (Judge of the High Court of Zambia; Member of the African Committee of Experts on the Rights and Welfare of the Child); =Prof Laurence Burgorgue-Larsen (Judge of the Constitutional Court of Andorra), Ms Farida Mamad (Deputy Director Judiciary School of Mozambique), and Mr Alexander McLean (Founder and Director African Prisons Project).

Conference

An essential component of the Moot week is the one-day International Human Rights Conference. Held at the University of Botswana Conference Centre on 5 July 2019, the conference brought together academics, human rights activists, NGO's, government and law students from across the continent. The 2019 edition of the conference focused on the theme of 'protection of persons forcibly displaced in Africa' in line with the AU year's theme on migrants and refugees.

- ▶ **FUNDING:** European Union, Royal Norwegian Embassy in South Africa, Global Campus of Human Rights

The 28th edition
of the African Human Rights
Moot Court Competition
was hosted and held
at the University of Botswana
#AFRICANMOOT2019
August 2019





HE Michelle Bachelet,
United Nations High
Commissioner for Human Rights at the
inaugural Annual Nelson Mandela Human
Rights Lecture
#WORLDMOOT2019
July 2019

THE
GRADUATE
INSTITUTE
GENEVA

INSTITUT DE HAUTES
ÉTUDES INTERNATIONALES
ET DU DÉVELOPPEMENT

NELSON MANDELA WORLD HUMAN RIGHTS MOOT COURT COMPETITION

In 2019, Eduardo Kapapelo was the World Human Rights Moot Court Manager.

The 11th Nelson Mandela World Human Rights Moot Court Competition was held in Geneva, Switzerland from 15 to 19 July 2019. The World Moot was established in 2009, with the objective of bringing together students, law professors and human rights lawyers from different legal systems to debate and discuss contemporary cross-cutting human rights issues. The Competition is organized by the Centre for Human Rights, in collaboration with the United Nations Human Rights Council Branch (HRCB) of the Office of the UN High Commissioner for Human Rights and the Academy on Human Rights and Humanitarian Law, Washington College of Law, American University (the Academy).

In 2019, the Competition continued its trajectory of growth and for the first time included Spanish as a language of the Competition – creating the platform for greater inclusion while broadening participation. The structure of the Competition also changed; in addition to the semi-final rounds which were added in 2018, 2019 saw the inclusion of quarter-final rounds in an effort to increase the competitiveness of the Competition. The Moot made progress towards its objective of increasing collaboration and exchange between various human rights systems by bringing together students and law professors from such diverging systems.

During the preliminary rounds all teams argue the hypothetical case four times, twice for the respondent and twice for the applicant. The top eight teams from these rounds advance to the quarter final rounds. The top four teams in the quarter finals advance to the semi-finals and then the top two teams go into the final round.

As part of the week-long Moot Competition, the inaugural Annual Nelson Mandela Human Rights Lecture was held on 18 July 2019 at the Graduate Institute of International and Development Studies in Geneva. Retired Justice Albie Sachs – an apartheid struggle icon and former judge of the Constitutional Court of South Africa -- delivered the lecture, along with H.E. Michelle Bachelet, the United Nations High Commissioner for Human Rights. They celebrated the legacy of Nelson Mandela, who was born 101 years prior to the day, and

challenged the over 700 attendees to ensure the realization of human rights does not become overtaken by hate and divisiveness. The lecture was co-hosted by the South African Permanent Mission to the UN, and the Geneva Academy of International Humanitarian Law and Human Rights.

The Nelson Mandela World Human Rights Moot Court Competition has established itself as the largest university level world event in the field of human rights. In only ten years, approximately 300 teams from 70 countries have taken part in this global celebration of human rights. The Nelson Mandela lecture served as a pinnacle achievement of the Moot project, as it managed to bring together some of the principle international actors involved in the global human rights project – an achievement which will be built upon leading into the 2020 edition of the Competition.

The strength of the cooperation and collaboration between the Centre and the HRCB grew further in 2019. The addition of the Academy on Human Rights and Humanitarian Law has assisted the Competition to reach new heights of inclusion and participation. The possibilities for ancillary growth, such as the establishment of internships for the Moot winners in Geneva, have shown that the World Moot Competition is only the peg on which the organisers can hang a rich and multi-faceted experience for all involved. The World Moot is a unique initiative that promotes the message of human rights through cooperation between various universities and legal systems.

- ▶ **FUNDING:** European Union, SIDA, Regional Office Southern Africa of the Office of the High Commissioner of Human Rights (ROSA)

2019 Winning team
Gayathree Devi KT and
Ayushi Agarwal
from Oxford University
in the United Kingdom
#WORLDMOOT2019
July 2019





Group Photo
Advanced Human Rights Course on
Civil Society Law in Africa
#AHRC2019
September 2019

ADVANCED HUMAN RIGHTS COURSES (AHRC)

In 2019, Dennis Antwi was the AHRC Manager. He was assisted by Dorcas Basimanyane.

For 19 years, the Advanced Human Rights Courses (AHRC) of the Centre, dealing with various components of human rights, good governance and the rule of law have reached key decision-makers on the African continent. The AHRC has established a reputation as a major source of advanced capacity building in this area on the African continent. Under the aegis of AHRC, a number of advanced short courses are presented on topics that have been identified as areas of concern in the fields of human rights, the rule of law and of good governance as a whole. Courses are 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, other African countries, and the rest of the world.

During 2019 the following courses were presented: Sexual Minority Rights (February); Disability Rights in an African context (March); Women's Rights in Africa (March); Judicial Enforcement of Socio-economic Rights (May); Effective and Accountable Policing (May); Business and Human Rights in Africa (July); Children's Rights in Africa (July); Right to Development (August); Police and Vulnerable Groups in Africa (September); Indigenous Peoples' Rights (September); Civil Society Law in Africa (September/October) and African Human Rights in Comparative Perspectives (October).

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 were brought in to teach on the programme.

During 2019, over 585 participants attended courses presented by AHRC. Although participants were mainly from Africa, a number of participants came from Europe, South America and the USA.

The AHRC benefits from a number of partnerships that were maintained and strengthened during 2019. These institutions are renowned locally and internationally, and include the

Institute for Human Rights Law, Catholic University of Leuven, Belgium; University of Antwerp, Belgium; Ghent University, Belgium; The African Commission on Human and Peoples' Rights Working Group on Indigenous Populations, Sonke Gender Justice Network; Centre for Child Law, University of Pretoria, Dullah Omar Institute, University of the Western Cape; Centre for Sexualities, AIDS and Gender, University of Pretoria; The International Centre for Not-For-Profit Law and African Policing Civilian Oversight Forum (APCOF).

