



CENTRE FOR HUMAN RIGHTS

Annual Report

2022



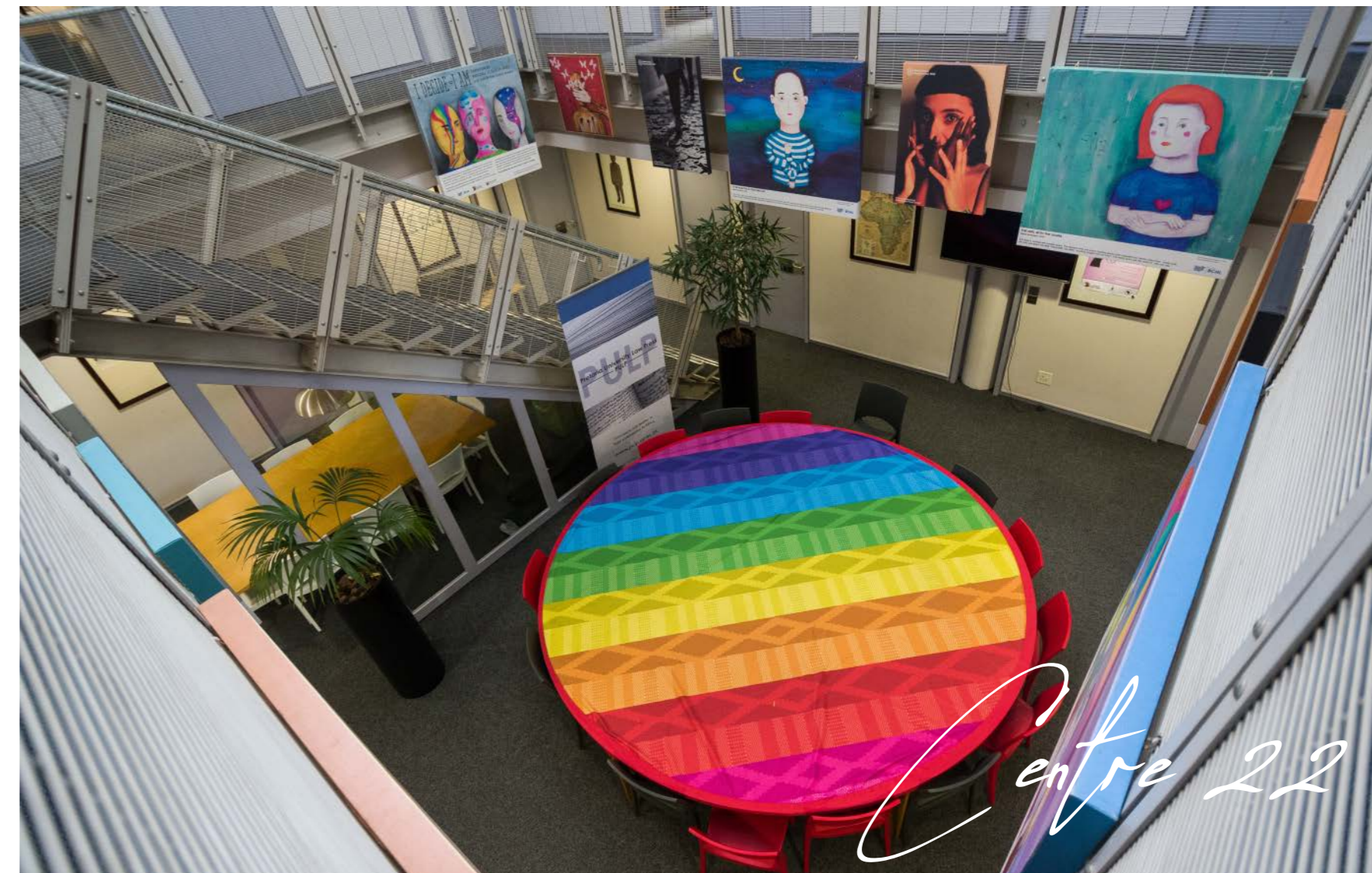
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Centre for
Human Rights
UNIVERSITY OF PRETORIA

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The Centre is deeply invested in building up a cohort of committed, caring, professional and skilled human rights defenders and professionals to work on issues related to human rights in Africa



DIRECTOR'S MESSAGE

Dear friends of the Centre for Human Rights,

Welcome to these pages, which tell the story of the activities of the Centre in 2022, as we emerged from and further adjusted from COVID-19 and a world in which human rights is continuously challenged by forces and factors as varied as populist nationalism, rising authoritarianism, lingering patriarchy and homophobia, and the questioning of human rights as a tool to achieve social justice

Scholarship, research and publication

The Centre attempts to be part of efforts to develop an 'African approach to international law', and specifically, to human rights. As an academic department in the Faculty of Law, the Centre is privileged to be at the forefront of cultivating African-centred thinking and knowledge on human rights, and forging human rights professionals equipped to take on the continent's challenges. In 2022, ten doctoral candidates registered in



the Centre graduated. For the first time, a doctoral retreat was held to accelerate student progress, increase solidarity among doctoral candidates, and cultivate a community of engaged scholars. Centre staff supervised five postdoctoral fellows. While researchers in the Centre amassed a significant body of scholarship, the Centre as a collective contributed to research and publication, particularly through the open-access publishing house located in the Centre, the Pretoria University Law Press (PULP).

Academic master's programmes focused on Africa

The Centre is deeply invested in building up a cohort of committed, caring, professional and skilled human rights defenders and professionals to work on issues related to human rights in Africa. The Centre's masters programmes no number five in total; four of these were presented in 2022: the LLM/MPhil in Human Rights and Democratisation in Africa (HRDA), with full-time students in Pretoria (hosted

at Future Africa); the LLM/MPhil in Sexual and Reproductive Rights in Africa (SRRA), with two cohorts (first years and second years), in hybrid format; the LLM/MPhil in Disability Rights in Africa (DRIA), with one cohort (in 2022, in their second year), in hybrid format (in collaboration with the Department of Public Law, UP); and the LLM/MPhil Multidisciplinary Human Rights (MDHR), with a new cohort every year, in person, at UP. The programmes were conducted on a "pre-COVID-19 basis". The only

change is that fewer lecturers were used for in-person classes. More lectures were presented virtually. A few second semester partners for HRDA were not able to receive students. The LLM in International Trade and Investment Law in Africa (TILA) was not presented at UP in 2022. A total of 43 students graduated with Master's degrees presented in the Centre.

Centre Units

It was not only through formal academic programmes that the Centre participated in engaging in epistemic knowledge creation from an African perspective, but also through a range of society-focused and more broadly-based initiatives undertaken by the Centre's NGO-like Units. Some of the highlights of the year, which captures the Centre's role as a forum for applying



AHRC - Civil society

theoretical knowledge in practical settings or as a bridge between academia and activism, are conferences and symposia, research studies, advocacy material developed and capacity-building: the annual Pan-African Conference on the rights of persons with disabilities took place for the 15th time; a first Pan-African Conference on decriminalisation of same-sex laws and eradicating conversion therapy was held; and an Expert Forum on Durable Solutions to Protracted Displacement in Africa culminated in the adoption by participants of the **Declaration on Durable Solutions to Protracted Displacement in Africa**. Research outputs include an analytical study of the AU Economic, Social and Cultural Council (ECOSOCC); a report on child participation in development frameworks in Africa; simplified booklets on the Zimbabwean Constitution and the Bill of Rights.

Capacity building events include a training workshop for government officials of Southern African countries on the adverse impact of climate change on children’s socio-economic rights; and a symposium of stakeholders on access to information and elections in Africa.

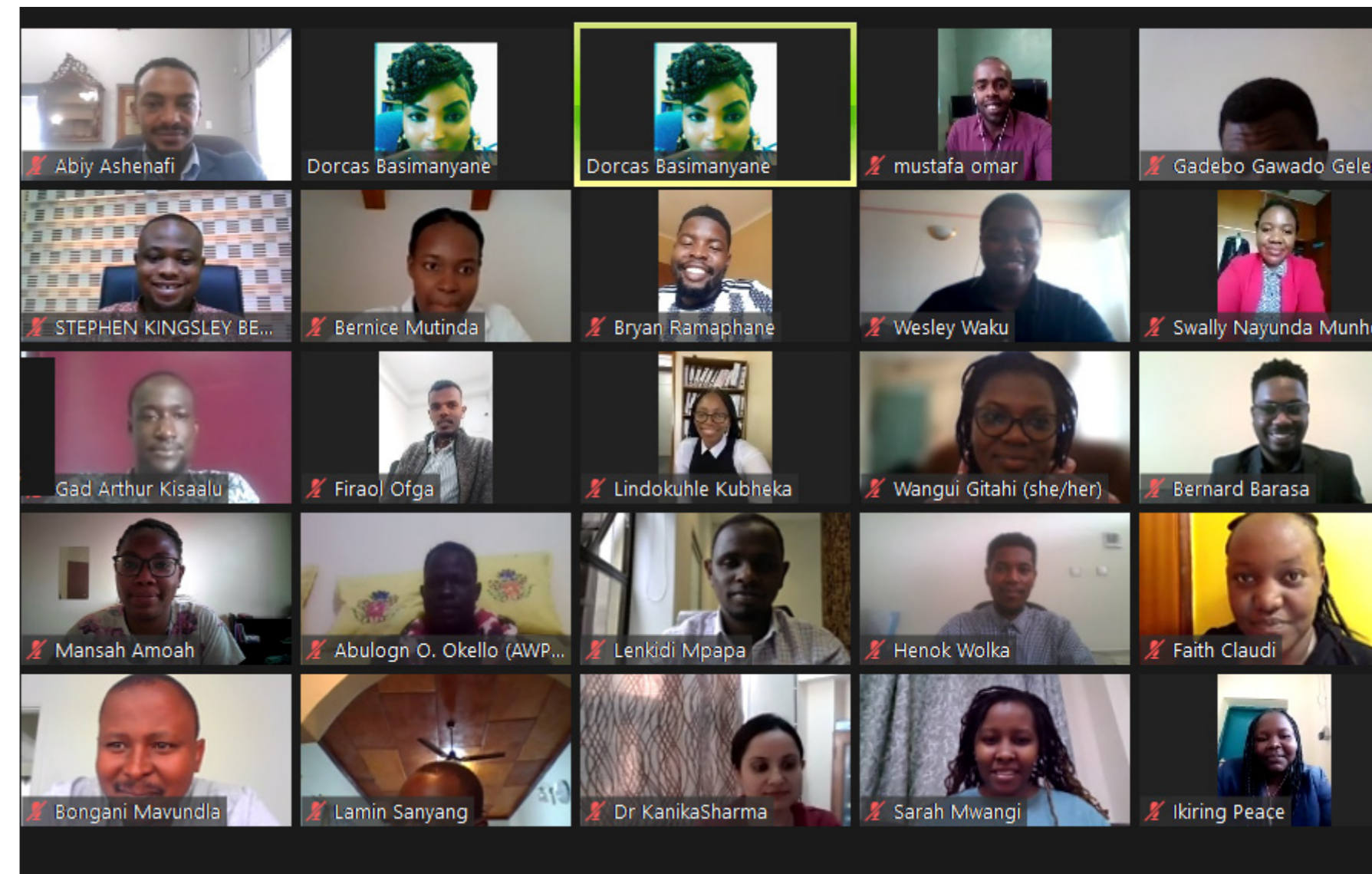
Supporting the AU human rights architecture

The Centre continued its close collaboration with and support of the work of the African Union human rights bodies. As in previous years placed interns to support the secretariats of the African Court on Human and Peoples’ Rights Arusha, Tanzania), the African Commission on Human and Peoples’ Rights (Banjul, The Gambia), the African Committee of Experts on the Rights of the Child

(Maseru, Lesotho), and the Pan African Parliament (Midrand, South Africa). For the first time, we also supported the ECOSOCC (Lusaka, Zambia). The Centre convened and facilitated the adoption of two soft-law instruments: the African Commission’s Shadow Reporting Guidelines and its General Comment 7 on social services provided by private actors. The Centre also contributed to the validation process of the African Commission’s Study on Use of Force in Law Enforcement.

Capacity building

The Centre’s Women’s Rights Unit continued its capacity-building for government officials on State Reporting Training and Advocacy: African Charter and Maputo Protocol. In November 2022, the Centre hosted a judicial colloquium on women’s right to equality for judges of the



AHRC – Forcibly displaced persons

ECOWAS Court and Commissioners of the African Commission. The Centre hosted a capacity-building workshop for South African civil society organisations (CSOs) on engagement with the African human rights system, aimed at equipping South African CSOs with limited or no interaction with the African human rights system with capacity to be able to engage with that system. During 2022 the Centre was involved in the training of legal officers of the Secretariat of the African Commission on the drafting of decisions and worked on harmonizing guidelines for the drafting of decisions by the African Commission. As part of its efforts in increasing awareness and understanding among relevant stakeholders about the jurisprudence of African human rights bodies, the Centre launched and hosted two webinar series on decisions of African human rights bodies. The two webinar

discussions featured representatives of the African Court on Human and Peoples' Rights, the African Commission and the litigants in the respective cases.

Advocacy

The Centre in 2022 devoted its annual advocacy campaign (#GreenJusticeAfrica) to an issue of undeniable importance – climate change, and the need for climate justice. We also continued to campaign for the increased ratification of two AU human rights treaties that are not yet in force: the Protocols to the African Charter on the Rights of Persons with Disabilities and on the Rights of Older Persons. The campaign also aimed at increasing the number of state parties to the Kampala Convention, which is already in force.



The first **Christof Heyns Human Rights Scholarship**, and the second **Christof Heyns Memorial Thesis Award** were awarded

Centre family

The Centre is a family of committed, hard-working professionals who are prepared to walk the extra mile on the road to advance human rights through education, teaching, training, research, publications, litigation, advocacy and capacity building. In 2022, a number of important changes occurred within our dynamic team. Professor Charles Fombad became the Director of the

Institute for International and Comparative Law in Africa (ICLA). The Manager of the HRDA programme (Dr Ashwanee Budoo) resigned to take up the position of Africa Director of Human Rights Watch. Her position was filled by Dr Primrose Kurasha. Prof Charles Ngwena retired at the end of April 2022, but continued on a post-retirement contract. The Communications Manager position, vacant since late 2022, was filled

by Andile Mdleleni. Prof Danny Bradlow has held a SARCHI Chair in International Economic Law in Africa for three terms, and headed the International Law Development Unit within the Centre. The term of the Chair came to an end on 31 December 2022. Prof Bradlow has been appointed, as from 2023, with the Centre for the Advancement of Scholarship (CAS) at UP. In recognition for his contribution to constitutionalism in Africa, Prof

Fombad received the UP Researcher of the Year award.

