

## **Address by Professor Kupe on the occasion of the renaming of the African Human Rights Moot Court Competition to the Christof Heyns African Human Rights Moot Court Competition**

Event: Final Round of African Human Rights Moot Court Competition, University of Stellenbosch, after Judges have returned to give their remarks

Venue: Old Main Building, Faculty of Law, Stellenbosch University

Duration: no more than 10 minutes

Date: Friday 24 September

Time: around 12:30 (but safer to be there by 12:00 at the latest; programme enclosed)

### **Address:**

It is my honour, as Vice-Chancellor and Principal of the University of Pretoria, to be at this auspicious final round of the 30<sup>th</sup> edition of the African Human Rights Moot Court Competition. It is no small feat that this event has over three decades taken place without interruption. This continuity was made possible by the dedication of successive organising teams at the University's Centre for Human Rights, located in the Faculty of Law, and a succession of partners, together with whom the Centre organised this event in 19 countries across the continent.

I take the opportunity to congratulate our co-host for 2021, the Faculty of Law, Stellenbosch University, on the celebration of its centenary. That certainly also is no mean feat. This Faculty counts many legal luminaries among its alumni. We congratulate the Dean of the Faculty, Prof Nicola Smit, all its staff, students and alumni on this momentous milestone. Our wish is that you would continue to be a beacon of legal education, preparing South African lawyers to uphold the values set out in the Constitution of the Republic of South Africa, 1996. In the spirit of celebrating landmarks, I also note that the Constitution is celebrating 25 years since it was signed into law by former President Nelson Mandela in Sharpeville on 10 December 1996. The year 2021 may have brought its challenges, but it also presented us with a sense of historical continuity and progress.

Dean Smit, it has been and is our pleasure to work with you in this intra-country north-south collaboration. I am aware that the hosting of the event this year was not a matter of plain-sailing. The format had to be adjusted, and the dates changed again and again. We congratulate and appreciate the perseverance of the local Organising Committee, lead so professionally by Professor Annika Rudman, of the Faculty's Department of Public Law.

The Moot Court started in 1992 as the 'Southern African' Human Rights Moot Court Competition. It was the brainchild of a professor in the UP Centre for Human Rights

and Faculty of Law, Christof Heyns. During this week his name has no doubt been mentioned a few times. And rightly so. Christof has through the African Moot left an indelible footprint on human rights education on the African continent. It was his vision that propelled the Moot into being, and it was his energy and verve that kept it going for so many years. Working together with colleagues Johann van der Westhuizen, then the Director of the Centre, Professors such as Duard Kleyn and Niek Grové, lecturers such as Frans Viljoen, now the Centre's Director, and students, such as Danie Brand, now the Director of the Free State Centre for Human Rights, the idea became a reality.

The 1992 launching event was memorable. It was co-hosted with the University of the Western Cape and the University of Zimbabwe, and took place in Harare, Zimbabwe. It was Christof's considerable convening power that brought together luminaries such as Doctor Penuell Maduna and Advocate Dullah Omar (who both became Ministers of Justice in the New South Africa); Dr Zola Skweyiya, then Director of the Legal and Constitutional Affairs Department of the African National Congress, and later Minister of Public Service and Administration and even later, Minister of Social Development; and Justice Johann Kriegler, then-Adv Dikgang Moseneke, Professor Johann van der Westhuizen and iconic anti-apartheid activist Albie Sachs, all four of whom became Justices of the South African Constitutional Court. To this should be added: The event was opened by the then Secretary-General of the Organisation of African Unity, Dr Salim Ahmed Salim. He described the Moot Competition as "an important and unique contribution" towards ensuring that the people of Africa, "independent of the pigment of their skin, do fully enjoy human rights", and welcomed the "cross-fertilisation of ideas".

In the years that followed, Christof stayed intimately involved with the African Moot. His innovative thinking and zeal for shifting boundaries and conceptualising new grand ideas saw two further Moot Court competitions coming into existence and prospered under his guidance: The Nelson Mandela World Human Rights Moot Court Competition; and the National Schools Moot Competition (which was later extended to countries beyond South Africa, under the aegis of the Global Campus of Human Rights).

The Moot in 1995 expanded its scope beyond the southern part of the continent, to become the (All) African Human Rights Moot Court Competition. As it extended its reach over the continent, the African Moot created important linkages between the University of Pretoria and other universities across the continent. To the Centre for Human Rights, it served as basis for many of its subsequent programmes and projects, and other activities within Africa. It was pivotal in the Centre's shift towards adopting a more pan-African focus.

Beyond moots, Christof had a manifold and deeply meaningful career as educator, human rights professional and United Nations expert. Although his impact was international, his base was at the University of Pretoria. He was Director of the Centre (1999 to 2006), Dean of the Faculty of Law at the University of Pretoria (2007 to 2010) and founding (co)director of the Institute for International and Comparative Law in Africa (ICLA) at UP. He served as United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions from 2010 to 2016; and was a member of the UN Human Rights Committee from 2017 to 2020. As Special Rapporteur, he drew attention to cutting-edge issues such as the use of force by private security providers in the law enforcement contexts; the use of drones and autonomous weapons in armed conflict or counter-terrorism operations; and the role of forensic science in protecting the right to life.

This internationally renowned human rights lawyer, legal educator, activist and founding father of the African Human Rights Moot Court Competition, passed away suddenly and too early in March this year. He was spending some time doing research in Stellenbosch, a place he loved to visit, and was hiking in the mountains not far from where we are.

In this memorable year, against this evocative historical background, at this important occasion, and in the historical town of Stellenbosch, it gives me immense pleasure to honour and pay tribute to the legacy of Professor Christof Heyns, and to announce that, in memory and recognition of his role as its founding father and sustaining driving force, this Moot Competition will in future be known as the ***Christof Heyns African Human Rights Moot Court Competition***.