The AHRC has impacted on participants' ability to manage, teach and transfer knowledge to others within their organisations thereby broadening human rights education and knowledge on the African continent.

- **Funding:** International Center for Not-for-Profit Law (INCL), International Work Group for Indigenous Affairs (IWGIA), Flemish Government, Royal Norwegian Embassy in South Africa

Group Photo
Advanced Human Rights Course on
Children's Rights in Africa
#AHRC2019
July 2019





Dr Allehone Mulugeta Abebe,
Senior Legal Officer,
African Union / UNHCR,
#AFRICANMIGRANTSMATTER CONFERENCE
September 2019

ACTIVISM AND ADVOCACY

THE CENTRE'S 10 UNITS

ADVOCACY UNIT

In 2019, Adebayo Okeowo was the Unit Manager. He was assisted by David Ikpo.

In 2019, the Advocacy Unit played an important role in giving visibility to the Centre's year-long campaign around the rights of migrants, which came to be referred to as #AfricanMigrantsMatter. The choice of this theme coincided with the African Union's theme of the year 2019 which was "The Year of Refugees, Returnees and Internally Displaced Persons".

Together with the Communications and Advocacy section of the Centre, the Unit organized the third edition of the African Students Cellphone Film Competition (FACES). The purpose of the competition is to encourage students from Africa to express themselves and to engage with human rights issues of relevance to Africa, using cellphone technology. The competition attracted quality submissions that tackled issues ranging from child marriage to the right to life and the right to education.

BUSINESS AND HUMAN RIGHTS UNIT

In 2019, Josua Loots was the Unit Manager. Damian Oakes, Guillain Koko and Genny Ngende worked as the ACCA Secretariat. Josua and Damian left the Centre in the course of 2019.

The Business and Human Rights (BHR) Unit at the Centre for Human Rights (CHR) has been operational since 2013, with a focus on research driven projects, education, and capacity building.

In 2019, the Unit mainly worked on three projects, that is; the Valuing Respect Project, the African Coalition for Corporate Accountability (ACCA), and a multi-focus project in support of the African Working Group on Extractive Industries, Environment, and Human Rights.

Valuing Respect Project

The Valuing Respect project consists of a global collaborative platform, led by the Shift Project based in the USA, which was created to research and co-create better ways of evaluating business respect for human rights. Over a period of three years (2018 - 2020), the project partners would develop tools and insights that can help both companies and other stakeholders to focus their resources on actions that effectively improve outcomes for people. The Valuing Respect project involves a number of regional partners. The CHR is the Africa regional project partner in the Valuing Respect group. Other project partners include the Polish Institute for Human Rights and Business, and the ASEAN CSR Network. In 2019, building on background research and multi-stakeholder consultations, the project group started developing tools and recommendations on how the duty to respect could be improved.

Collaboration with the Working Group on Extractive Industries, Environment, and Human Rights

The Unit continued its collaboration with the African Working Group on Extractive Industries, Environment, and Human Rights (WGEI), and followed up on the background papers on the human rights and environmental impacts of the extractive industries in Africa, and on the links between illicit financial flows (IFF) and human rights in Africa.

The African Coalition for Corporate Accountability (ACCA)

The Centre for Human Rights is proud to host the Secretariat of ACCA, a coalition of more than 130 organisations working on BHR and corporate accountability around Africa. A major focus for ACCA in 2019 was the sub-regional capacity building on the following thematic work streams: free prior and informed consent (FPIC), access to remedy, and the development of a binding treaty on Business and Human Rights.

In the course of 2019, ACCA organized and facilitated two sub-regional workshops, one in West Africa (Ghana) and another in East Africa (Tanzania). Similarly, ACCA held a capacity building session on the United Nations Business and Human Rights Treaty for parliamentarians of the Pan African Parliament.

ACCA, together with the Centre for Applied Legal Studies, hosted a side session on the business and human rights treaty at African Commission on Human and Peoples' Rights in Egypt (April 2019). In June 2019, ACCA participated at a United Nations regional consultation on access to remedy and non-judicial mechanisms in Johannesburg, South Africa. In August 2019, ACCA participated in a sub-regional consultation meeting in Uganda on the UN Business and Human Rights treaty and the Extraterritorial obligations of Transnational Companies (TNC). This event was organised by FIAN International and the ETOs Consortium.

ACCA has continued to disseminate information, and engage multiple actors on the three work streams at various platforms. For example, in November 2019, ACCA organized a side session at the Open Ended Intergovernmental Working Group (IGWG) on Business and Human Rights in Geneva. The objective of the session was to develop and ensure the inclusion of an African perspective in the drafting process and final version of the UN Business and Human Rights Treaty.

ACCA continued with its advocacy work at the UN level by engaging key stakeholders at the Intergovernmental Working Group's 6th session, namely delegates of African States and representatives of civil society organisations. ACCA further presented its submission to the plenary during the event. In November 2019, ACCA participated in the United Nations Business and Human Rights Forum in Geneva, and organised a panel discussion titled: *"Trends and challenges in promoting business respect for human rights in Africa"*. One of the recommendations made was for States and regional bodies to promote the protection of African human rights defenders.

The ACCA General Assembly took place from 6 to 8 November in Abidjan, Ivory Coast. The theme was *“Impacts, opportunities and accountability in the context of Chinese investments in Africa.”* In preparation for the annual General Assembly (GA) held in November, ACCA in partnership with Friends of the Earth organised a webinar on Chinese investments enabling members to have a foundational understanding of the topic before the GA.

- ▶ **FUNDING:** Open Society Foundation; Ford Foundation; Shift Project; True Cost Initiative (through Fidelity Investments Charitable Gift Fund); 11th Hour Project (through Sustainable Markets Foundation)

Elemchi Nwosu,
University of Oxford
ACCA General Assembly
Abidjan, Ivory Coast
#ACCAGA2019
November 2019



CHILDREN'S RIGHTS UNIT

In 2019, Alina Miamingi was the Unit Manager.

The Children's Rights Unit focuses on research, capacity building and advocacy geared towards realising the rights of children in Africa.

In this vein, the Unit organised a roundtable discussion, in May 2019, based on the findings and recommendations of a study on the extent of implementation of the African Children's Charter by African governments. The event provided a platform for engagement between government representatives, civil society and members of the African Children's Committee.