Remembering Christof Heyns

Following the sudden and sad passing of Prof Christof Heyns in March 2021, the Centre in 2022 continued honouring his memory. Five colleagues in the Faculty (Frans Viljoen, Charles Fombad, Dire Tladi, Ann Skelton and Magnus Killander) edited a volume of essays on Christof's person and professional impact, *A Life Interrupted: Essays in honour of the lives and legacies of Christof Heyns*. It was launched on the date of Christof's 63rd birthday, 10 January 2022. The first Christof Heyns Human Rights Scholarship, and the second Christof Heyns Memorial Thesis Award were awarded. The 31st Christof Heyns African Human Rights Moot Court Competition, and the



first after its renaming, was held in Cairo in August 2022, with the British University in Egypt as hosting partner. It was held fully in person, with 44 University teams participating. For the first time, the Moot took place in four languages (Arabic, English, French and Portuguese), underscoring the pan-Africa nature and reach of the Competition.

Thanks

In addition to the profound thanks and appreciation that has to go to all Centre staff and members of the extended family, the Centre – and I personally – wholeheartedly thank everyone who worked with us, and supported us in various ways. The support and encouragement of collaborating partners, friends who gave good counsel, countless alumni across the

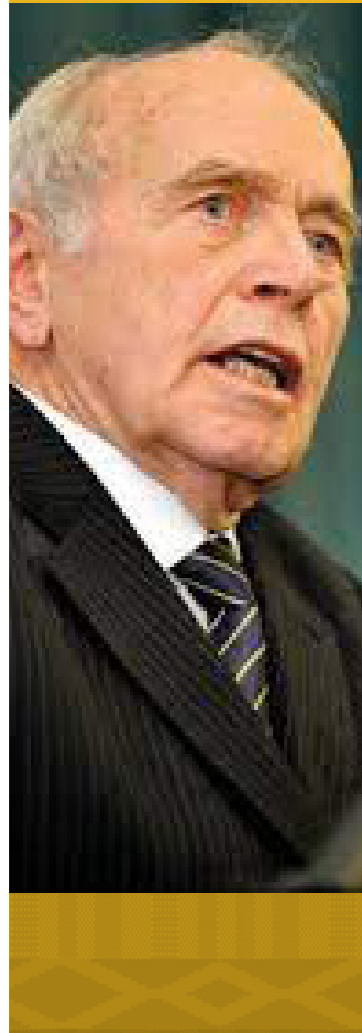
world, the Principal of the University, Prof Kupe, and the Dean of the Faculty of Law, Prof Schoeman, were all instrumental in keeping the Centre energised, motivated and dedicated to the considerable task at hand – advancing human rights in Africa.

Frans Viljoen,

Director, Centre for Human Rights
March 2023

Centre
governance

Justice
Johann
Kriegler



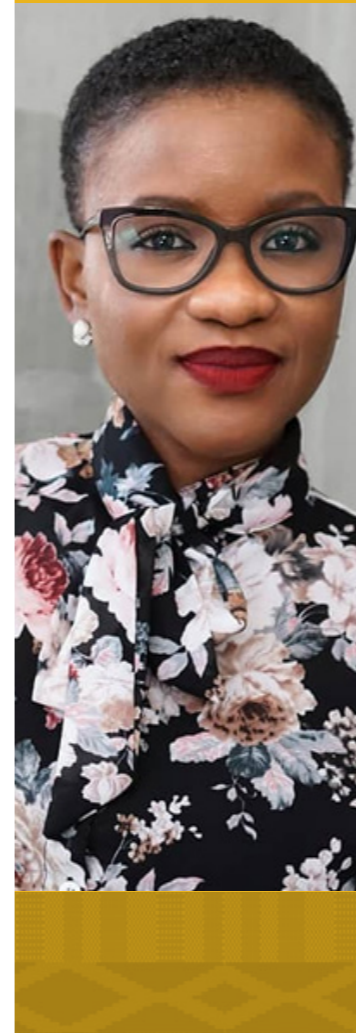
Prof Sylvia
Tamale



Prof David
Padilla



Bonolo
Makgale



Prof Elsabe
Schoeman



Justice
Johann van der
Westhuizen



Mr Edouard
Jacot-
Guillarmod



Prof Magnus
Killander

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 2022 the Board consisted of **Prof Elsabe Schoeman** (Dean, ex officio); **Justice Johann Kriegler**, retired Judge of the South African Constitutional Court; **Justice Johann van der Westhuizen**, retired Judge of the South African Constitutional Court; **Prof Sylvia Tamale**, School 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. Two members of the Centre staff, elected by Centre staff: **Professor Magnus Killander** and **Bonolo Makgale**, also served on the Board. **Mr Edouard Jacot-Guillarmod** stood down as a Board member at the end of 2022, as his term had come to an end. His manifold and very much valued contributions over many years are deeply appreciated.

CENTRE MANAGEMENT AND OPERATIONS TEAM

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 (as Executive Committee) had overarching strategic and operational responsibility for the day-to-day needs of the Centre:

Director:
Prof Frans Viljoen

Assistant Director (Programmes):
Dr Nkatha Murungi

Assistant Director (Operations):
Lloyd Kuveya

Financial Manager:
Samuel Chamboko

Office Manager:
Carole Viljoen



The management was assisted by the following core team:

Assistant Financial Managers:
Emily Laubscher and
Sarita Pienaar-Erasmus

Communications and Advocacy Manager:
Andile Mdleleni

Webmaster:
Lourika Pienaar

OFFICE MANAGER
Carole Viljoen has long been and in 2022 was the Centre's "Office Manager", a title that does not begin to capture the many ways in which Carole supports Centre staff in their managerial and administrative tasks.

FINANCIAL SECTION

The financial team ensures that the Centre's financial management is impeccable. **Samuel Chamboko**, the Financial Manager, has in 2022 worked together with two Assistant Financial Managers, **Emily Laubscher** and **Sarita Pienaar-Erasmus**, to ensure that the Centre received audit reports without any blemish.

COMMUNICATIONS AND ADVOCACY SECTION

This team performs the crucial function of presenting the Centre's work activities to a wider audience.

In 2022, **Andile Mdleleni** became the Communications and Advocacy Manager. He was assisted by **Simphiwe Khumalo** (website), **David Ikpo** (design, videos etc), **Tatenda Musinahama** (responsible for Africa

RightsTalk podcast), **Matikomborera Nyamadzi** (social media), **Lourika Pienaar** (webmaster) and **Busi Crafford** (intern).

The communications team is involved in most of the Centre's activities. The objective of the communications team is to provide communications support for events hosted by the Centre and to disseminate information about the Centre's advocacy campaigns, research outputs and human rights educational programmes. This is accomplished through updating the Centre website and social media platforms. The audience the Centre intends to reach are the various stakeholders including state and non-state actors, academics, researchers, students, activists and ordinary members of society.

MONITORING AND EVALUATION

Nzipho Manqele for most of 2022 held the position of Coordinator of Monitoring and Evaluation. She left the Centre at the end of October to become a Researcher with the Gauteng Legislature. During the first half of 2022, **Linda Udegbumam**, who completed her doctorate in 2022, assisted with monitoring and evaluation, in particular in respect of the Advanced Human Rights Courses.



Nzipho
Manqele



Linda
Udegbumam

Academic
programmes

ACADEMIC PROGRAMMES

DOCTORAL (LLD/PHD) PROGRAMMES

More than 50 students were registered for the LLD or PhD (on human rights-related topics) with supervisors in the Centre. Professors Frans Viljoen, Danny Bradlow, Charles Ngwena, Charles Fombad, Magnus Killander, Nkatha Murungi, and Dr Ashwanee Budoo acted as doctoral supervisors, together with Professor Stuart Casey-Maslen and Dr Thomas Probert (in respect of ICCLA students).

In 2022, a first two-day off-campus doctoral retreat was held, aimed at accelerating student progress, increasing solidarity among doctoral candidates, and further cultivating a

community of engaged scholars. The doctoral retreat was attended by 30 candidates and a number of supervisors and external experts.

The following ten doctoral candidates graduated during the 2022 calendar year:

Ahumuza, Dianah ‘Tax incentives and the realisation of economic and social rights: The right to basic education in Uganda’
Supervisor: Dr A Budoo;
Co-supervisors: Prof A Waris

Arowosegbe, Jacob Olubukola ‘Constitutional re-engineering in Nigeria: Towards an integrative model for the redistribution of powers’
Supervisor: Prof M Hansungule

Ezechukwu, Paul Onuorah ‘Fostering compliance with refugees’ right to work in South Africa: Issues, impediments and legal solutions’
Supervisor: Prof UM Killander;
Co-supervisor: Dr R Adeola

Fenemigho, Alero Itohan ‘The use of force in counterterrorism policing in Africa under international law’
Supervisor: Prof CH Heyns (deceased);
Co-supervisor: Prof S Maslen

Geng, Joseph Geng Akech ‘Foreign influence and the legitimacy of constitution building in South Sudan’
Supervisor: Prof UM Killander

Ilori, Oluwatomiwa Timothy ‘A rights-respecting approach to preventing online harms, protecting online expression and ensuring effective platform governance in Nigeria and South Africa’
Supervisor: Prof UM Killander

Mwale, Brenda Achieng ‘The prevention and repression of cyber terrorism in Africa: An analysis of the applicable legal regimes’
Supervisor: Prof CH Heyns (deceased);
Co-supervisor: Prof S Maslen

Okeowo, Adebayo ‘Advancing accountability for human rights violations through citizen media: An African perspective’
Supervisor: Prof UM Killander

Olutola, Bamisaye ‘The right to political participation of the youth in terms of the African Youth Charter: A case study of Nigeria’
Supervisor: Prof M Hansungule

Udegbonam, Linda ‘Improving access to medicines for persons with psychosocial disabilities in Nigeria in realisation of their right to health: The role of the WHO-AIMS and WHO access to medicines framework’
Supervisor: Prof UM Killander



MASTER'S PROGRAMMES

In 2022, 43 students graduated with Master's degrees presented in the Centre:

HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA (HRDA)

Prof Magnus Killander was the Academic Coordinator, and **Dr Ashwane Budoo** the Manager of this programme (until August 2022). **Dr Primrose Kurasha** took over the management of the programme from September 2022. **Johannes Buabeng-Baidoo** was the Programme Coordinator, **Davina Murden** was the Alumni Coordinator, and the academic tutors were: **Clement Agyemang**, **Wilson Macharia** and **Marystella Simiyu**.

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 two or three 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. The HRDA is an intense



Prof
Magnus Killander



Dr Ashwane
Budoo



Dr Primrose
Kurasha



Johannes
Buabeng-Baidoo



Davina
Murden



Clement
Agyemang



Marystella
Simiyu



Wilson
Macharia

programme aimed at strengthening the expert knowledge, as well as research, writing, critical thinking and analytical skills of human rights professionals. Twenty-six students from 19 African countries attended the programme in 2022. Twenty of these students graduated on 9 December 2022. The remaining students aim to graduate in April or later in 2023. Adding students from other cohorts graduating in 2022, a total of 23 students graduated from the HRDA programme in 2022.

The following prizes were awarded to the HRDA Class of 2022:

- **Nelson Mandela Prize for the student with the best overall performance: Farirai Sinothando Sibanda** (Zimbabwe)
- **Kéba M'Baye Prize for the best mini-dissertation: Hussienatou Manjang** (Gambia)

- **Victor Dankwa Prize for the best student in African Human Rights: Elim Bekele Shanko** (Ethiopia)
- **Ubuntu Prize for the student who best captured the values of humanity: Afua Duah** (Lesotho)

Vera Chirwa Award:

The Vera Chirwa Award is made to a graduate of the HRDA who has after completing the degree shown singular commitment, self-sacrifice and significant contributions in furtherance of human rights and democracy. The award was named after the fearless Malawian lawyer and activist Vera Chirwa, for her work of defending human rights in Malawi and Africa. This year, the Vera Chirwa Award was shared by two alumni. The first is Judge of the High Court **Judge Redson Edward Kapindu** (Malawi) in recognition of his professional



Professor Magnus with some of the graduating students of the LLM/MPhil HRDA class of 2022



The Director and Assistant Directors with the 2022 recipients of the Vera Chirwa Prize, Minister of Justice Yvonne Dausab (Namibia) and Judge Redson Edward Kapindu (Malawi)

contributions to the advancement of human rights in Africa, especially in relation to his involvement in strengthening Malawi's constitutional democracy at a time of potential great peril. The second is Minister of Justice **Yvonne Dausab** (Namibia), in recognition of many years of consistent, dedicated and laboured efforts towards the advancement of human rights, especially in relation to gender equality, women's rights, children's rights, rights of persons with disabilities and the LGBTQI+ community rights.

Opportunities to four graduates of the HRDA Class of 2022: Annually, the Centre raises some funds to enable some of the top graduates to undertake one-year paid internships as legal staff at African Union human rights institutions. The following graduates of the Class of 2022 have

the opportunity to contribute as follows in 2023: Intern/Legal officer, African Committee on the Rights and Welfare of the Child: **Husseinatou Manjang**; Intern/Legal officer, African Commission on Human and Peoples' Rights: **Meron Birhanu**; Intern/Legal officer, African Court on Human and Peoples' Rights: **Mosupatsila Nare**; Intern/Legal officer, Pan African Parliament: **Farirai Sinothando Sibanda**; Doctoral candidate and tutor, Centre: **Shyreen Odala Chirwa**.

Donors

The donors on the HRDA are the European Union through the Global Campus for Human Rights; the Government of Norway through its Embassy in Pretoria.

MULTIDISCIPLINARY HUMAN RIGHTS (MDHR)

Prof Frans Viljoen was the overall Academic Coordinator, and **Prof Magnus Killander** was responsible for presenting a module on this programme, which started in 2009. **Janet Gbam** was the Manager of this programme. This programme is offered on a part-time basis, over two years, principally for students with full time employment in South Africa. Students from both South Africa and the rest of Africa are usually registered for the programme. In 2022, there were 28 students doing the course: 15 of them in their first year and 13 in their second year. Thirteen students graduated from this programme in 2022.



Prof Frans Viljoen



Prof Magnus Killander



Janet Gbam



Prof Charles Ngwena



Dr Nkatha Murungi



Rutendo Chinomona



Prof Ebenezer Durojaye



Tadiwanashe Mavunga



Dianah Msipa

SEXUAL AND REPRODUCTIVE RIGHTS IN AFRICA (SRRA)

The SRRA is the Centre's first hybrid learning programme, and was introduced in 2015. The programme is delivered on-line as well as through contact block weeks. **Prof Charles Ngwena** and **Dr Nkatha Murungi** were the Academic co-coordinators of the programme, with **Rutendo Chinomona** as the Manager. The assistance of **Prof Ebenezer Durojaye** from the University of the Western Cape is also acknowledged with gratitude. Three students from the 2020 class graduated in April 2022, and 4 students from the 2019 class graduated in September 2022. Two students from the 2019 class successfully completed the requirements of the programme but could not graduate because of outstanding SAQA evaluations.