The 6th edition of the advanced course in children's rights took place in July 2019, in collaboration with our partners: The Centre for Child Law, University of Pretoria, and Dullah Omar Institute for Constitutional Law, Governance and Human Rights, University of the Western Cape. In 2019, the course participants were mainly drawn from government and civil society.

As part of its support to and engagement with the African Committee of Experts on the Rights and Welfare of the Child, the Unit prepared two thematic briefs for the 34th Ordinary Session of the African Children's Committee (Cairo, Egypt, 25 November - 5 December 2019). The briefs highlighted grave violations of the rights of children in Mauritania and Guinea-Bissau.

The Unit also participated in the 15th edition of the Civil Society Forum to the African Children's Charter (Cairo, Egypt, 21-24 November 2019). 10 years after its inception, the Forum provided an opportunity for introspection, as guided by the theme of 'reflecting on thirty years of child rights movement in Africa. Children's rights in Africa: What has changed?'

On 20 November 2019, the Unit celebrated 30 years since the adoption of the UN Convention on the Rights of the Child (UN CRC) by organising a reflective lunch time conversation, which benefited greatly from the participation of our partners. The 2019 children's rights clinic developed a theoretical framework on the child-friendliness of human rights publications, which will inform the development of a child-friendly version of the African Children's Charter, by the 2020 clinic group.

► **Funding:** SIDA (through Plan International); Royal Norwegian Embassy in South Africa





Engagement with the
Pan-African Parliament
PAP CIVIL SOCIETY FORUM
October 2019

DEMOCRACY, TRANSPARENCY AND DIGITAL RIGHTS UNIT

Bonolo Makgale and Hlengiwe Dube were the joint Unit Managers in 2019, each managing different aspects of the programme. They were supported by Marystella Simiyu and Tomiwa Ilori.

Democracy, Transparency and Digital Rights Unit

The Democracy, Transparency and Digital Rights Unit works on democracy and governance projects in Africa. Specific areas of focus are freedom of expression, access to information, freedom of association, freedom of assembly, democracy, governance, elections, transparency, participation, digital rights and civil society engagement in Africa. The Unit also supports the mandate of the African Commission on Human and Peoples' Rights' Special Rapporteur on Freedom of Expression and Access to Information in Africa in the promotion and protection of freedom of expression, access to information and digital rights in Africa, as guaranteed by article 9 of the African Charter on Human and Peoples' Rights.

The Unit works extensively with the Pan-African Parliament (PAP) – the chief legislative organ of the African Union. PAP provides a regional platform for Africans and their civil society organisations to have greater impact on the decisions affecting the continent. The Unit facilitates civil society engagement with PAP, contributes to its policies, and charts new directions for governance on the continent.

The activities of the Unit contributed to the Centre's objectives of advancing human rights and democracy in Africa; moulding and equipping human rights advocates in Africa with knowledge, skills and expertise and engaging in effective advocacy for human rights in Africa, including in South Africa. Through the normative standards that have been developed by the African Commission, there are opportunities for research and advocacy to popularize the standards across the continent. Advancements in ICTs also present opportunities for the Unit to develop projects on digital rights.

Engagement with the Pan-African Parliament

Capacity Building

The Unit facilitated capacity building training to the members of the Justice and Human Rights Committee of the Pan-African Parliament in collaboration with other Centre Units on the Maputo Protocol, the rights of older persons and treaty process on Business and Human Rights.

Civil Society Forum

The Unit hosted two Civil Society Forums on the side-lines of the Pan-African Parliament ordinary sessions. One of the outcomes of the engagement was the formation of a PAP Civil Society Coalition, which was established to ensure a meaningful engagement with the Parliament and to foster closer collaboration between and among CSOs on PAP-related issues.

Xenophobia project

The Unit initiated a special project in efforts to tackle xenophobia in South Africa with a focus on the history of violence and intolerance towards fellow Africans in the country that has continued into the post-apartheid era. The project comprised of a number of initiatives including;

- The Unit hosted an African Day Celebration, with the aim of celebrating the diversity of Africa and what it means to be African. The event further aimed at facilitating a conversation on Pan-Africanism and how South Africans as a people, can stand in solidarity with African migrants on the injustices and inhuman experiences of xenophobia in South Africa.
- The Unit hosted a dialogue on xenophobia to contribute to the University's various initiatives to foster a culture of diversity that should be embraced and celebrated. The dialogue critically engaged on pragmatic ways and interventions in which both the state and non-state actors can counter xenophobia within South Africa's borders.

The Unit participated in a panel discussion on xenophobia at the NGO Forum of the 65th Ordinary Session of the African Commission on Human and Peoples' Rights in Banjul, the Gambia. The panel aimed to provide an opportunity for better understanding the state of affairs, including the past and present situation of African migrants in South Africa and steps taken by various stakeholders to end the scourge. The Unit also provided a critical analysis of the [National Action Plan \(NAP\) to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance](#).

Support to the Special Rapporteur

The Unit continued to provide support to the Special Rapporteur of the African Commission on Freedom of Expression and Access to Information in Africa through:

- Revision of the Declaration of Principles of Freedom of Expression and Access to Information in Africa. Two drafting meetings took place in South Africa and Kenya. Regional consultations were held in Namibia and The Gambia. The Declaration was adopted by the African Commission on 5 November 2019; and
- Organising a regional meeting for Francophone West Africa and North Africa on freedom of expression and access to information.

Research projects

The Unit had two research projects. One on South Africa's compliance with the Guidelines on Access to Information and Elections in Africa and the other one on civil society in the digital age focusing on Egypt, Sierra Leone, Uganda and Zambia.

Human Rights courses

The Unit developed three modules for the Massive Online Open Course on Privacy in the Digital Age in Africa. The Unit also participated in the Civil Society Law short course.

Workshops

The Unit also organized and participated in a number of workshops, including:

- A workshop in Botswana on access to information and election preparedness
- The Deepfakes workshop which was hosted in collaboration with WITNESS.
- The workshop on Internet Governance dialogue for Southern Africa organised by Coalition on the African Declaration on Internet Rights and Freedoms (AfDec), and presented on freedom of expression and access to information in the sub-region.
- A number of workshops in South Africa mostly focusing on the pre-and post-election period, misinformation, disinformation and other media policy issues.

Human Rights Clinics

The Unit hosted two human rights clinics in 2019. Both clinics contributed to the Centre's shadow report on Egypt and Lesotho's periodic state reports submitted to the African Commission. One of the clinics also provided technical support to PAP, while the other compiled an academic report on internet freedom in Africa.

► **Funding:** Norwegian Embassy, Open Society Initiative, Google, CIPESA, Ford Foundation

FREEDOM FROM VIOLENCE UNIT

In 2019, Dr Thomas Probert was the Unit Manager.

Previously called 'Unlawful Killings Unit', the Freedom from Violence Unit works with the African Commission on the Right to Life and efforts to abolish the death penalty in Africa. It works closely with the African Commission's Working Group on the Death Penalty and Extrajudicial Summary or Arbitrary Executions. It also organises the one-week course on 'Police Oversight and Accountability in Africa'.

The Centre for Human Rights,
in collaboration
with WITNESS hosted
a workshop on deepfakes
DEEPFAKES WORKSHOP
November 2019





Welcoming,
Prof Elsabe Schoeman,
Dean, Faculty of Law,
University of Pretoria and Commissioner
Adv
Bokankatla Joseph Malatji,
South African Human Rights Commission
ANNUAL DISABILITY RIGHTS CONFERENCE:
November 2019

DISABILITY RIGHTS UNIT

In 2019, Innocentia Mgijima was the Unit Manager. She was assisted by Dianah Msipa, Jehoshaphat Njau, Tariro Rufetu and Vivian Kasunda.

The Disability Rights Unit which was established in 2012, works towards strengthening the implementation, domestication and formulation of disability rights in Africa primarily through teaching, conducting research, carrying out capacity building trainings and creating spaces for critical dialogue on the issue.

Capacity building trainings

In the course of 2019, the Unit conducted a three-day capacity building workshop for civil society organisations working to advance the rights of persons with albinism in Africa. The training attracted 21 participants from Malawi, Zimbabwe, Eswatini, Zambia, South Africa, Namibia, Tanzania and Botswana. The training was aimed at enhancing the capacity of civil society organisations working on albinism issues to advocate for the human rights of persons with albinism as articulated in international and regional human rights instruments. The Unit also facilitated two-day training workshops for criminal justice personnel in South Africa, Botswana, Namibia and Zambia on accommodating persons with disabilities at the different stages in the criminal justice system. Cumulatively 143 members of the criminal justice system including police officers, magistrates, judges, prosecutors were trained. Ahead of the presidential elections in Namibia the Unit carried out a two-day capacity building workshop for state officials and disabled people's organisations on the right to public and political life for persons with disabilities in Namibia.

Disability Rights Short Course

The Disability Rights Unit in collaboration with the Advanced Human Rights Courses Unit organised a one-week intensive short course on disability rights in an African context to promote understanding as well as application of disability as a human rights issue in the African region in the wake of the adoption of the Convention on the rights of persons with disabilities. The course was attended by over 60 participants from 20 African countries. The participants included students on the [LLM/MPhil \(Disability Rights in Africa\)](#) and [LLM/MPhil \(Human Rights and Democratisation in Africa\)](#) programmes, doctoral candidates,

practitioners working with persons with disabilities, human rights activists, government officials, judicial officers, civil society members and academia. The Unit also coordinates the recently introduced LLM/MPhil in Disability Rights in Africa.

Research

The Unit commenced research to establish the barriers which persons with disabilities face in accessing justice. The multi country research was carried out in South Africa, Zambia and Botswana and will be concluded by the end of 2020. The Unit hopes the research will help to build a stronger evidence base for law and policy reforms in the area of access to justice. The Unit also commenced research on barriers in Namibia and Malawi and which restrict participation in public and political life of persons with disabilities and will present the findings at the end of the year.

Supporting the mandate of the UN Independent Expert on the enjoyment of human rights by persons with albinism

The Unit implemented a number of activities as part of its efforts to support the work of the UN Independent Expert on albinism. The Unit provided research assistance to the independent expert during the drafting of the thematic report on women and children with albinism to be presented to the Human Rights Committee in March 2020. The Unit in collaboration with her office, hosted a workshop at the [Pan-African Parliament](#) (PAP) on the rights of persons with albinism in Africa. The workshop was held at a Committee sitting of PAP in Midrand (South Africa), for the purpose of deliberating on measures for the effective implementation of the [Resolution on Persons with Albinism in Africa](#) (PAP.4/PLN/RES/05/MAY.18) which was [adopted by PAP](#) on 18 May 2018. The Unit also hosted a civil society pre-consultation meeting ahead of the UN Independent Expert's country visit to South Africa and met with her during her visit to discuss a research agenda for albinism. To commemorate International Albinism Awareness Day on 13 June 2019 the [Disability Rights Unit](#) and the Advocacy Unit, in partnership with the [Open Society Initiative for Southern Africa](#) (OSISA) hosted a brown bag discussion on albinism which included the photo exhibition 'Shining our light to the world' by Anna Yturralde and the launch of the photobook 'Albinism in Generations' by the Centre's Advocacy Unit.

Annual Disability Rights Conference

The Unit hosted its annual Disability Rights Conference which focused on *Fulfilling the right of persons with disabilities to live in the community: Promoting choice, inclusion and participation*. Running for the 7th year the conference seeks to highlight the implications of the Convention on the Rights of Persons with Disabilities for the African region and develops mechanisms/strategies for the effective domestication and implementation of the CRPD on the continent. More than 250 scholars, disability rights activists, lawyers, policymakers and self-advocates from various African countries converged to exchange experiences and knowledge on the right of persons with disabilities to live in the community.

Repository on Disability Rights in Africa

As a response to the growing need for an open access resource platform on disability in Africa, the Unit developed a [repository on disability rights in Africa](#) (RODRA). RODRA is the first repository of its kind in Africa aimed at tracking the development and progress in the provision, protection and promotion of the rights of persons with disabilities in Africa. The repository will preserve and share up to date open access documents on disability rights which will include legislation, policy, court decisions and published research by both research institutions and civil society organisations.

Disability rights scholarship programme

The Unit managed the Disability Rights Scholarship Programme which is offered in partnership with Open Society Foundation (OSF). For the past six years, the Scholarship Programme has provided awards to disability rights advocates, lawyers, and educators from the continent to undertake a master's degree study on disability rights. Successful applicants undertake their respective studies at one of the partner universities that have demonstrated cutting-edge capacity for legal education in international disability rights. These institutions are National University of Ireland, Galway, McGill University, University of Leeds, Syracuse University and American University.

- **Funding:** Open Society Foundation (OSF), Royal Norwegian Embassy in South Africa; Ford Foundation

LITIGATION AND IMPLEMENTATION UNIT

In 2019, Michael Nyarko managed the Unit with the support of Foluso Adegalu.