Donors

Wellspring Philanthropic Fund; Open Society Foundations

DISABILITY RIGHTS IN AFRICA (DRIA)

The DRIA programme is a two-year part time programme offered in hybrid format with the bulk of the learning taking place online and through contact block weeks in Pretoria. The Programme Coordinator in 2022 was **Tadiwanashe Mavunga**, working closely with the Manager of the Disability Rights Unit, **Dianah Msipa**. In 2022, the second cohort consisting of 9 DRIA students finalised their studies while a third cohort of students was selected to start their studies in January 2023.

Donors

Norwegian government through the Royal Norwegian Embassy, Pretoria

POSTDOCTORAL FELLOWS

Seven post-doctoral fellows were involved in the Centre's work in 2022: **Drs Magalie Masamba** and **Jonathan Kabré** were based within the International Development Law Unit (IDLU). **Prof Danny Bradlow** was the study leader to both of them. **Dr Ayodele Sogunro** was the Manager for the SOGIESC Unit, and **Dr Trésor Makunya** managed the Publications Unit of the Centre. They were both appointed under the study leadership of **Prof Frans Viljoen**.

Dr Tomiwa Ilori was involved with the Expression, Information and Digital Rights Unit. His study leader was **Prof Magnus Killander**. **Dr Primrose Kurasha**, a postdoctoral fellow under the study leadership of **Professor Schoeman**, the Dean, acted as Manager of the HRDA programme for part of the



Dr Magalie Masamba



Dr Jonathan Kabré



Dr Tomiwa Ilori



Dr Satang Nabaneh



Dr Ayodele Sogunro



Dr Trésor Makunya



Dr Primrose Kurasha

year. **Dr Satang Nabaneh** was a postdoctoral fellow with **Prof Charles Ngwena** as study leader.

Research
Publication

RESEARCH PUBLICATIONS

The Centre research community consists of its academic staff members, extraordinary professors and lecturers, its students at all levels, and postdoctoral fellows. Magnus Killander, who is the Research Coordinator, convened monthly research discussions. Below is a list of some of the publications that appeared in 2022:

JOURNAL ARTICLES

Adeola R, (2022) “Bridging the Accountability Gap in the Protection of Internally Displaced Persons: Non-State Actors Under the Kampala Convention” *International Community Law Review*, 24 (5), 421 - 443.

Basimanyane K (2022) “The Regulatory Dilemma on Mass Communications Surveillance and the Digital Right to Privacy in Africa: The Case of South Africa” *African Journal of International and Comparative Law*, 30 (3), 361 - 382.

Budoo A (2022) “Resource allocation for the realisation of women’s rights: Building on previous gender budgeting initiatives in South Africa” *South African Journal on Human Rights*, 1 - 23.

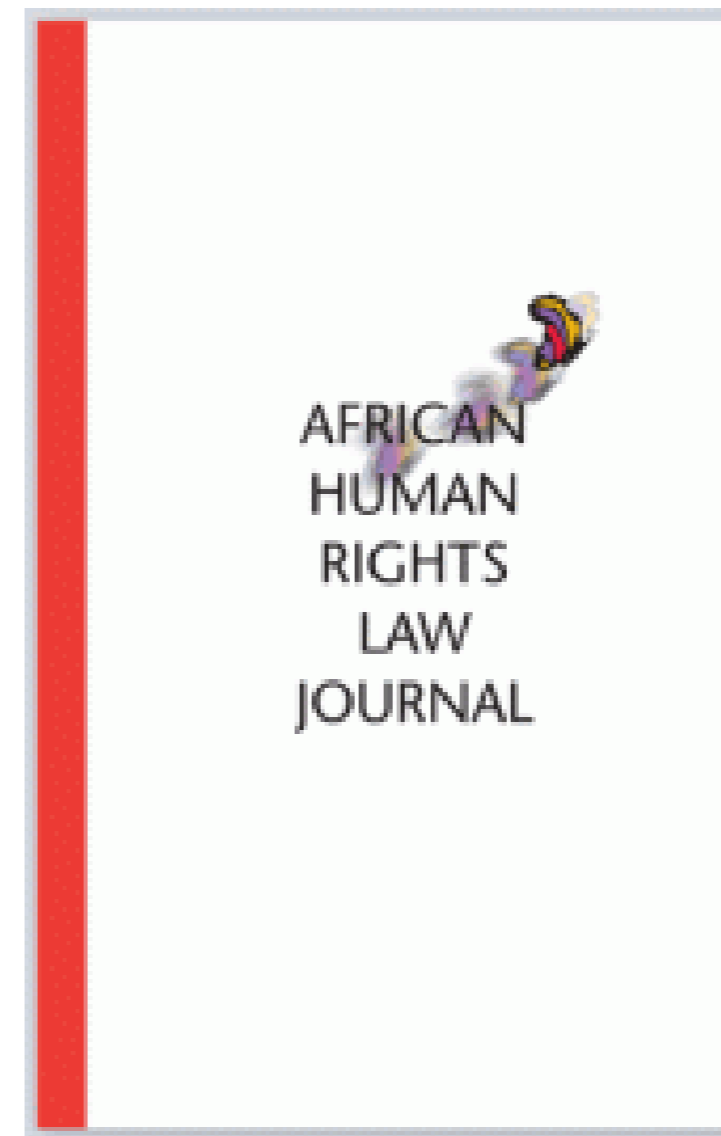
Fombad CM, (2022) “An Overview of the State of Electoral Democracy in Africa” *African Journal of Legal Studies*, 14 (2), 245 - 268.

Fombad CM (2022) “Fostering a Constructive Intra-African Legal Dialogue in Post-Colonial Africa” *Journal of African Law*, 66 (1), 1 - 22.

Fombad CM (2022) “Democracy and fake news in Africa” *Journal of International and Comparative Law*, 9 (1), 131 - 154.

Juma P (2022) “The Marrakesh Treaty and African copyright laws: Lessons for the African Region from *Blind SA v Minister of Trade, Industry and Competition*” *African Disability Rights Yearbook*, 10 231 - 242.

Kuwali D (with Silungwe C) (2022) “Horizontal accountability: Bottom-up oversight of public duty bearers in Malawi” *Journal of Comparative Law in Africa*, 9 (1), 1 - 23.



Kuwali D (2022) “Malawianity: A Philosophy for Nation-building in Malawi” *Journal of Nation-Building and Policy Studies*, 6 (3), 91 - 120.

Makunya T (2022) ‘Overcoming challenges to the adjudication of election-related disputes at the African Commission on Human and Peoples’ Rights: Perspectives from the *Ngandu case*’ (2022) 22(2) *African Human Rights Law Journal* 379-402

Makunya T (2022) “The Nexus between Constitutionalism, Peace and Security in the Law and Practice of the African Union” *Recht in Afrika / Law in Africa | Droit en Afrique*, 25 53 - 83.

Msipa D (2022) “Recognising the testimonial competence of persons with intellectual and psychosocial disabilities in Southern Africa: Lessons from Lesotho” *African Disability Rights Yearbook*, 10 243 - 252.

1.Nyarko MG (with Lyndon R) (2022) ‘Digital verification and its discontents: Investigating tear gas abuse in a digital age’ in M. Mair, R. Meckin & M. Elliot (eds) *Investigative methods: An NCRM innovation collection*, 10, DOI: 10.5258/NCRM/NCRM.00004544.

Nyarko MG ‘Study on the implementation of the African Charter on the Rights and Welfare of the Child in Ghana’ in E. Fokala, N. Murungi & M. Amai (eds) *The status of implementation of the Africa Children’s Charter: A ten-country study*, Pretoria University Law Press, 208 – 239.

Nyarko MG ‘The United Nations’ Guiding Principles on Business and Human Rights and Uganda’s extractive sector’ in D.S. Olawuyi and O.O. Abe (eds) *Business and human rights law and practice in Africa*, Edward Elgar Publishing, 56–74.

Simiyu M (2022) “Freedom of expression and African elections: Mitigating the insidious effect of emerging approaches to addressing the false news threat” *African Human Rights Law Journal*, 22 (1), 76 – 107.

Simiyu M (2022) “African Union Support to Elections in Africa: Rethinking the Preventive Role” *Recht in Afrika / Law in Africa | Droit en Afrique*, 25 179 – 216.

Sogunro A (2022) “Dignity for the Queer African: How the Right to Dignity in International Human Rights Law Imposes Obligations on All States to Protect Sexual Minorities” *Southern African Public Law (SA Public Law)*, 37 (1), 1 – 23.

Sogunro A (2022) “An analysis of political homophobia, elitism and social exclusion in the colonial origins of anti-gay laws in Nigeria” *African Human Rights Law Journal*, 22 (2), 469 – 495.

Stein MA (with Pons W, Lord J) (2022) “Disability, human rights violations, and crimes against humanity” *American Journal of International Law*, 116 (1), 58 – 95.

Viljoen FJ (with Ayeni VO) (2022) “A comparison of state compliance with reparation orders by regional and sub-regional human rights tribunals in Africa: case studies of Nigeria, The Gambia, Tanzania, Uganda and Zimbabwe” *International Journal of Human Rights*, 26 (9), 1651 – 1670.

BOOKS AND CHAPTERS IN BOOKS

Abebe AK (2022) “Horizontal compliance with decisions of the African Court on Human and Peoples’ Rights” in A. Adeola (ed.), *Compliance with International Human Rights Law in Africa*, Oxford University Press, 168–181.

Abebe AK (with Dixon R, Ginsburg T) (2022) “Constitutional amendment and term limit evasion in Africa” in R. Dixon & T. Ginsburg & A. Abebe (eds.), *Comparative Constitutional Law in Africa*, 40–57.

Abebe AK (2022), “Taming the spectre of unsustainable public debt in Africa: A heightened role for constitutions” in C. Fombad & N. Steytler (eds.), *Constitutionalism and the Economy in Africa*, Oxford University Press, 359–375.

Aman M (2022), “Sudan” in E. Fokala & N. Murungi & M. Aman (eds.), *The status of the implementation of the African Children’s Charter: A ten-country study*, Pretoria University Law Press, 293–319.

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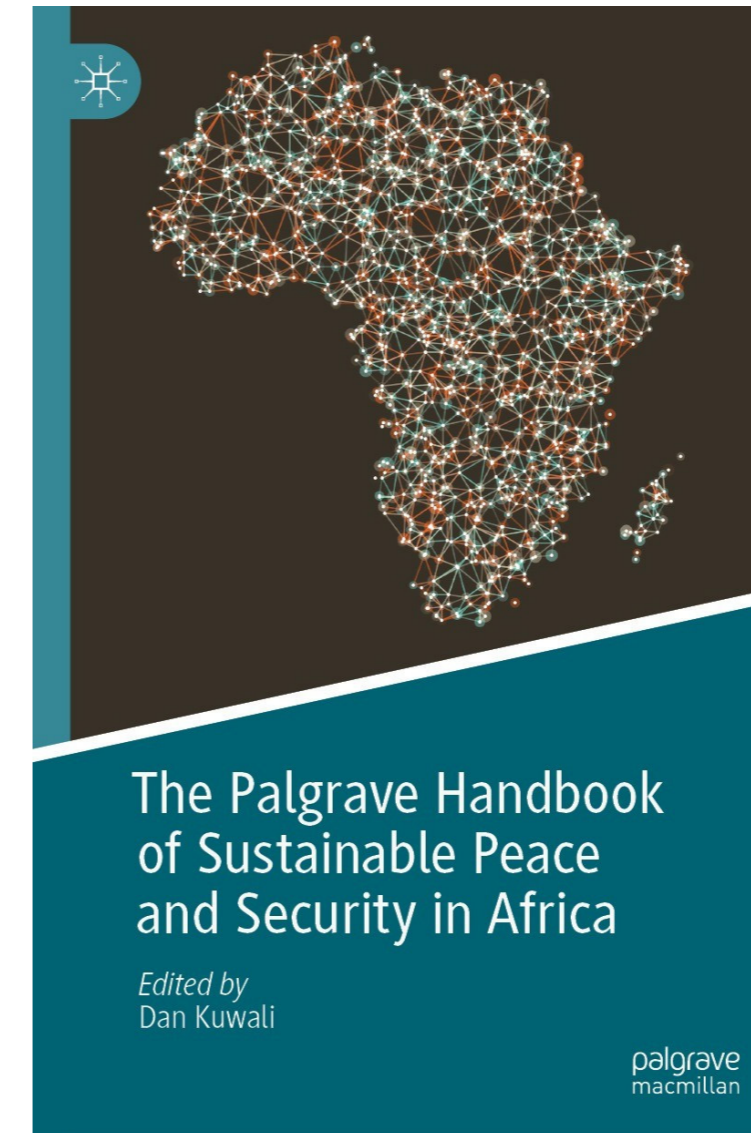
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Education
projects

EDUCATION PROJECTS

MOOT COURTS AND SHORT COURSES

CHRISTOF HEYNS AFRICAN HUMAN RIGHTS MOOT COURT COMPETITION

Ahmed Sayaad was the Project Coordinator for the African Moot; he was assisted by Matikomborera Nyamadzi as Project Officer.

Since its inception in 1992, the African Moot Competition has been seeking to promote the role of law and legal institutions as a method of resolving disputes in Africa by creating a network of young African human rights lawyers, academics and

activists across African universities and the continent at large. The Moot Competition also seeks to support the work of the African Commission on Human and Peoples' Rights, the African Committee of Experts on the Rights and Welfare of the Child and the African Court on Human and Peoples' Rights by spreading awareness on their work and decisions.

The 31st edition of the Christof Heyns African Human Rights Moot Court Competition was hosted and held at the British University in Egypt, on 25 to 30 July 2022. 45 teams from 19 African countries were represented. It was the first time that the African Human Rights Moot Court Competition was held under its new name, the Christof Heyns African Human Rights Moot Court Competition.



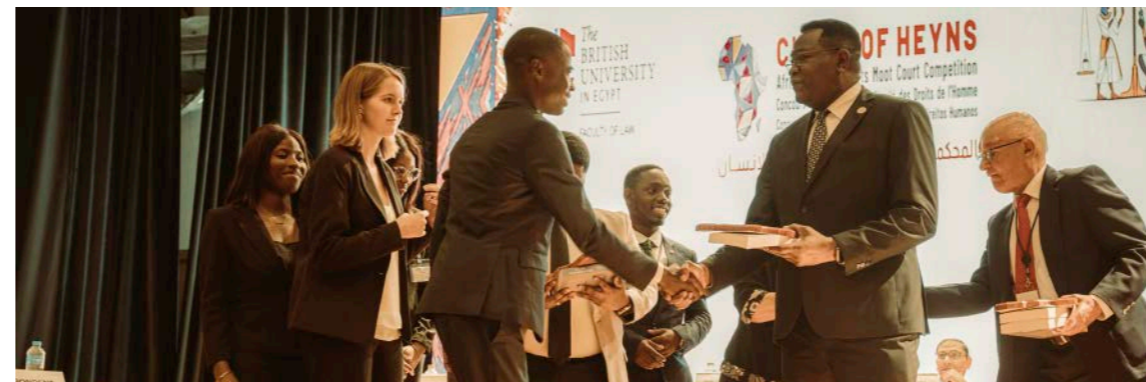
Ahmed Sayaad



Matikomborera Nyamadzi



Winners and runners-up pose for a picture with the judges after receiving the trophies. At the centre of the picture there is Justice Blaise Tchikaya – Vice President of the African Court on Human and Peoples' Rights- who presided the final.