The Centre joined the legal team of a case against Zambia on freedom of expression and the impact of criminal contempt on the effective enjoyment of the right submitted to the African Commission. Arguments on the admissibility of the communication have been filed and are awaiting the response of the government.

Professor Hansungule represented the applicants in the case of *Kennedy Gihana and others v Rwanda*, Application No 017/2015 before the African Court. The applicants' claim relates to the cancellation of their passports by the respondent state, which the applicants argued, rendered them stateless and negatively impact on the enjoyment of other rights. In November 2019, the Court found in favour of the applicants, holding that arbitrary revocation of their passports amounted to a violation of their right to freedom of movement and right to political participation under articles 12(2) and 13(1) of the African Charter. The Court ordered the respondent state to reinstate their passports and pay them compensation for moral damages. The Unit will follow-up on the implementation of the decision by Rwanda.

The Unit led the Centre's efforts toward the submission of comments on the Draft Rules of Procedure of the African Commission, which highlighted the shortcomings of the Draft Rules and made recommendations on how the rules can be improved to make the Commission more accessible to litigants and other interested stakeholders.

The Unit also participated in the CSO Forum of the African Commission which took place in Banjul, The Gambia, from 17 to 20 October 2019. The Unit also represented the Centre at the meeting of the Litigants' Group of NGOs at that litigate before the African Commission on 20 October 2019, at which meeting the Centre was nominated to the Interim Steering Committee of the Litigants Group. The foregoing three events were geared towards reinforcing the Centre's commitment towards a well-functioning African Commission.

In 2019, the Digital Verification Corps (DVC) project was added to the portfolio of the Unit. In this regard the Unit continued the work of the DVC in partnership with Amnesty International and contributed significantly to investigative reports pertaining to situations of human rights around the continent.

Project on the impact of United Nations human rights treaties in selected countries

The Centre is involved in a research project on the impact of the UN human rights human rights treaties in selected countries. This is an ongoing independent academic study on the influence of the UN human rights treaties on legislation, policies, judicial decisions, implementation of views and concluding observations of the UN treaty bodies, and other subtle influences of the UN treaty system in 20 selected countries around the world. The 20 selected countries represent 4 countries each, from the 5 UN regional grouping. The selected countries are: African region: Egypt, Senegal, South Africa, Zambia; Asian region: India, Iran, Japan, the Philippines; Eastern European Region: Czech Republic, Estonia, Romania, Russian Federation; Latin America and Caribbean Region: Brazil, Colombia, Jamaica, Mexico; Western Europe and Others (WEOG) region: Australia, Canada, Finland and Spain.

As part of the activities on the project, two expert meetings were organised by the Centre in March and September 2019 in Geneva, Switzerland. The first expert meeting was hosted by the Office of the High Commissioner for Human Rights, in Geneva, in March 2019. The second expert meeting was hosted by the Geneva Academy of International Humanitarian Law and Human Rights, in September 2019. The two expert meetings were attended by UN treaty body members, renowned experts on domestic influence of human rights treaties, practitioners and researchers of international human rights law worldwide. The Unit made presentation on findings of the research on the domestic impact of UN human rights treaties in South Africa, as well as on progress in the implementation of the project at the expert meetings.

► **Funding:** Royal Norwegian Embassy in South Africa

Realising LGBTI Rights in Africa

Advocacy, training and action on the human rights of
Lesbians • Gay • Bisexual • Transgender • Intersex persons

WE STAND FOR AND WORK TOWARDS:

Equality

Non-discrimination

Non-violence on the basis of
real or imputed sexual orientation
or identity and expression

Non-discrimination

Prevention

State-crime prevention

LGBTI rights

and more

Strategic litigation and
advocacy for LGBTI+
human rights defenders
in Africa
CAPACITY BUILDING WORKSHOP
October 2019

SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION AND SEX CHARACTERISTICS (SOGIESC) UNIT

In 2019, Geoffrey Ogwaro was the Unit Manager. He was assisted by Tapiwa Mamhare, Ayodele Sogunro and Thiruna Naidoo. The LGBTI Scholarship holders, supported by the Dutch government, were: Tapiwa Mamhare (Zimbabwe, LLD), Wallace Nderu (HRDA, Kenya) and Oabona Sepora (Botswana, HRDA).

The SOGIESC Unit is mandated with running the Centre's human rights responses and programmes in the area of lesbian, gay, bisexual, transgender and intersex (LGBTI) human rights in Africa. Its primary objectives are to run advocacy activities strategically geared towards addressing specific and emerging LGBTI rights issues on the continent; empowering LGBTI communities and individuals, activists, allies, and policy makers through capacity building and empowering formal, informal and non-formal education; promoting substantive access to justice for LGBTI persons in South Africa and; engaging with regional human rights mechanisms to advance the rights of LGBTI persons on the continent.

As in previous years, a strategic litigation and advocacy workshop was presented to representatives of a selected LGBTI organisations. The workshop covered the practical elements of strategic litigation and advocacy for LGBTI human rights violations in Africa.

The Unit successfully lobbied the African Commission to consider passing a decision on the rights of intersex persons in Africa. At the 65th Ordinary Session of the Commission, held in October 2019, a panel was convened to discuss *Resolution 275 on Protection against Violence and other Human Rights Violations against Persons on the Basis of their Real or Imputed Sexual Orientation or Gender Identity*. This panel was convened by the State of Malawi in consultation with the Unit and its partner organisation African Men for Sexual and Health Rights (AMSHer), the Malawi Human Rights Commission and Centre for the Development of People (CEDEP).

Promotion of the use of the South African Equality Courts

The Unit continued its work of encouraging LGBTI persons resident in South Africa to utilise the under-utilised Equality Courts network to address human rights violations against them through the law. Information sessions were held at the Durban LGBTI Pride week in July

2019 among others to educate the LGBTI community about how to approach the Equality Court system. Copies of the information pack on approaching the Equality Courts were also shared with the South African Human Rights Commission to share with their regional offices as information points for LGBTI potential litigants. Also, one case was successfully launched before the Pretoria Magistrates Court pending hearing. Two more potential case meetings were held with victims, but ultimately the cases were not filed due to fear and unavailability of the alleged victims.

The Unit also celebrated International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT) in May 2019 in partnership with the Dutch and Irish embassies by convening a panel discussion and a play on lesbian experiences at the Maboneng Precinct in Johannesburg. In October 2019, the Unit, in conjunction with the Children's Rights Unit at the Centre, celebrated Spirit Day against the bullying of LGBTI school learners, and developed an information piece in this regard.

LGBTI Task Force and other initiatives

The Unit was involved with the LGBTI Task Force team on violence against LGBTI persons in South Africa.

Strong in Diversity, Bold on Inclusion project

The Unit was also involved in the initial stages of the Strong in Diversity, Bold on Inclusion (SiDBol) project, together with a series of partners under the leadership of HIVOS. HIVOS is the leading partner in a consortium, which brings together African LGBT+ networks, research institutes, and international NGOs to promote LGBT+ equality and inclusion on the continent. It is funded by UK Aid Connect, and will be implemented in five major cities: Maputo, Lagos, Nairobi, Lusaka and Dakar. Together with the School of Advanced Study at University of London, and the University of Glasgow, the Centre is part of the research arm of the project. The SiDBol project was launched in January 2019 and during 2019 was in its co-creation phase.

- **Funding:** Royal Netherlands Embassy in South Africa, Wellspring Philanthropic Fund, The Other Foundation

Prof Frans Viljoen,
Director, Centre for Human Rights,
speaking at the
strategic litigation and
advocacy for LGBTI+
human rights defenders in Africa
CAPACITY BUILDING
WORKSHOP
October 2019





State reporting
on the African Charter
and the Maputo Protocol in Ghana
CAPACITY BUILDING WORKSHOP
October 2019

WOMEN'S RIGHTS UNIT

In 2019, Patience Mpani was the Unit Manager. She was assisted by Oluwatomi Sode, Satang Nabaneh, and Adetokunbo Johnson. Professor Hansungule assisted with state reporting project. The Unit also welcomed Susan Mutambatsere as a project officer at the end of the year.

The Women's Rights Unit continues to work towards the realisation of rights of women and girls on the African continent as envisaged in the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). To this end, the Unit continues to provide technical and research support to the African Commissions Special Rapporteur on the Rights of Women in Africa, and to support State Parties to the Maputo Protocol to develop reports detailing implementation of the protocol to promote and protect the rights of women and girls at national level. The Women's Rights Unit also continued to actively involved in regional and national civil society efforts to call on governments to protect women's rights by participating in coalitions and networks that campaign for the advancement of women's rights such as the Solidarity for African Women's Rights (SOAWR), and the coalition of civil society organisations working to address gender based violence in South Africa. Beyond popularizing the Maputo Protocol, the Unit effectively championed the rights of older women by urging state to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons (Older Persons Protocol).

Support to the Special Rapporteur on the Rights of Women in Africa (SRRWA)

The Unit provided research and technical support the SRRWA through seconding a researcher to the mandate (hosted in the Unit). The Unit also worked together with other women's rights organizations in a process led by The Initiative for Gender Equality and Development in Africa (*IGED-Africa*) to develop a General Comment on the Maputo Protocol Article 7(d) addressing issues of equitable distribution of joint property deriving from a marriage in the event of divorce, separation and annulment of marriage was adopted by the African Commission. The Unit also spearheaded a process of drafting guidelines on shadow reporting on the African Charter and the Maputo Protocol. The Unit also hosts bi-annual information sessions at the Ordinary Sessions of the African Commission to sensitize state parties on their state reporting

obligations and draw attention to the Guidelines on State Reporting under the Maputo Protocol. In support of the SRRWA, the Unit provided technical support on the Maputo Protocol and the state reporting guidelines at a sensitization seminar on the Promotion and Protection of the Rights of Women in Africa hosted by the African Commission targeting judges and gender ministries from West Africa.

State Reporting

State reporting is the main mechanism for monitoring the implementation of the Maputo Protocol. Article 26(1) of the Maputo Protocol mandates states parties to submit a reports every two years to the African Commission indicating legislative and other measures undertaken towards the full realisation of the rights enshrined in the Maputo Protocol. State have struggled to comply with this provision and currently only eleven out of forty- two countries have submitted these reports, ten of whom have been trained by the Unit.

In 2019, the Unit provided training and technical support to Eswatini, Liberia and Mauritius to develop State Party reports for submission to the African Commission on Human and Peoples Rights. The Unite seconded technical assistants to the countries for periods ranging between six and eight months to work with the state party to develop the report. Ghana was also trained on state reporting and the provisions of both the Maputo Protocol and the African Charter. The Unit also developed a virtual platform, which contains all relevant information that state parties need to effectively report on the Maputo Protocol. It is accessible in English, French, Portuguese and Arabic, Afrikaans and Swahili. The repository can be accessed here:

www.maputoprotocol.up.ac.za

Since 2017, the Women's Rights Unit has been running a campaign dubbed #AgeWithRights, which focuses on the rights of older women, and calling on African States to ratify the Older Persons Protocol. In partnership with HelpAge International advocacy meetings targeting relevant government ministries, civil society and older persons were held in Eswatini, Gambia, Liberia, Mauritius and Nigeria. In Nigeria, this culminated in the Centre's participation in a high-level regional conference on the *Human Rights Situation of Older Persons* aimed at strengthening the protection of the rights of older persons and this provided an opportunity to address the Parliament of the Economic Community of West African States (ECOWAS).

- **Funding:** Wellspring Philanthropic Fund; Royal Norwegian Embassy in South Africa; Open Society Foundations





African Human Rights Yearbook
Annuaire africain des droits de l'homme

African Human Rights Yearbook

Annuaire africain des droits de l'homme

Volume 3 (2019)



PUBLICATIONS

REGULAR CENTRE-EDITED PUBLICATIONS

African Human Rights Law Journal

African Human Rights Law Journal, edited by Frans Viljoen, Magnus Killander, Annelize Nienaber, Solomon Eboobrah and Tshepo Madlingozi. The *Journal* is published by the Pretoria University Law Press (PULP) as an open-access online journal. All the volumes, published from 2001 up to 2019, are available in a searchable format, on www.ahrlj.up.ac.za. A limited number of copies of the *Journal* are printed, for use by subscribers to the hard copy publication, or printed on demand. During 2019 two volumes appeared, in June and December. The *Journal* enjoys accredited status with the South African Department of Higher Education and Training and is included on the IBSS. The *Journal* is presently undergoing the process required for ISI journal accreditation. Isabeau de Meyer is the editorial assistant of the *African Human Rights Law Journal*.

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 and Court on Human and Peoples' Rights, sub-regional 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.