A one-day International human rights conference, organised in partnership with the Faculty of Law, the British University in Egypt, was also held on 28 July 2022. The hybrid conference discussed the following themes: (i) human trafficking in Africa; (ii) social media regulation in the context of AI-powered content moderation; and (iii) climate justice.

The 2022 edition of the Christof Heyns Moot Competition achieved another milestone by extending its reach in the Arab-speaking region with the inclusion of Arabic in the Competition. This is important because the Arab-speaking universities have not been represented in the previous editions.

Donors

Millennium Trust; European Union, through the Global Campus of Human Rights.

NELSON MANDELA WORLD HUMAN RIGHTS MOOT COURT COMPETITION

In 2022, **Eduardo Kapapelo** was the Project Coordinator, with **Matikomborera Nyamadzi** acting as an assistant coordinator.

The Nelson Mandela World Human Rights Moot Court Competition, established in 2009, has become a leading human rights educational event. It is unique in bringing together some of the youngest and brightest students from universities around the globe to debate burning contemporary human rights issues on the basis of a common UN human rights system, influenced by national and regional perspectives and experiences. As a project the World Moot contributes towards lifting the Centre's international profile as an inclusive and dynamic academic institution while also furthering its

role as a premium human rights organisation at the cusp of advocacy and education in the world.

The 14th Nelson Mandela World Human Rights Moot Court Competition was held in a hybrid format, with the in-person final rounds held at the Palais des Nations in Geneva, Switzerland, from 18 to 21 July 2022, preceded by the virtual (online) preliminary rounds held from 20 to 31 May 2022. Thirty-eight universities from all the UN regions of the world participated in the preliminary rounds.

The Third Annual Nelson Mandela Human Rights Lecture was held on 18 July 2022. The panel, which focused on climate justice, reflected on the role of states, international institutions and people on the fight against climate change, the achievements in the field and continued challenges.

The Competition is organised by the Centre, in collaboration with the United Nations Office of the High Commissioner for Human Rights (OHCHR), and the Academy of Human Rights and Humanitarian Law, Washington College of Law, American University, Washington DC, USA and the Commonwealth Secretariat.

Donors

The European Union through the Global Campus of Human Rights; Government of Switzerland (Ministry of Foreign Affairs)



Eduardo Kapapelo



Matikomborera Nyamadzi



ADVANCED HUMAN RIGHTS COURSES (AHRC)

In 2022, this project was managed by **Dennis Antwi**, who was assisted by **Dorcas Basimanyane**.

The Advanced Human Rights Courses (AHRC) of the Centre has for 22 years dealt with various components of human rights, good governance and the rule of law and have reached key decision-makers on the African continent. The AHRC has established a reputation as a major source of continuous learning and advanced capacity building in this area on the African continent.

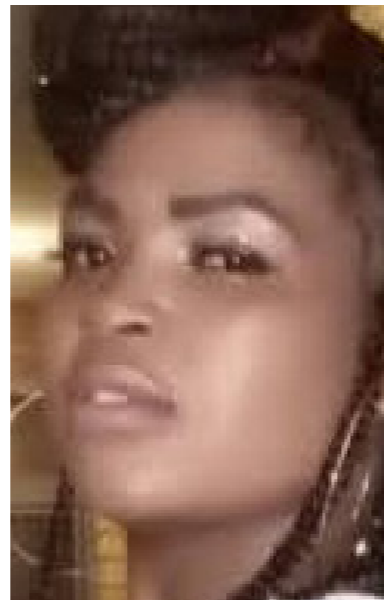
In 2022, AHRC built the capacity of government officials, managers and staff of civil society organisations, judges, magistrates, legal practitioners, staff of intergovernmental organisations, academics and senior

students through the following 13 advanced courses: Sexual minority rights (February); Disability rights in an African context (March); African human rights in comparative perspectives (April); Women's rights in Africa (May); Judicial enforcement of socio-economic rights (May); Effective and accountable policing in Africa (May); Children's rights in Africa (June); Civil society law in Africa (August); Right to development in Africa (August); Police and vulnerability in Africa (September); Data protection in Africa (September); Indigenous peoples' rights in Africa (November); and Rights of forcibly displaced persons in Africa (November).

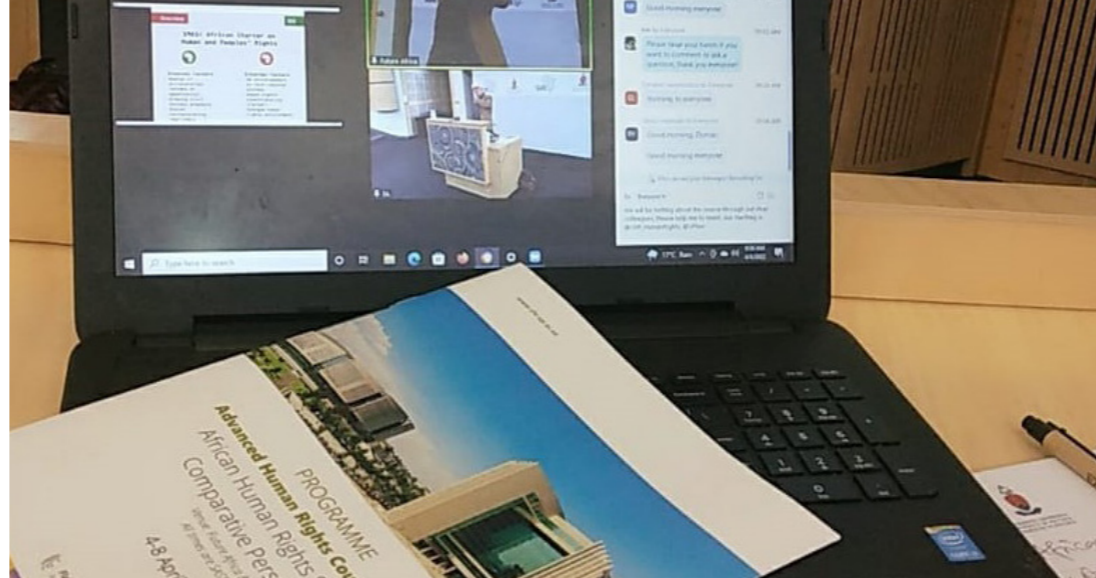
These areas have been identified as areas of concern in the fields of human rights, the rule of law and of good governance as a whole. Participants were drawn from South Africa, the rest



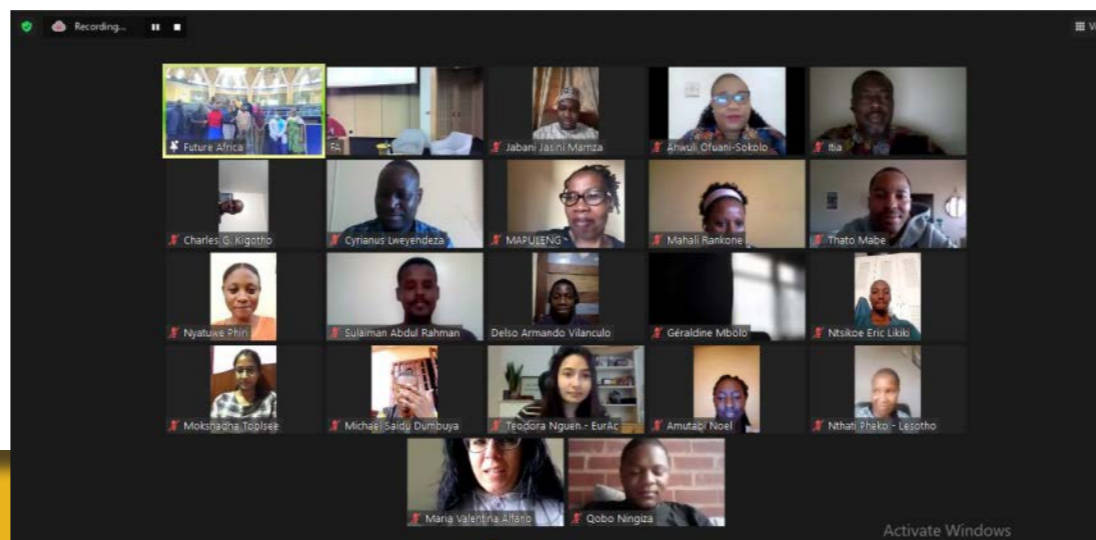
Dennis Antwi



Dorcas Basimanyane



AHRC - Socio economic rights



of Africa and other parts of the world. During 2022, over 956 participants attended AHRC courses. Although participants were mainly from Africa, a number of participants came from Europe, Asia, the Caribbean, South America and the USA.

These courses have been developed by the Centre, with significant participation from decision-makers across Africa, and lecturers who are internationally recognised as leaders in their field. 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. A number of partnerships and donors were strengthened and maintained with various renowned institutions locally and internationally.

Partners

- Vrije University, Belgium
- University of Antwerp, Belgium
- Ghent University, Belgium
- African Commission on Human and Peoples' Rights Working Group on Indigenous Populations
- Centre for Child Law, University of Pretoria
- Dullah Omar Institute, University of the Western Cape
- Centre for Sexualities, AIDS and Gender, University of Pretoria
- Centre for Law Enforcement and Public Health

Donors (and funding partners)

International Centre for Not-For-Profit Law; African Policing Civilian Oversight Forum (APCOF); Government of Flanders; Norwegian Ministry of Foreign Affairs; International Work Group for Indigenous Affairs; Wellspring Philanthropic Fund.

Advocacy 2022

ADVOCACY

Lloyd Kuveya in 2022 oversaw the Centre's advocacy campaigns.



Lloyd
Kuveya



Youth Climate Conference 2022

#GreenJusticeAfrica: The impact of climate change on the protection and fulfilment of human rights in Africa

The Centre annually embarks on a thematically focused campaign. During the year 2022, the Centre's campaign addressed the impact of climate change on the protection and fulfilment of human rights in Africa. Climate change is now one of the biggest threats to human rights globally. Although carbon emission in Africa is significantly low at about 4%, the region is the most impacted by climate change as compared to other regions, with over 30 of the most vulnerable countries located on the African continent. The rate of Africa's warming is faster than the global warming average. The result of which is evident from extreme rainfall, debilitating drought,



Youth Climate Conference 2022



Youth Climate Conference

desertification and coastal flooding. Addressing this global challenge requires drawing on multiple skills to ensure a collective and persuasive response to pace the protection of the rights of those affected by the impact of climate change. The impact of climate change on human rights in Africa is growing exponentially and is affecting the wellbeing of the most vulnerable, across the continent.

The campaign focuses on the impact of climate change in Africa, through the lens of the existing degeneration of the fulfilment of the human rights of the most vulnerable. The various Centre Units were tasked with the design and implementation of an advocacy campaign highlighting how climate change impacts on different aspects of vulnerable groups. The Women's Rights Unit for example spotlighted climate change as it relates to African

women fighting for gender justice on the continent.

As part of the Christof Heyns African Human Rights Moot Court Competition, a one-day International Human Rights Conference will also be held on Human Trafficking, Social Media and AI Regulation and Climate Justice.

Campaign for the ratification of AU human rights treaties

The Centre, working with partners, engaged in campaigns for the ratification of two AU human rights treaties that are not yet in force: the Protocols to the African Charter on the Rights of Persons with Disabilities and on the Rights of Older Persons. The campaign consisted of press statements urging African states to speed up ratification; the production

and dissemination of promotional materials (a booklet Roadmap to ratification, which guides African states on the process of ratifying these Protocols); and the hosting of a high level meeting for heads of missions in Pretoria aimed at encouraging African states to ratify these Protocols. Students were also involved in these campaigns. This campaign also extended to the Kampala Convention, which is already in force, but still required ratification by some key states including South Africa.



Research
units

RESEARCH UNITS

ACTIVISM AND RESEARCH BASED ADVOCACY THROUGH THE CENTRE'S TEN RESEARCH, CAPACITY-BUILDING AND ADVOCACY UNITS

BUSINESS AND HUMAN RIGHTS

Arnold Kwesiga managed the Business and Human Rights Unit, guiding its strategic direction and supporting the work of African Coalition for Corporate Accountability (ACCA). In the second half of the year, he was assisted by Tadiwanashe Mavunga and Thelma Chinyamurindi, the ACCA intern. The objectives of the Unit is to contribute to the development of a legal environment that promotes and enhances respect for human rights in the context of business and development activities and strengthening corporate accountability mechanisms and to augment the agency of affected communities/groups so as to enhance their civic participation and engagement in decision-making on all activities that affect them.



Arnold Kwesiga



Tadiwanashe Mavunga



Thelma Chinyamurindi



ACCA GA (30 - 1 September 2022)

General Comment 7 on State obligations under the African Charter in the context of private provision of social services

On 23 October 2022, the African Commission on Human and Peoples' Rights launched and published **General Comment 7**. The development of the General Comment was supported by the Centre, in collaboration with the Global Initiative for Economic, Social and Cultural Rights, the Dullah Omar Institute, University of the Western Cape, and the Initiative for Economic, Social and Cultural Rights (ISER). It affirms that states are responsible to respect, protect, promote and fulfil all human rights, even when private actors are involved in the provision of social services. The General Comment is particularly timely, as private actors have increasingly assumed a greater role in the provision of the continent's social services, frequently

with no regard for the enjoyment of fundamental human rights, as was well exposed with the impact of COVID-19 on realisation of right health and other social services. **General Comment 7** is a landmark document, emphasising the international consensus 'that social services such as education, food, healthcare, housing, social security and water, are not commodities for those who can afford them, but human rights guaranteed to all'. The Commission reaffirms that States cannot 'exempt themselves' from their human rights obligations by 'involving private actors in social service provision' (para 30), emphasising that States must impose a range of "public service obligations" on all actors involved in public service delivery..., (para 16). The General Comment further elaborates on the obligation to regulate any private provision of social services to ensure that, where they are involved,

private actors support, rather than undermine, broader efforts to realise economic, social and cultural rights. The Centre will continue working with partners to ensure dissemination and implementation of the General Comment.