African Disability Rights Yearbook

Since 2013 the *African Disability Rights Yearbook (ADRY)* has been published annually. The Yearbook, a peer reviewed journal highlights efforts over the last few years to bring greater academic attention to the rights of persons with disabilities in Africa. The *Yearbook* enjoys accredited status with the South African Department of Higher Education and Training. The sixth edition of the Yearbook was published and launched in 2018. The *Yearbook* is available in print and is also freely accessible on www.adry.up.ac.za. ADRY is edited by a team

comprising Professor Charles Ngwena, and Dr Nkatha Murungi from the Centre, as well as Dr Ilze Grobbelaar-Du Plessis (Department of Public Law), Prof Serges Kamga (UNISA), and Prof Helene Combrinck (North-West University).

African Human Rights Yearbook

In 2017, the first volume of the *African Human Rights Yearbook* appeared. The African Court on Human and Peoples' Rights, the African Commission on Human and Peoples' Rights, and the African Committee of Experts on the Rights and Welfare of the Child collaborate in this joint publication, which is edited by the Centre. The third (2019) issue appeared at the end of 2019. The editorial team is coordinated by Frans Viljoen, and its members include the following Centre staff: Nkatha Murungi; Magnus Killander; Romola Adeola; Ashwanee Budoo; Michael Nyarko; Henrietta Ekefre; and extraordinary lecturers Horace Adjolohoun and Patrick Eba. Janet Gbam and Trèsor Makunya, who also served on the editorial committee, provided valuable administrative and editorial assistance.

Global Campus Human Rights Journal

The journal of the Global Campus of Human Rights, comprising the various EU-supported human rights programmes, published its first edition in 2017. A further issue appeared in 2019 (<https://repository.gchumanrights.org/handle/20.500.11825/680>). Frans Viljoen is the convening editor; and Isabeau de Meyer is the editorial assistant of the *Global Campus Human Rights Journal*.

PRETORIA UNIVERSITY LAW PRESS

Lizette Hermann manages the Pretoria University Law Press (PULP). In 2019, she was assisted by Sydney Mdhlophe and Monique Barnard.

PULP, an independent press based in the Centre for Human Rights, 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 books are available online in electronic format at no charge at www.pulp.up.ac.za

PULP publishes five law journals – the *African Human Rights Law Journal*, *De Jure Law Journal*, the *Pretoria Student Law Review*, the *African Disability Rights Yearbook*, the *African Human Rights Yearbook* and the *Global Campus Human Rights Journal* – all of which are available as fully open-access, online journals.

During 2019, PULP published 16 titles, ranging from names such as: *Tax simplification: An African perspective* to *Compendium of documents on human rights institutions in the eastern and southern African regions*. Among these is the first ever comprehensive compilation of decisions of the African Court on Human and Peoples' Rights in English and French. 'Considering that the Court has not had any law report since its establishment, the publication of this Volume is a significant milestone. It will be an immeasurable aid to researchers and practitioners alike,' remarked the President of the Court, Justice Sylvain Oré. He added that in publishing the Report, the Court has significantly eased the challenges of access to its case law.

PULP focused more on its marketing during 2019 with the appointment of a dedicated person for this area – concentrating on especially the social media marketing of all PULP's titles.

PULP was registered on the DOAB (Directory of Open Access Books) database and is in the process of providing metadata of all its books to the DOAB. The DOAB's primary aim is to increase discoverability of Open Access books.

In 2019, PULP was been approached by other faculties at the University of Pretoria for a collaboration opportunity which will be set in motion during 2020.

ACADEMIC UNITS

AFFILIATED TO THE CENTRE

Two entities are closely linked to, and function administratively within the Centre.

INTERNATIONAL DEVELOPMENT LAW UNIT (IDLU)

In 2019, the International Development Law Unit (IDLU) admitted 26 students from 13 countries to the LLM in Trade and Investment Law in Africa (TILA) programme. They were taught by a 25-person faculty that consisted of 16 South Africans (6 from University of Pretoria), 6 from North America, 2 from Europe and 1 from Asia. The faculty consisted of academics (University of Pretoria, University of Witwatersrand, University of Western Cape, University of North West, Stellenbosch University, UNISA, Durham University, National University of Singapore, University of Malawi, American University, Tufts University, Osgoode Law School,), legal practitioners (DLA Piper, Norton Rose, Bowman Gilfillan, Lambert Practitioners) and officials of international organisations (AfDB, Afrexim Bank, WTO, WIPO, World Bank, UNDP, ILO). The programme included a special one-week course on business and human rights in which the LLM students in Human Rights and Development in Africa were invited to participate.

Activities

During 2019, IDLU organised the following events:

- A meeting of the Reference Group for project on “Central Banks and Human Rights” in collaboration with Center for Human Rights and Humanitarian Law, American University Washington College of Law, in Washington DC, 27 March 2019
- A workshop series (5 workshops) on finance and human rights, organized with Institute of Economic Justice. The topics covered include an overview of finance and human rights, shareholder v stakeholder perspectives on corporate governance and its implications, and housing finance. The workshops were held once per month between July to November 2019.
- Co-host of workshop on “Expanding Renewable Energy for Access and Development: The Role of Development Finance Institutions in Southern Africa”, Gaborone, Botswana, 14 and 15 October, 2019, (co-hosted with Boston University Global Development Policy Center, SADC Centre for Renewable Energy Efficiency and Equity (SACREE) and SADC Development Finance Resource Network (SADC-DFRC))

INSTITUTE FOR INTERNATIONAL AND COMPARATIVE LAW IN AFRICA (ICLA)

ICLA, headed by Prof Christof Heyns as Director, is a research institute in the Faculty and administratively located in the Centre. He was assisted by Pumeza Matwa. Prof Heyns works on 'freedom from violence'. He also serves as a member of the UN Human Rights Committee. Prof Fombad leads the comparative constitutionalism work of ICLA, which annually organises a Seminar on Constitutionalism in Africa and oversees the African country reporting of the *Oxford Constitutions of the World*.



Vivian Kasunda
(Disability Rights Unit)
Geoffrey Ogwaro
(SOGIESC Unit)
and Bonolo Makgale
(Democracy, Transparency and
Digital Rights Unit)
WELCOMING CEREMONY
March 2019

CENTRE STAFF

With its heavy workload and the broad geographical and thematic spread of its activities, the Centre's staff complement in 2019 was 58 from 17 African and 2 non-African countries.