Advanced Human Rights Course on the Right to Development, 15-19 August 2022

The Centre, in partnership with the University of Antwerp, Belgium, conducted its annual Advanced Human Rights Course (AHRC) on the Right to development in Africa. The course was held in a hybrid format with 22 physical participants at the University of Pretoria's Future Africa Campus and about 55 virtual participants joining via Zoom from all over the world. The participants in the course were members from national human rights institutions, civil society actors, human rights advocates, legal

practitioners, academicians and post graduate students undertaking LLM and PhD studies both at the University of Pretoria and the University of Antwerp. This year the course was focused on various pertinent issues around the right to development which made for an engaging and impactful course. The course facilitators were carefully selected from leading experts on the subject, including members of the UN Expert Mechanism on Right to Development, leading scholars and academicians from the University of Antwerp, University of Johannesburg, University of Free State and the National University of Lesotho. Other facilitators included human rights advocates from Human Rights Development Initiative (HRDI), Tax Justice Network Africa (TJNA), Initiative for Social and Economic Rights (ISER), African Forum and Network on Debt and Development (AFRODAD) and other



One facilitator who has been facilitating this course for the last six years, described this years' course as being 'impact-driven, content-loaded and attentive to detail'.

The Roundtable Dialogue on the Right to Development

Alongside the 2022 AHRC on right to development, the Centre held a roundtable dialogue. The objective of the roundtable was to create a platform to interrogate critical issues around the right to development and design initiatives for strategic engagements. These issues included human rights-based approaches to development (HRBAD) and the conflict of priorities in human rights discourse, highlighting the importance of answering the question of whether the exceptionalism principle applies in HRBAD prioritising some human rights over others. The

roundtable also interrogated the need to reclaim public services for sustainable and inclusive development, tax justice, debt financing and development, illicit financial flows from Africa and its impact on the continents' development agenda, and climate change and its impact on development and the African Continental Free Trade Area (AfCFTA). Two key recommendations from the roundtable included the need for human rights impact assessments of the AfCFTA and building capacity of duty bearers to conduct impact assessments and the need to use the African Charter to litigate the right to development.

The role of the African Development Bank (AfDB) in the COVID-19 response in Africa

The roundtable dialogue also discussed the report findings from the research study assessing the role that the AfDB has played towards the recovery and

response measures to the COVID-19 pandemic in Africa. The study examined the loans given by the AfDB, what the loans were spent on as well as accountability and the socio-economic effects of these loans. The findings of the study were used as the foundation for the discussions around development financing. The dialogue noted the imminent need for African states to be involved in the activities of the Organization for Economic Cooperation and Development (OECD) to ensure representation of the African context in decision making. Global and regional financial institutions were encouraged to engage civil society in decision making to ensure adequate compliance with environmental and social economic safeguards. The importance of transparency and effective monitoring and evaluation in all processes of such aid programs was also highlighted.

The Africa Business and Human Rights Forum, Accra, Ghana, 11-13 October 2022

The Centre participated and presented at the Africa Forum on Business and Human Rights. The Forum was attended by over 300 in person participants and 1000 people registered to participate online. The Centre in partnership with ACCA held a side session for CSO actors on the legally binding instrument on business and human rights and also had a meeting with the UN Working Group on Business and Human Rights collecting CSO views on how best to improve the UNGPs in the next decade. There were critical discussions around the gaps in the voluntary framework especially around access to remedy and liability for corporate abuses. The Centre was also part of the high-level opening ceremony reiterating the importance of meaningful stakeholder engagements, and participation and

consultation of CSOs and affected communities beyond mere information sharing. Key discussions on mandatory human rights due diligence measures being developed in the EU, Germany and Japan and their implications on the continent were also held. These remain critical areas needing more critical assessment on how effective these frameworks are in the face of weak domestic legislation and lack of engagement with both CSOs and corporate entities in their development. These will be key areas of interrogation in the next year.



Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises Geneva, 24-28 October 2022

The Centre and the African Coalition for Corporate Accountability (ACCA) participated at the 8th session of the negotiations for a legally binding instrument on business and human rights. The negotiations remain an integral part of both the work of the Centre and ACCA around strengthening legal frameworks and the need for a legally binding treaty on corporate accountability and business and human rights, particularly those of a transnational character. CHR and partners reiterated the importance of strengthening key articles in the 3rd revised draft, specifically around rights of victims, prevention and access to remedy as these remain key issues affecting communities on the continent.

Partners

Global Initiative for Economic, Social and Cultural Rights, the Dullah Omar Institute, University of the Western Cape, and the Initiative for Economic, Social and Cultural Rights

Donors

GIZ; Government of Flanders

CHILDREN'S RIGHTS UNIT

The Children's Rights Unit was managed by **Dr Elvis Fokala**, who was assisted by two Project Officers, **Mai Aman** and **Ngobani Nyathi** and an intern, **Reece Pierce-Jones**.

The Unit was established in 2013 as the Centre's focal point on the rights of children. The Unit works through research, publications, advocacy, and training, to contribute to the regional discourse on the rights of children in Africa and beyond. In line with the Centre's mission, the work of the Unit has a pan-African reach, while seeking to foster a contextually relevant understanding of global issues and concerns to children in Africa. The Unit provides an essential bridge between academic research and evidence-based advocacy in the African region. Central to the Unit's overarching working objectives is the Unit's advocacy

initiatives which is broadly aimed at influencing laws, policies, mindsets, attitudes, behaviour and practice at national and regional levels to improve the promotion and protection of the rights of children. To attain its objectives, the Unit constantly engages with African human rights institutions on emerging issues affecting children in the region, especially the African Children's Committee, with which the Centre has had observer status since 2017.



Dr Elvis Fokala



Mai Aman



Ngobani Nyathi



Reece Pierce-Jones



Stakeholder meeting and training workshop on children's right to privacy in the digital sphere in Africa (28-29 April 2022)

Activities in 2022

Stakeholder meeting and training workshop on children's right to privacy in the digital sphere in Africa

On 28 and 29 April 2022 the Unit, in collaboration with the Raoul Wallenberg Institute (Kenya office), hosted a stakeholder meeting and training workshop on Children's privacy rights in Africa. During the event, the Unit also launched its study on children's right to privacy in the digital sphere in Africa. The event was attended by key stakeholders from various countries across the continent and representatives from the African and UN Children's Rights Committees. The study discusses the nature and scope of children's right to privacy in the digital sphere in Africa, and provides an assessment of the effectiveness of legal frameworks for the protection of children's privacy in Africa. It further

identifies gaps in the protection and implementation of children's privacy online, and makes practical recommendations to policymakers, technology companies and other key stakeholders on the measures to adopt to protect children's privacy during their interaction with technology and the internet in a manner that limits their exposure to harmful content or activity. It includes a systematic analysis of selected countries, from all sub-regions in Africa. The study's importance lies in its close assessment of national and regional instruments, interpretation and implementation of children's right to privacy.

Regional Study on Child Participation in the Implementation of Global and Regional Development Frameworks in Africa

In May, the Unit hosted a meeting to validate its draft regional study

report on child participation in the implementation of the Global and Regional Development Frameworks with a focus on the Sustainable Development Goals (SDGs), the AU Agenda 2063, and the AU Agenda 2040 for Children. The overall objective of the study is to establish the extent to which children are involved in the implementation of the development agendas in Africa. The research methods used to realise this study include a desk-based review of existing regional platforms of child participation and a child-focussed consultation with children to establish the extent of children's knowledge, understanding and involvement in the implementation of development frameworks at the national, sub-regional and regional levels. The primary data analysed in this study was collected from children (respondents) to a survey sampled in collaboration with several child-led

forums that promote child participation and CSOs with operational mandates designed to track the implementation of development frameworks from varied African countries. A number of countries were selected from each of the five sub-regions of the continent. These are Burundi (Central Africa), Egypt (North Africa), Kenya (East Africa), Senegal (West Africa), and Lesotho and Zambia (Southern Africa). These countries are unique in the sense that they all have active national child participation forums, including active national children's assemblies and sub-regional child participation networks. Child participation is not a common theme in African development discourse and this study has demonstrated the challenges faced by states parties to the CRC and the African Children's Charter on the Rights and Welfare of the Child (African Children's Charter) in meaningfully involving children in



Stakeholder meeting and training workshop on children's right to privacy in the digital sphere in Africa (28-29 April 2022)



CRU- Climate change meeting Nov 2022

frameworks. Further, the study also spotlights children's agency and capacity to respond to the challenges that society collectively faces, and to input into development initiatives aimed at securing their well-being.

Edited volume on implementation of the African Children's Charter and Hybrid Conference on the Domestication and Application of the African Children's Charter

The Unit completed its publication on the implementation of the African Children's Charter in 10 selected African countries: Algeria, Burkina Faso, Burundi, Cameroon, Ethiopia, Ghana, Namibia, Mozambique, Sudan and Tanzania. Its importance lies in the close assessment of the status of implementation of the Charter since its adoption and in identifying common patterns that arise in the domestication, interpretation and implementation of the Charter in the

countries under study. In June 2022, the Unit hosted a regional conference in Pretoria, to discuss strategies adopted by state parties to domesticate and implement the African Children's Charter. The specific focus of the conference was to examine national strategies adopted by state parties to eradicate harmful, social and cultural. During the event, submissions, on the conference theme and objectives from 35 African countries, were presented, analyses and discussed. The Centre publication was launched during this conference.

Training Workshop on the incorporation of the adverse impact of Climate Change on Children's Socio-economic Rights in Selected African Countries

In November, the Unit hosted a training workshop to capacitate selected state officials from varied ministries on strategies to incorporate the impact

of climate change on children's socio-economic rights in their state reports to the African Children's Rights Committee. State officials from selected countries that have recently experienced the adverse impact of climate change were targeted as participants. These countries include: South Africa, Malawi, South Sudan, Sudan, Ethiopia, Kenya and Zimbabwe. Experts who offered training were drawn from academia, research institutions, the African Children's Rights Committee, the World Bank and UNICEF.

Participation in the Sessions of the African Children's Rights Committee

Given the Unit's mandate, every year, the Unit represents the Centre at the Ordinary sessions of the African Children's Committee. In 2022, the Unit participated at the 39th and 40th ordinary sessions of the Committee. The 39th ordinary session was held

virtually, from 21 March to 01 April 2022. During the session the Unit presented briefing, based on the strength of the state party's initial report submitted by the Republic of Seychelles, the Periodic Report of the Republic of Eritrea and the Republic of Uganda. During the 40th Session, held in person, for the first since 2020, from Nov 23 2022 - Dec 02 2022, the Unit represented the CHR, submitted the partners statement, in which, amongst others, it called on the Committee to hold a general day of discussion on the impact of Climate Change on children's rights in 2023 and to further consider, developing a regional African Union guideline on children's privacy rights during their interaction with internet. The Unit also hosted a side event, to showcase all the activities it has implemented in 2022, and to particularly highlight the findings and recommendations it has arrived at in support of the mandate of

the Committee and to further enhance the promotion, domestication and application of children's rights in Africa.

Partners

African Institute for Children Studies; Dullah Omar Institute, University of the Western Cape; Natural Justice; Plan International (AULO); Right Livelihood Foundation; African Committee of Experts on the Rights and Welfare of the Child; Centre for Child Law, University of Pretoria; Raoul Wallenberg Institute (Kenya Office)

Donors

Plan International; Right Livelihood Foundation; European Union, through the Global Campus of Human Rights; Norwegian Ministry of Foreign Affairs, through its Embassy, Pretoria; Raoul Wallenberg Institute

DEMOCRACY AND CIVIC ENGAGEMENT UNIT

The Unit was managed by **Bonolo Makgale** assisted by **Tariro Sekeramayi** as a Project Officer and **Tendai Mbanje** as a Legal Researcher.

The Unit is responsible for the implementation of projects that spearheads the Centre's efforts to promote democracy, human rights and civic engagement in Africa through research, capacity building and advocacy. The Unit facilitates African CSOs formal mechanism of engagement with AU organs, the Pan-African Parliament (PAP) and AU Economic, Social and Cultural Council (ECOSOCC) with the aim to close the democratic gap by creating a space for citizens and civil society to interact and influence the work of the African Union through these organs. Furthermore, the Unit



Bonolo Makgale



Tariro Sekeramayi



Tendai Mbanje



CSO Forum (25 - 26 April 2022)

does work on democratic elections in Africa and the promotion of human rights through constitutional literacy.

The Unit created awareness about the PAP and enhanced engagement between civil society and the PAP. Various CSOs are now sensitized and capacitated to engage with the PAP. The Civil Society Forum, which is a space created to ensure an effective and sustained civil society engagement with the PAP is a compelling evidence to that effect. The PAP CSO Forum has enabled getting the PAP closer to civil society organisations from the continent. The PAP CSO Forum empowered civil society organisations on how best to engage with the Pan-African Parliament. Specific activities include: The Unit hosted a two-day civil society engagement on the workings of the PAP for the East African Community on 25 -26 April

2022 in Nairobi, Kenya. The forum focused on developing networks for increased engagement between civil society in the East African region and the PAP. The objective of the forum was guided by the concern that despite the potentially crucial role they can play in the activities of the PAP, CSOs still know very little about this institution, and that for most CSOs, the AU and the PAP in particular, are largely invisible and accessible. The discussions were guided by the need to explore formal mechanisms of engagement with the PAP and to raise awareness about the importance of transparency and accountability in the operations of domestics and regional parliaments in Africa. A regional CSO network was established in partnership with Mzalendo Trust with the specific aim to focus on Parliamentary monitoring and accountability of the PAP. Following the forum, Mzwalendo Africa and

Article 19 facilitated a training with two PAP Permanent Committees. Members of the PAP CSO Forum engaged with various committees of the PAP during the August 2022 Committee Sitzings: The Committee on Justice and Human Rights; the Committee on Gender, Family, Youth and Person with Disability; the Committee on Cooperation, International Relations, and Conflict Resolution; the Committee on Rules, Privileges, and Discipline.

The Unit continued working on converting Constitutions into accessible formats and in local languages as part of its “constitutional literacy” project. In partnership with the ECOSOCC and the University of Zambia School of Law (UNZA), the Unit launched the Zambia Constitutional Literacy Booklet on 5 May 2022. The launch included a round-table dialogue with UNZA students from a diverse cross-

section of faculties with the aim to promote constitutional literacy and civic engagement beyond the confines of legal education. The launch was attended by dignitaries representing high commissions and embassies of various African countries in Zambia, officials from the government of Zambia, members of the media, academia and civil society. The Malawi Constitutional Literacy booklets were launched and a training on Civil Society advocacy and engagement was hosted with the PAP in Lilongwe Malawi, in partnership with Youth and Society on 14 July 2022. The Unit in partnership with the Zimbabwe Human Rights NGO Forum and the University of Zimbabwe launched the Zimbabwe Constitutional Literacy Booklet on 16 November in Harare, Zimbabwe. The launch was attended by members of Civil Society, Academia, Members of the Diplomatic Corps and the Media. Speakers from



CSO Forum (25 - 26 April 2022)



CSO Forum (25 - 26 April 2022)

partner institutions gave remarks on the importance of the project and its contribution to constitutionalism in Zimbabwe.

The Unit, in partnership with African Peer Review Mechanism (APRM), hosted a reception in honour of Dr. Nardos Bekele-Thomas, the Chief Executive Officer of AUDA-NEPAD, and His Excellency Chief Charumbira Fortune Zefania, The President of the Pan-African Parliament. This event was attended by several distinguished Ambassadors from various diplomatic missions', South African Government Officials, and members of civil society. The Centre has a long-standing strategic partnership with the AU and its various organs with the aim to accelerate the adoption and implementation of policies, decisions, and declarations of



the AU for the realisation of the aspiration of African citizen and Agenda 2063 and flagship projects.

The Centre hosted a side event in partnership with Amnesty International and the UN Special Rapporteur on Freedom of Assembly on Protecting The Right To Protest in Africa on the Side-lines of the ACHPR 73rd Ordinary Session.

The Constitutive Act of the African Union provides that the 'participation of African peoples in the activities of the Union' will be a principle according to which the Union will function. The Constitutive Act also states the 'need to build a partnership between governments and all segments of civil society' as a guiding vision of the establishment of the Union. To this end, the AU established ECOSOCC as one of the organs which

would facilitate the participation of the African Citizenry in the affairs of the AU and the Continent. ECOSOCC was established as an advisory body to the AU, to provide a platform for representation and involvement of African CSOs in decision-making on the continent through influencing AU policies, programmes and principles. The Unit commissioned and launched an Impact Analysis Study of the AU ECOSOCC in the Governance structure of the African Union. The study critically analyses the extent to which ECOSOCC has fulfilled its mandate and objectives and looks into its practice and performance since its inception. The study sought to examine the extent to which ECOSOCC has lived to the ideals and aims that inspired its establishment and offered recommendations for the organ to increase its capacity towards fulfilling its mandate.

https://www.chr.up.ac.za/images/centrenews/2022/ECOSOCC_Report_Final_web.pdf

Partners

Pan-African Parliament; ECOSOCC; APRM; Mzalendo Trust; Parliamentary Network Africa; Youth and Society; Zimbabwe Human Rights NGO Forum; Southern Africa Human Rights Defenders Network; and Amnesty International; University of Zimbabwe, the University of Zambia, the Ministry of Justice in Zimbabwe and various Civil Society Organisations in Malawi, Zambia and Zimbabwe

Donors

Royal Norwegian Embassy; Konrad Adenauer Foundation

DISABILITY RIGHTS UNIT

In 2022, the Disability Rights Unit was managed by **Dianah Msipa**. She was assisted by a team of six people consisting of two programme officers, **Paul Juma** and **Njahira Wangare**, two researchers, **Wilson Macharia** (up to July 2022) and **Mary Auma Dinymoi** (up to November 2022), and two interns, **Sabeeha Majid** and **Tadiwanashe Mavunga**. Dr **Nkatha Murungi** provided strategic guidance to the Unit and Professor **Charles Ngwena** was involved in some of its activities.

The objective of the Disability Rights Unit is to promote the rights of persons with disabilities in Africa through various academic programmes and conferences, publications, resources and projects. By raising awareness, building an evidence base through research, and building capacity on the rights of persons with disabilities on

the continent, the Unit contributes to the Centre's efforts towards human rights education and the improvement of the rights of marginalised groups in Africa, including persons with disabilities.



Dianah Msipa



Njahira Wangare



Wilson Macharia



Mary Auma Dinymoi



Paul Juma



Sabeeha Majid



Tadiwanashe Mavunga



Dr Nkatha Murungi



Professor Charles Ngwena

During 2022, the Disability Rights Unit conducted the following activities:

- **Hosting the advanced short course on Disability Rights in an African context** – This one-week intensive short course on disability rights in Africa was held in hybrid format (on zoom and at UP's Future Africa campus), from 7 to 11 March 2022.
- **Advocated for the ratification by state parties to the African Charter of the Disability Rights Protocol.** On 8 March 2022, the Disability Rights Unit released a press statement urging African states to speed up the ratification of the African Disability Protocol. In March 2022, the Disability Rights Unit produced a booklet titled 'Roadmap to ratification, which guides African states on the process of ratifying the African Disability Protocol. On 23 June 2022, the Disability

- **Hosting of regional convening on access to justice** – During this two-day convening, held from 16 to 17 May 2022, the Disability Rights Unit raised awareness amongst criminal justice personnel on the barriers that persons with intellectual and psychosocial disabilities encounter in the criminal justice system.
- **Capacity-building workshop for organisations of persons with albinism** – This one-day capacity-building workshop, held on 6 June

2022, sought to build the capacity of organisations working on promoting the rights of persons with albinism to utilise human rights law and mechanisms in their work.

- **Report launch** – On 29 June 2022, the Disability Rights Unit hosted a webinar to launch a research report on the impact of COVID-19 on the rights of persons with disabilities in southern Africa.
- **Publication of research report** – In June 2022, the Disability Rights Unit published two research reports on the right to public and political participation for persons with disabilities in Malawi and Namibia.
- **African regional online consultation on the CRPD draft guidelines on deinstitutionalization**– Held on 1 July 2022, this online consultation provided organisations of persons

with disabilities and other stakeholders an opportunity to comment on the CRPD Committee’s draft guidelines on deinstitutionalisation.

- **Recording of podcast** – On 5 July 2022, the Disability Rights Unit recorded a podcast with Dr Yolanda Munoz on the impact of climate change on the enjoyment of human rights by persons with disabilities. The podcast was part of the Unit’s contribution to the Centre’s campaign promoting sustainable and inclusive climate justice tagged ‘Green Justice Africa.’
- **Publication of research reports on barriers to accessing justice** – In August 2022, the Disability Rights Unit published three research reports and three position papers on the barriers to persons with disabilities accessing the criminal justice systems in South Africa,

Botswana and Zambia.

- **Judicial workshop on access to justice for persons with disabilities in Lesotho** – From 11 to 12 October 2022, the Disability Rights Unit collaborated with the International Commission of Jurists to host a judicial workshop for judges in Lesotho. The workshop focused on ways to improve access to justice for persons with disabilities.
- **Disability Rights Alumni network meeting** – On 15 November 2022, the Disability Rights Unit hosted an online meeting of alumni from two disability rights programmes, namely, the LLM/MPhil Disability Rights in Africa programme which is offered by the Centre and the Disability Rights Scholarship Programme that was funded by the Open Society Foundations. The alumni meeting was held to discuss the formation of an

African Disability Rights Alumni association aimed at building a community of practice amongst scholars specialising in disability rights on the continent.

- **Annual disability rights in Africa Conference** – In 2022, the Disability Rights Unit hosted the 10th edition of the Annual disability rights in Africa conference from 17 to 18 November with the theme ‘Migration, Displacement and Disability: A human rights response. The conference was held in hybrid format at Southern Sun Hotel OR Tambo and online via zoom.
- **Production of audio-visual materials** – Throughout 2022, the Disability Rights Unit, in collaboration with the UN Independent Expert on the Enjoyment of Human Rights by Persons with Albinism, Muluka-

Anne Miti-Drummond, produced a series of animated videos seeking to explain in simple terms the contents of the Independent Expert’s reports to the Human Rights Council. Some of the topics covered by the videos include access to healthcare for persons with albinism, harmful practices carried out against persons with albinism, **and the right to access education.**

- **Populating the Repository on Disability Rights in Africa** – Throughout 2022, the Disability Rights Unit populated the repository with a variety of materials and resources including journal articles, NGO reports, concluding observations, case-law etc.
- **Assisting in the process of drafting the CRPD Committee Guidelines on Deinstitutionalisation** – As part of the Global Coalition on Deinstitutionalisation, the

Disability Rights Unit contributed to the drafting of the guidelines throughout much of 2022.

- **Publication of the 10th edition of the African Disability Rights Yearbook**

The overall impact of the work of the Disability Rights Unit at outcome level is the promotion of disability rights through enhanced awareness and capacity for promoting disability rights as well as an increased evidence base and knowledge on how to implement inclusive interventions. The Unit also contributed to scholarship in this field by overseeing the publication of the tenth edition of the African Disability Rights Yearbook.

Partners

International Commission of Jurists; the Validity Foundation; International Organisation for Migration; Trinity Western University; Global Coalition on Deinstitutionalisation; UN Independent

Expert on the Enjoyment of Human Rights by Persons with Albinism.

Donors

Open Society Initiative for Eastern Africa (OSISA); Ford Foundation; Norwegian Embassy; Disability Rights Fund/Disability Rights Advocacy Fund.

EXPRESSION, INFORMATION AND DIGITAL RIGHTS UNIT

In 2022, the Expression, Information and Digital Rights Unit was managed by **Hlengiwe Dube**, assisted by **Dr Tomiwa Ilori**, **Marystella Simiyu**, **Ompa Tshamano** and **Lemohang Ratsokane**. The objective of the Unit is to advance freedom of expression, access to information and the intersection between human rights and technology, which includes digital rights through advocacy and research. In light of the objectives the Unit undertook a number of activities in partnership with various stakeholders in Africa.

On access to information and Elections, the Unit assessed the state compliance with the African Commission's Guidelines on Access to Information in Africa Kenya, Gambia and Angola. The assessments were undertaken in partnership with Article 19 Eastern



Hlengiwe Dube



Dr Tomiwa Ilori



Marystella Simiyu



Ompa Tshamano



Symposium on Access to Information and Elections in South Africa held in November 2022.

Africa, Article 19 Western Africa.

The output in all assessments was a report which documented information disclosure practices. The impact of the reports is that they provide a basis for undertaking advocacy initiatives on electoral transparency. The South African access to information and elections project entailed hosting a symposium in partnership with the Information Regulator, the Independent Electoral Commission, the South African Human Rights Commission, Human Sciences Research Council and Media Monitoring Africa. The Unit also updated modules for the massive open online course on privacy in Africa and hosted an advanced human rights course on data protection. Five workshops were organised on the implementation of the South African Protection of Personal Information Act covering cross border data transfer,

direct marketing, children's privacy and others.

In advancing digital rights in Southern Africa, the Unit developed and launched the digital rights in Southern Africa report and, based on the report conducted training and capacity building workshops targeting civil society, government officials and National Human Rights Institutions. Podcasts were also recorded with participants of the workshops. The workshops enhanced understanding of digital rights and stimulated interest in mainstreaming digital rights by the various stakeholders. The Unit also implemented the disinformation project which entails tracing and documenting disinformation trends in sub-Saharan Africa. The research output was used to develop an online tracker, analysis and interactive [LEXOTA](#) tool which documents how laws and government

actions against disinformation impact freedom of expression across Sub-Saharan African. Based on the LEXOTA, the Unit conducted advocacy targeted at community based organisations in Zimbabwe, in partnership with Media Institute of Southern Africa (MISA) Zimbabwe. The research output was also presented on platforms such as Internet Governance Forums and Forum on Internet Freedom in Africa (FIFA). The overall project was undertaken in partnership with Global Partners Digital, Article 19, PROTEGE QV and Collaboration on International ICT Policy for East and Southern Africa (CIPESA). The Unit continued to provide technical support to the African Commission's Special Rapporteur on Freedom of Expression and Access to Information in Africa.

Partners

Article 19 Eastern Africa; Article

19 Western Africa; Maka Angola; Information Regulator; Independent Electoral Commission; South African Human Rights Commission; Human Sciences Research Council; Media Monitoring Africa; Global Partners Digital; Article 19; PROTEGE QV; Collaboration on International ICT Policy for East and Southern Africa (CIPESA); African Commission's Special Rapporteur on Freedom of Expression and Access to Information in Africa

Donors

META; GOOGLE; USAID through the Advancing Rights in Southern Africa (ARISA) programme at Freedom House; Ford Foundation; US Department of State through Global Partners Digital

FREEDOM FROM VIOLENCE UNIT

Dr Thomas Probert managed the Freedom from Violence Unit in 2022. He was assisted by Prof Stuart Maslen and Simon Mateus.

Building upon research expertise accumulated during the mandate of the late Professor Christof Heyns as UN Special Rapporteur on extrajudicial, summary or arbitrary executions (2010-2016), the multidisciplinary research hub, **Freedom from Violence**, looks to bring together expertise from both human-rights based and public-health approaches to the problem of interpersonal, collective violence and unlawful killings in Africa.

The Unit is built around an extensive doctoral programme, that brings students from across the continent to Pretoria to research issues ranging from counter-terrorism to gender-



Dr Thomas Probert



Prof Stuart Maslen



Simon Mateus

based violence. Their topics broadly relate to the intersection of human rights (aimed at securing the norms of the right to life and the right against cruel, inhumane and degrading treatment of punishment) and violence reduction as a public health issue (based on the collection of the relevant data, and the evaluation of the impact of interventions aimed at reducing incidences of violence). Students work on topics such as the following, all in an African setting: The impact of body-worn cameras on policing; anti-terrorism measures; cyber terrorism; violence against persons with disabilities; access to justice for victims of sexual violence; police oversight; and open-source investigations. All students are supervised by either Prof Stuart Maslen or Dr Thomas Probert, sometimes with a co-supervisor from elsewhere in the Faculty, or beyond. In 2022, with the relaxation of travel

restrictions imposed because of the COVID-19 pandemic, the practice of physical doctoral “Summits” in Pretoria resumed.

Building upon the work of developing two global repositories of domestic law, one on use of force (www.policinglaw.info/) and one on the regulation of public gatherings (www.rightofassembly.info/), in the Unit has continued to lobby for greater attention to be paid to these critical issues. Moreover, in 2022, members of the Unit, led by Prof Maslen, completed the initial work of compiling and publishing a third resource, looking at domestic counter-terrorism legislation (www.counterterrorlaw.info/). In the past, these resources have been used in the development of UN Human Rights instruments, but also as a reference point for further academic and advocacy work. It is hoped that this

third resource can likewise become a departure-point for future work.

In 2022, work continued to build up a global research partnership around the “**Lethal Force Monitor**” project, which in 2023 will see further countries added to the scope, and the whole project platformed on an interactive database.

The African Commission in 2021 requested the Centre to undertake a continental study on the use of force laws of all 55 African states, aimed at improving the protection of the right to life in Africa. The information contained in the above-mentioned repositories formed a significant basis for this study. In 2022, the Commission created two expert validation meetings, in Pretoria and in Lusaka, focussed on the Study and its successor project, a training tool concerning human rights and the use of force. Experts from the

Centre played a vital technical role in the facilitation of both meetings.

Engagement with the issues of policing in an African context is further pursued through the running of two dedicated short courses, on accountability and oversight, and the other on the particular challenges of policing vulnerable populations and the potential of a public-health approach. Both are run in partnership with the African Policing Civilian Oversight Forum, and one also with the Global Law Enforcement and Public Health Association.