- **Foluso Adegalu (Nigeria)**
LLD candidate; Researcher
Assistant: Keba M'Baye Conference
- **Linda Ajemba (Nigeria)**
Assistant: Advanced Human Rights Courses (AHRC)
- **Dennis Antwi (Ghana)**
Project Manager: Advanced Human Rights Courses (AHRC)
- **Abiy Ashenafi (Ethiopia)**
Researcher
- **Monique Barnard (South Africa)**
Assistant: PULP
- **Dorcas Basimanyane (Botswana)**
Assistant: Advanced Human Rights Courses
- **Annie Bipendu (DRC)**
Assistant: Women's Rights Unit
- **Danny Bradlow (South Africa)**
SARChI Professor of International Development Law and African Economic Relations, University of Pretoria; Emeritus Professor of Law, American University Washington College of Law
- **Yolanda Booyzen (South Africa)**
Communications and Marketing Manager
- **Johannes Buabeng-Baidoo (Ghana)**
Project Officer: LLM (Human Rights and Democratisation in Africa)
- **Ashwanee Budoo (Mauritius)**
Programme Manager: LLM/MPhil (Human Rights and Democratisation in Africa)

- **Lydia Chibwe (Zimbabwe)**
Assistant: Women's Rights Unit
- **Rutendo Chinomona (Zimbabwe)**
Academic Associate
Programme Manager: LLM/MPhil (Multidisciplinary Human Rights)
- **Isabeau de Meyer (South Africa)**
Publications Manager: African Human Rights Law Journal
- **Hlengiwe Dube (Zimbabwe)**
Manager: Democracy, Transparency and Digital Rights Unit
- **Henrietta Ekefre (Nigeria)**
LLD candidate; Researcher
- **Charles Fombad (Cameroon)**
Professor of Comparative Constitutional Law, convenor: PULP Editorial Board
- **Michelo Hansungule (Zambia)**
Professor in Human Rights Law
Academic Coordinator: LLM/MPhil (Multidisciplinary Human Rights)
- **Lizette Hermann (South Africa)**
Manager: Pretoria University Law Press (PULP)
- **Christof Heyns (South Africa)**
Member of the UN Human Rights Committee
Director: Institute for International and Comparative Law in Africa
- **David Ikpo (Nigeria)**
LLD Candidate, Communications Officer
- **Adetokunbo Johnson (Nigeria)**
Researcher: Women's Rights Unit
- **Eduardo Kapapelo (Angola)**
Project Manager: Nelson Mandela World Human Rights Moot Court Competition

- **Vivian Kasunda (Malawi)**
Assistant: Disability Rights Unit
- **Guillain Koko (DRC)**
Project Officer: ACCA
- **Simphiwe Khumalo (South Africa)**
Officer: Communications and Marketing/Website Administration
- **Magnus Killander (Sweden)**
Professor; Head of Research
Academic Coordinator: LLM/MPhil (Human Rights and Democratisation in Africa)
- **Emily Laubscher (South Africa)**
Assistant Financial Manager
- **Josua Loots (South Africa)**
Manager: Business and Human Rights Unit
- **Bonolo Makgale (South Africa)**
Manager: Democracy, Transparency and Digital Rights Unit
- **Trèsor Makunya (DRC)**
LLD candidate; Tutor
- **Tapiwa Mamhare (Zimbabwe)**
LLD candidate; Researcher, SOGIESC Unit
- **Thuto Maqutu (Lesotho)**
Programme Manager: LLM/MPhil (Sexual and Reproductive Rights in Africa)
Project Coordinator: Ad hoc projects
- **Sydney Mdlhophe (South Africa)**
Assistant: Pretoria University Law Press
- **Harold Meintjes (South Africa)**
Financial Manager
- **Alina Miamingi (Romania)**
Manager: Children's Rights Unit

- **Innocentia Mgijima (Zimbabwe)**
Manager: Disability Rights Unit
- **Admark Moyo (Zimbabwe)**
Post-doctoral Fellow, Children's Rights Unit
- **Patience Mpani (Zimbabwe)**
Manager: Women's Rights Unit
- **Dianah Msipa (Zimbabwe)**
LLD candidate; Assistant: Disability Rights Unit
- **Nkatha Murungi (Kenya)**
Assistant Director
- **Satang Nabaneh (The Gambia)**
LLD candidate; Project Officer: Women's Rights Unit
- **Genny Ngende (DRC)**
Project Coordinator: ACCA
- **Charles Ngweni (Zimbabwe)**
Professor of Law
Academic Coordinator: LLM/MPhil (Sexual and Reproductive Rights in Africa); LLM/MPhil (Disability Rights in Africa)
- **Jehoshaphat Njau (Tanzania)**
Project Officer: Disability Rights Scholarship Programme
- **Michael Nyarko (Ghana)**
LLD Candidate; Manager: Litigation Unit
- **Geoffrey Ogwaro (Uganda)**
LLD Candidate; Manager: SOGIESC Unit
- **Adebayo Okeowo (Nigeria)**
LLD Candidate, Manager: Advocacy Unit
- **Chairman Okoloise (Nigeria)**
LLD Candidate, Tutor

- **Lourika Pienaar (South Africa)**
Website Administrator
- **Sarita Pienaar-Erasmus (South Africa)**
Assistant Financial Manager
- **Thandeka Rasetsoke (South Africa)**
Administrative Assistant: International Development Law Unit
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In 2019 the Board consisted of Prof Andre Boraine (Dean, ex officio); Justice Johann Kriegler, retired Judge of the Constitutional Court; Justice Bess Nkabinde, Judge of the Constitutional Court; Justice Johann van der Westhuizen, retired Judge of the Constitutional Court; Prof Sylvia Tamale, Faculty of Law, Makerere University, Uganda; Mr Edouard Jacot-Guillarmod, Chartered Accountant; and Prof David Padilla, former Assistant Executive Secretary, Inter-American Commission on Human Rights.

Honorary professors

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Extraordinary professors

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Extraordinary lecturers

Dr Adem Abebe, Fellow, Max Planck Institute, Germany; Dr Horace Adjolohoun, Principal Legal Office, African Court on Human and Peoples' Rights; Dr Japheth Biegon, Africa Regional Advocacy Coordinator, Amnesty International, Kenya; Dr Patrick Eba, Senior Human Rights and Law Advisor, UNAIDS, Geneva; Dr Solomon Ebobrah, Dean, Faculty of Law, Niger Delta University, Nigeria; Prof Elizabeth Griffin, University of Essex, UK; Dr Rita Ozoemena, Mr Thomas Probert, University of Cambridge; Ms Asha Ramgobin, Ms Karen Stefiszyn, Consultant, South Africa; Dr Attiya Waris, University of Nairobi, Kenya.

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