Taking a broader approach to questions of applicable standards regarding violence, the Unit also collaborated with the ICRC to present the All-Africa Course on International Humanitarian Law – which in 2022 returned to an in-person format. Lecturers from



UP, other South African universities and other continental stakeholders were involved in presenting a two-week intensive course for students and practitioners aimed at providing a solid foundation for those interested in engaging with the law of armed conflict.

From the perspective of the broader questions of technology and human rights fact-finding, the Centre continued to partner with Amnesty International as part of the global Digital Verification Corps, in which students from six universities around the world assist Amnesty’s Crisis Response team in identifying, collecting and verifying potentially informative material from social media in order to contribute to Amnesty and other reporting on emerging human rights issues. The Centre is the focal point for Africa, and has contributed

important case studies for the project’s award-winning resource about the use and abuse of tear gas around the world. In 2022 Dr Probert represented the Centre at a global gathering of the DVCs organised by Amnesty in Mexico City.

Partners

African Policing Civilian Oversight Forum; Global Law Enforcement and Public Health Association; Amnesty International; International Committee of the Red Cross; University of Exeter

Donors

Millennium Trust; Norwegian government through its Embassy in Pretoria; Wellspring Philanthropic Fund

LITIGATION AND IMPLEMENTATION UNIT

In 2022, the Unit was co-managed by **Michael Nyarko** and **Foluso Adegalu** with the support of **Bayode Ayo-Ojo** and **Brian Kibirango** as Project Officers. In addition, the Unit had **Ntokozo Sibanyoni**, **Xanne Bekaert** and **Shahad Azim** supporting as interns.

The objectives/mandates of the Unit are: seeking redress for victims of human rights violations and preventing human rights violations through judicial and quasi-judicial institutions; and improving the efficacy of international human rights standards and jurisprudence.



Michael Nyarko



Foluso Adegalu



Bayode Ayo-Ojo



Brian Kibirango



Ntokozo Sibanyoni



Xanne Bekaert



Shahad Azim

Capacity-building workshop for South African CSOs on engagement with the African human rights system

On 8 October 2022, the Unit held a capacity-building workshop for South African CSOs in Pretoria. The capacity-building workshop was aimed at equipping South African CSOs with limited or no interaction with the African human rights system with capacity to be able to engage with that system. Over 30 participants from 17 CSOs, from across South Africa, attended the workshop. The participating CSOs were drawn from various locations in South Africa, including Cape Town, East London, Johannesburg, Durban, Kwazulu-Natal, Mpumalanga, Bram Fischer and Pretoria. They were carefully selected to ensure representation of actors working on diverse human rights issues

including women's rights, children's rights, persons deprived of their liberty, sexual minorities, persons with disabilities and refugees. The training sessions covered a general introduction to the normative framework of the African regional human rights system, the constituent normative mechanisms and innovative strategies for ensuring a more effective engagement of local CSOs with the regional system. These sessions were facilitated by a select panel with a wealth of knowledge and experience on the regional system. The training additionally facilitated formulation of networks among the participating CSOs and with the Centre, which is hoped to result into continued dialogue on the interventions necessary to achieve promotion and protection of human rights in South Africa.

Webinar series on decisions of African human rights bodies

As part of its efforts in increasing awareness and understanding among relevant stakeholders about the jurisprudence of African human rights bodies, the Unit launched and hosted two webinar series on decisions of African human rights bodies. The two webinar discussions featured representatives of the African Court on Human and Peoples' Rights, the African Commission and the litigants in the respective cases. The webinar discussion provided stakeholders across the continent with an opportunity to analyse the normative aspects of recent decisions of Africa's human rights bodies, provide an update on the status of and the challenges to implementation of the orders contained in these decisions, and reflect on necessary strategies to

build momentum for advocacy towards their effective implementation. The inaugural webinar was hosted on 7 April 2022, in the form of a hybrid meeting attended by over 100 participants both online (zoom) and physically. The inaugural webinar focused on two inter-linked decisions of the African Court in the cases of *Ally Rajabu and Others v Tanzania* (decided on 28 November 2019) and *Gozbert Henerico v Tanzania* (decided on 10 January 2022). On 20 September 2022 the Unit hosted the second case discussion with a focus on the reparation decision of the African Court on Human and Peoples' Rights (African Court) in *African Commission on Human and Peoples' Rights (ACHPR) v Republic of Kenya (Ogiek case)*.

Research on domestic impact of UN human rights treaties

As part of its efforts in facilitating a better understanding of the influence of the UN human rights treaties and the dynamics involved in the processes through which the UN human rights treaty system makes a difference on the domestic level, the Unit is involved in a large-scale research project on the domestic impact of the UN treaty system. The two broad categories of the projects are: mobility and research of domestic impact of UN human rights treaty system; and online database on the domestic impact of the UN treaty system.

Mobility and research of domestic impact of UN human rights treaty system:

The project is a collaborative education and research-based activity between the Norwegian Centre for Human Rights (NCHR), University of

Oslo, and the Centre. The objective of the project is to develop research-based education through a research project on the domestic impact of the core UN human rights treaties. The project entails joint research workshops between the NCHR and the Centre focusing on the domestic impact of human rights treaties. Furthermore, the results of the project will be available in an online database that allows users to track the domestic impact of the ten UN human rights treaty bodies. As part of activities under this collaborative project, the Unit Co-hosted two seminar discussions on the domestic impact of the UN treaty system with the NCHR. The first seminar discussion was a hybrid discussion held on 29 March 2022 with physical participants in Oslo and virtual participants from Pretoria and other places in the continent. The second seminar was a virtual event



held on 27 September 2022. The seminar focused on thematic and country level analysis of the actual or potential influence of the UN treaty system on the promotion and protection of human rights at the national level. Between the months of June–August, a member of the Unit, Foluso Adegalu was on a research fellowship under the project at the NCHR, in Oslo, Norway. The Unit also hosted the second semester internship of the two students from the HRDA programme who did their second semester exchange with the NCHR, University of Oslo as part of the academic mobility exercise under the project.

Online database on the domestic impact of the UN treaty system:

The database on the domestic impact of the United Nations treaty system aims at facilitating a better understanding of the dynamics involved in the processes

through which the UN human rights treaty system (the treaties and the jurisprudence of the treaty monitoring bodies—such as concluding observations, general comments and decisions on individual complaints) influence the actions of policy makers at the national level, or fails to do so. As part of efforts to populate the online database on the domestic impact of the UN treaty system, the Unit introduced an assignment on the domestic impact of the UN treaty system as part of the Module 3 studies for students in the HRDA Masters students. The students used the template developed for the database to provide information on relevant UN treaties on 14 African countries. The assignment counted as 20% towards the mark of module 3 for the HRDA students. A presentation on the online database was also made during the September seminar on the domestic impact of the UN treaty

system, as part of efforts to attract external researchers to work on populating the database.

Litigation

On 25 November 2022, the Unit in collaboration with the Incorporated Trustees of ISH-61 Human Rights & Social Justice Initiative (ISH-61), the Institute for Human Rights and Development in Africa (IHRDA), submitted a communication against the Federal Republic of Nigeria. The Communication which was submitted before the African Committee of Experts on the Rights and Welfare of the Child seeks redress on Nigeria's violations of Articles 1 and 3 of the African Children's Charter as Nigeria has no legislative framework protecting the rights of the child that applies to all children in the whole federation. On 14 July 2022, the Centre in collaboration with the following organizations:

Robert F. Kennedy Human Rights, Odhikar, the National Union of Institutions for Social Action Work (UNITAS), Kazakhstan International Bureau For Human Rights and Rule of Law (KIBHR), the International Service for Human Rights, IHRDA, Center for Human Rights and Democracy in Africa (CHRDA), Center for Alternatives to Development (CEALDES) and JOINT-Leagues of NGOs in Mozambique submitted an amicus brief on the case of *Antonio Tavares Pereira et al. v Brazil* before the Inter-American Court.



Training of legal officers of the African Commission

During the year 2022 the Unit was involved in the training of legal officers of the Secretariat of the African Commission on the drafting of decisions and worked on harmonizing guidelines for the drafting of decisions by the African Commission. The training brought together a former Commissioner of the African Commission, experts from the European and Inter-American Courts of Human Rights to share their experiences and good practices in case management and decision drafting with legal officers of the African Commission.

Massive open online course (MOOC) on litigation before the AU human rights bodies and their jurisprudence

During the year 2022, the Unit was involved in the development of a MOOC on litigation before the AU body. The MOOC on litigation before AU human rights bodies is a Centre consultancy project with a view to developing a course content on litigation before AU human rights bodies and providing technical assistance on the MOOC for the African Court. The Unit developed the module on implementation, follow-up and enforcement of decisions of AU human rights bodies.

Submission of complementary reports to international and regional bodies

The Unit coordinated the Centre's shadow reports on the periodic reports of Cote d'Ivoire and the Islamic Republic

of Mauritania during the 73rd ordinary session of the African Commission in November 2022. The final reports were prepared based on inputs from the different Units of the Centre. In March 2022, the Unit in collaboration with Social Policy Initiative submitted a joint stakeholders' report to the Universal Periodic Review (UPR) for the fourth cycle of South Africa's review by the UPR. The Joint stakeholder report is part of a broader stakeholders' efforts to provide information to the UPR working group on the implementation status of the recommendations received by South Africa during the 3rd cycle of its review by the UPR working group in 2017.



Edited book on impact of COVID-19 on human rights and democracy in Africa

The COVID-19 book project is a collection of chapters prepared by researchers in 22 selected countries. The authors submitted their draft chapters between March and May 2022 which were each sent to two designated members of a select panel of blind reviewers. By 30 July 2022, the reviewers had submitted their reports which were forwarded to the authors for appropriate action. As of 30 November 2022, majority of the revised chapters have been received from the authors with the compilation process expected to commence in January 2023. Furthermore, the payments for the majority of the authors and reviewers have since been made except for one author for whom the payment process is still in progress.

Webinar discussion on the legal frameworks and role of litigation in ensuring climate justice in Africa

The Unit held a virtual webinar on Climate Justice Litigation in Africa, on 4 July 2022. This webinar provided a platform for experts and activists to discuss the existing climate change legal framework and the role of litigation in getting governments to act. The stakeholders discussed among others, the extent to which climate change litigation is influencing governments to make decisions that would reduce the impact of climate change in Africa and the way forward on adaptations.

Unit Website update

During 2022 the Unit's website was updated. The new update captured the new activities of the Unit and also systematically arranged the projects of

the Unit. See <https://www.chr.up.ac.za/litigation-implementation-unit>.

Partners

Norwegian Centre for Human Rights, University of Oslo; Social Policy Initiative

Donors

The Norwegian Ministry of Foreign Affairs, through the Royal Norwegian Embassy, Pretoria

MIGRATION UNIT

In 2022, **Abiy Ashenafi** managed the Migration Unit, **Tunde Enigbokan** assisted as Project Officer of the Unit, and **Alphonse Obonyo** assisted as Network Officer of GENIDA.

The vision of the Unit is an Africa where the rights of migrants are respected, protected and fulfilled; and displaced persons, stateless persons, and other persons who need protection, can achieve durable solutions. The mission of the Unit is promoting the rights of migrants in Africa through research, advocacy, training and monitoring. The Unit's activities are geared towards realising the Centre's mission for the improvement of the rights of marginalised individuals and groups.

The Unit hosted the Expert Forum on Durable Solutions to Protracted Displacement in Africa.



Abiy
Ashenafi



Tunde
Enigbokan



Alphonse
Obonyo



Statelessness and Migration in Southern Africa Regional Legal Training

Participants of the Forum deliberated upon, made inputs to, and adopted the Declaration on Durable Solutions to Protracted Displacement in Africa.

The Unit conducted various advocacy activities in 2022. In its advocacy for the ratification of the Kampala Convention, the Unit developed and disseminated a roadmap to the ratification of the Kampala Convention, and an advocacy brief. It also held, in collaboration with the Women's Rights Unit and the Disability Rights Unit, a high-level consultation meeting with ambassadors and high-ranking diplomats on 23 June 2022. The Ambassadors and diplomats undertook to inform their governments on the need for the ratification of the three treaties. The Unit issued press statements, including its press statement (in partnership with the Southern African Nationality Network) calling on African states, including

SADC members, to support the adoption and ratification of the draft Protocol on Statelessness and Nationality in Africa. The press statement was a timely action given the fact that the draft Protocol was scheduled for consideration and adoption on 7 and 8 December 2022. The statement was endorsed by 19 human rights organisations based in various African countries.

Also in its press statement issued on 2 February 2022, the Unit urged the South African government to take robust preventive measures against xenophobic violence (February 2022). Contributing to the Centre's campaign on climate change, the Unit organised a webinar entitled 'the protection of persons displaced in the context of climate change and disasters in Africa' on 29 July 2022. The panel explored the African regional and domestic legal bases for the protection

of people displaced as a result of the adverse impacts of climate change and disasters in Africa and stressed the need for strengthening existing legal frameworks.

Research, training and other activities

In collaboration with the Advanced Human Rights Courses Unit, the Migration Unit organised the second edition of the 'Advanced Human Rights Course on the protection of forcibly displaced persons in Africa' from 21-25 November 2022. 62 participants from across Africa and beyond actively participated in the course and were awarded certificates.

The Unit submitted input to the draft Guidelines on Migrants' Bill of Rights, which was prepared by the African Commission on Human and Peoples' Rights. Some of the key contributions

relate to the strengthening of the protection accorded to refugees displaced in the context of climate change, and the inclusion of social and economic rights in the draft Bill of Rights.

The Unit co-hosted the World Refugee Day event on 20 June 2022. The event was co-hosted by the Centre and UNHCR Regional Bureau for Southern Africa, and it was attended by key stakeholders including Ambassadors of various African countries, representatives of refugee organisations, academics and journalists.

Under the project entitled 'countering xenophobia,' the Unit commissioned consultants to undertake research on the role of the media in fomenting and countering xenophobia in South Africa, and to develop guidelines for the training of journalists. The Unit



GENIDA

The running of the Global Engagement Network on Internal Displacement in Africa (GENIDA) is the Unit's responsibility. Alphonse Obonyo assisted as Network Officer of GENIDA.

In the year 2022, priority was given to engagements online through webinars, the GENIDA eLearning course on IDPs and fundraising. These include the eLearning course on IDPs, GENIDA online campaigns, writing of blogs, webinars the #LetsTalk IDPs podcasts and continued fundraising for the GENIDA project. This report summarises the activities carried out, the achievements, challenges, and the way forward. GENIDA's social media followers have increased in numbers on Twitter, Facebook, and Instagram. In the year 2022, the network membership has grown from 205 in 2021 to 224 in 2022 across various countries around

the world. As of 28 November 2022, 11 participants have completed the course and have been awarded certificates. Of the 11 participants, [8 blogs](#) have been uploaded on the GENIDA website.

The #LETSTALKIDPS Podcasts: The #Let'sTalkIDPs Podcasts have created a safe virtual platform for dialogue and debate on Internal displacement informed by blogs, policy briefs and working papers to expand on tacit knowledge on internal displacement. The podcasts published this year include: Flooding Displacement in Malawi: Policy, Practice, and Prevention; and Women IDPs and sexual violence in the Sahel.

Webinars on Internal Displacement:

Two webinars were held this year: Reframing the challenges of internal displacement in the Sahel in

partnership with the RID Networks; and Examining the UN Secretary Generals' Action Agenda on Internal displacement with a focus on Africa.

Partners

UNHCR Regional Bureau for Southern Africa; Centre for Child Law, UP; Lawyers for Human Rights (South Africa)

Donors

Norwegian Embassy in South Africa; the European Union Delegation to South Africa

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

The staff of the Unit were **Dr Ayodele Sogunro** (Project Manager), **Tapiwa Mamhare** (Project Officer), **Thiruna Naidoo** (Project Officer, until September 2022), and **Nathan Milanzi** (Project Officer). In January 2022, the Unit was also joined by **Sohela Surajpal** (Project Officer). The work of the Unit was also supported at various times during the year by interns **Victoria Amaechi** and **Tholoana Mosia** and two students of the Human Rights and Democratisation in Africa (HRDA) programme.

The SOGIESC Unit's mandate is to advocate for and work towards equality, inclusion, non-discrimination, non-violence and non-heteronormativity for lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) persons. The SOGIESC Unit implements the Centre's

human rights research, training, and advocacy projects for the rights of LGBTIQ+ persons in South Africa and generally across Africa. In South Africa, the Unit promotes the South African legal framework for equality and unfair discrimination for the benefit of LGBTIQ+ people living in South Africa. At the regional level, the Unit promotes the African Commission's Resolution 275 to encourage state parties to the African Charter to adhere to the call to protect LGBTIQ+ persons. The Unit also strengthens advocacy and shares research and knowledge on issues of decriminalisation, anti-discrimination, and strategic litigation and advocacy through short courses, conferences and workshops for potential and existing SOGIESC activists, lawyers, and social workers.



Dr Ayodele Sogunro



Thiruna Naidoo



Tapiwa Mamhare



Nathan Milanzi



Sohela Surajpal



Victoria Amaechi

Advocacy activities

- 22 February: commissioned the staging of a play, Born Naked, for an audience composed of international and local participants.
- 7 March: hosted Italian diplomat, Fabrizio Petri, Italy's Special Envoy for the Human Rights of LGBTQI+ persons.
- 12 April: published Volume 2 of the Queer Dignity in South Africa photobook.
- 26 – 29 April: presented a training in Kenya on SOGIE criminal litigation organised by TrialWatch and Columbia Law School.
- 8 – 12 May: facilitated a SOGIE training for NHRIs hosted by NANHRI in Ivory Coast.
- 22- 23 June: presented a lecture at UNDP's Africa Regional Judges/Parliamentarians Forum in Johannesburg.

- 28 June – 2 July: presented at ISDAO's sub-regional policy and advocacy priorities meeting in Nigeria.
- August: the Unit participated in an education event coordinated by SPEAKOUT UP and the Department of Student Affairs of the University of Pretoria to discuss rape culture and challenges impacting LGBTQI+ rights in South Africa.
- 24 August: presented a lecture at the Southern African National Human Rights Institutions Convening hosted in Cape Town by OutRight Action International.
- 30 September: outreach visit to Cape Town for community engagement with Triangle Project and dissemination of SOGIESC literature.
- 20 – 24 September: facilitated a SOGIE training for NHRIs hosted by NANHRI in Kenya

- 8 November: virtual presentation on Trans Rights (with Iranti) at the Nelson Mandela University.
- 30 November: presented at the Dutch Embassy's regional dialogue on human rights meeting in Pretoria.
- Various times: received community members and activists from South African based organisations including Iranti, Gender Dynamix, SWEAT and the African Trans Network.
- Various times: collaborated with UNDP on organising a regional meeting of states for the implementation of Res 275.
- Various times: issued public statements celebrating the International Transgender Day of Visibility and the Lesbian Day of Visibility.



- Various times: signed new MoUs with Iranti, OutRight Action International, and Network of African National Human Rights Institutions.
- Various times: contributed to the Centre's statements to the African Commission on the LGBTQI+ situation in Africa and to shadow reports on Benin and Malawi.
- Various times: participated in the National Task Team (NTT) on the implementation of the National Intervention Strategy for ending violence against LGBTQI+ persons.

Research activities

- February: awarded a scholarship to an LGBTQI+ activist for the HRDA programme.
- January: made a submission on the right to the enjoyment of physical and mental health to the UN Independent Expert on SOGIE.

- March: made an expert witness submission (with CSA&G) on the mental health effects of criminalising consensual same-sex sexual relations for the decriminalisation case *BG v Attorney General of Commonwealth of Dominica* (working on converting this into a resource document).
- Various times: commenced research on an infogram/pamphlet on the rights of intersex children.
- October: published the Guide to LGBTIQ+ Rights in the UN and African Human Rights Systems.
- October: finalised and published the Report on the Study on the human rights situation of intersex persons in Africa.

Event hosting activities

- 28 January: co-hosted (with REDRESS) a virtual roundtable discussion on the challenges faced

in documenting, investigating and addressing torture against LGBTIQ+ persons in Africa.

- 22 – 26 February: hosted a hybrid Advanced Human Rights Course on Sexual Minorities in Africa.
- April – September: co-hosted the Pretoria Marburg Queer Conversations: a series of webinars themed: ‘Scholarly and Activist Perspectives on LGBTIQ+ Lived Realities in Africa.’
- 19 May: co-hosted IDAHOBIT 2022 events, including a panel discussion on ‘Shifting Language(s): The evolving landscape of words and meanings in queer lives’ and a photo exhibition.
- 23 June: hosted a virtual ‘alumni roundtable’ on Strategic Litigation and advocacy for LGBTI+ human rights defenders in Africa.

- 22 – 26 August: hosted the annual capacity building workshop on strategic litigation and advocacy for LGBTIQ+ defenders in Africa.
- 17 – 20 October: co-hosted (with the ACSE group) various LGBT advocacy events on the margins of the NGO Forum at the 73rd ordinary session of the African Commission in Banjul.
- 23 October: launched the intersex report at the 73rd ordinary session of the African Commission in Banjul chaired by Commissioner Lumbu.
- 24 – 25 November: hosted the Conference on the decriminalisation of same-sex laws and eradication of conversion practices in Africa.
- Various times: engaged the Department of Justice, and the South African Judicial Education Institute to share our work with them and strengthen collaboration and commence planning on SOGIE

trainings for presiding officers and clerks of the Equality Courts in South Africa.

Outcomes and impact

The Unit was able to largely achieve the following demonstrable outcomes:

- Developing and disseminating more advocacy materials, including across various events locally and internationally thereby broadening knowledge and empowering the community and civil society organisations.
- Continuing the training of human rights activists from across the continent, improving and creating networks and allowing the dissemination of knowledge on human rights systems, LGBTIQ+ advocacy, and strategic litigation.
- Encouraging the intellectual shaping of well-informed activists through the provision

of scholarships for academic and professional courses.

- Strengthening collaborative partnerships and improving our level of engagement and networking with the wider LGBTIQ+ advocacy movements, thereby contributing more effectively to the knowledge building of the movement.
- Participating in several advocacy efforts through panel discussions, coalition meetings, and media engagements and thus continuing to raise awareness on and understanding of the rights of LGBTIQ+ persons in Africa.

Partnerships

The Unit has several institutional and individual partners in its networks and entered three new MoUs this year. Worthy of particular mention for activities in 2022 include the Network of African National Human

Rights Institutions; OutRight Action International; Centre for Sexualities, AIDS, and Gender; Center for Gender Studies and Feminist Futures and Center for Conflict Studies (both at the Philipps-University Marburg); Synergia-IHR; REDRESS; Initiative for Strategic Litigation in Africa, Iranti

Donors

Embassy of the Kingdom of the Netherlands in South Africa; Norwegian Embassy in South Africa; European Union through its Delegation in South Africa; OutRight Action International (one-time contribution)

WOMEN'S RIGHTS UNIT

In 2022, Matilda Lasseko-Phooko managed the Women's Rights Unit (WRU). Lydia Chibwe, Oluwaseyitan Solademi-Ebrahim and Susan Mutambasere were Programme Officers through the year. Henrietta Ekefre and Bianca Knight assisted as Programme Officers on specific projects during the year.

The WRU aims to realise the rights of women in Africa as enshrined in the African regional and international human rights treaties. It seeks to do this by working with governments, civil society, and other stakeholders to ensure the implementation of treaty obligations through capacity building, advocacy and training.



Matilda
Lasseko-Phooko



Lydia
Chibwe



Oluwaseyitan
Solademi-Ebrahim



Susan
Mutambasere



Henrietta
Ekefre



Bianca
Knight

State Reporting Training and Advocacy: African Charter and Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)

The WRU seeks to advance the implementation of the African Charter and the Maputo Protocol through strengthening the state reporting mandate of the African Commission so as to ensure adequate monitoring of states' implementation of rights. This work includes building capacity of member states' representatives to develop required state reports in line with established guidelines, civil society and other stakeholders' capacity to engage member states and the African Commission in assessing state measures during the reporting process and supporting various stakeholders with following-up and implementing feedback received after the state reporting cycle is complete

in the form of concluding observations and recommendations. Several activities were undertaken in support of this work:

- State Report Drafting Workshop: Sierra Leone: 5-6 April 2022
- Stakeholder meeting on Concluding Observations and Recommendations: Malawi: 31 May 2022
- Lusophony Regional State Reporting Workshop: Mozambique, Angola, Guinea Bissau, Cape Verde, Sao Tome and Principe: 14-16 June 2022
- Combined State Reporting and Drafting Workshop: Rwanda 28-30 June 2022
- State Reporting Workshop: Ethiopia: 23-24 August 2022
- State Report Validation Meeting: South Africa: 17-18 November 2022
- Workshop on strengthening civil society's engagement with the

African Commission on Human and Peoples' Rights: Ethiopia: 25 August 2022

- Workshop on strengthening civil society's engagement with the African Commission on Human and Peoples' Rights: Ghana: 13 September 2022
- Appointment of Technical Assistants to Support the Development of State Reports: Sierra Leone (3 months); South Africa (3 months)

Legislative review: towards an Africa free of laws that perpetuate violence against women

The WRU continued with the research on laws in Africa that perpetuate violence against women (VAW). Consultants from 25 countries in Africa were recruited to conduct research in their respective countries. In this phase, the research focused on mapping out and analysing the specific VAW

laws that select African states have put in place to meet their obligations to protect from, prevent and respond to VAW. This includes regional and international norms and standards that various African countries have ratified, and the application of these standards in the domestic laws of the countries. The study also considered the contextual issues experienced by women in the jurisdictions of the different African countries and the extent to which context impacts on the implementation of the laws available. The country reports produced by the country consultants are subject to review by a team of experts appointed by the Office of the Presidency in the coming period before the research is finalised.



Launch Webinar for the Study of the impact of COVID-19 on older women in Southern Africa: 3 October 2022

This study examines the state measure and policies adopted in the selected five Southern African states as to whether older women were considered and targeted in the adoption of COVID-19 related measures and policies as part of the marginalised and vulnerable members of society in need of protection. The documentation of the impact of the pandemic on older women in these states aimed to underscore the need for a nuanced and holistic approach to responses to emergencies, that takes into account the particular vulnerabilities of certain groups like older women in the design of response measures in the future. The focus of the study was on five Southern African states: South Africa, Zimbabwe, Lesotho, Malawi

and Zambia. The report was launched in commemoration of International Day of Older Persons in a webinar. The opening and closing statements were delivered by Commissioner Mwandenga, the Deputy Chairperson of the African Commission's Working Group on the Rights of Persons with Disabilities and Older Persons.

Advocacy for the ratification of the Older Persons Protocol

Advocacy for the ratification of the Protocol to the African Charter on the Rights of Older Persons (Older Persons Protocol) intensified in this reporting period. The strategy was adjusted, and advocacy was targeted at specific individuals that had been identified as having a role to play or capable of influencing the ratification process in member states that had signed but not ratified the Older Persons Protocol. A Roadmap to Ratification was developed

and distributed as part of the continuing #AgewithRights campaign of the Centre. Activities undertaken in this regard are: Joint Advocacy Meeting: 23 June 2022 Pretoria; Advocacy Meeting: Ghana: 14 September 2022; Advocacy Meeting: Side event at the 73rd Ordinary Session of the African Commission: 25 October 2022: Gambia.

Technical Support to the Special Rapporteur on the Rights of Women in Africa

Launch of the Guidelines on Shadow Reports of the African Commission on Human and Peoples' Rights: 23 October 2022: After consultations with relevant stakeholders and with the support of partners supporting the work of the African Commission, the Centre, International Commission of Jurists (Kenya) and Equality Now supported the African Commission in drafting a set of Guidelines for drafting and submitting Shadow Reports. The

Guidelines were adopted by the African Commission during the 72nd Ordinary session held from 19 July to 2 August 2022. The Guidelines were officially launch at the 73rd Ordinary session.

The Centre State Reporting Advocacy Panel Discussion on State Reporting: 73rd Ordinary Session of the African Commission: 22 October 2022: The Panel was to discuss the state reporting obligation of member states in terms of the Maputo Protocol. Panellists sought to re-emphasise the importance of State Reporting under the Maputo Protocol to the realization of the rights of women in Africa and to encourage member states and other stakeholders to play their role in ensuring states report as required.

Ad Hoc Technical support to the Special Rapporteur on the Rights of Women in Africa: The WRU assigns a Programme

Officer dedicated to providing support to the office of the SRRWA. This Program Officer continuously provided required support to this office in the year.

Judicial Colloquium for ECOWAS Court Judges and African Commission on Equality: 29-30 November 2022

The WRU hosted a judicial colloquium on equality jurisprudence from the African Commission and the ECOWAS Community Court of Justice. The use of the available judicial and quasi-judicial mechanisms for the advancement of human rights is an avenue that holds potential for African women to realise their rights and ensure state accountability for violation. On this basis, ensuring that the pronouncements of these bodies are in line with the spirit, purpose and objectives of the African Charter generally, and the Maputo Protocol

specifically, is a necessary element to realising the full potential of these bodies. This judicial colloquium was the first of a series of colloquiums covering substantive aspects of women's rights and has the potential to be a truly transformative intervention for the advancement of women's rights on the continent. The WRU was supported by the Litigation Unit.

SOAWR Coalition Southern Africa Cluster Coordination

The SOAWR Coalition is a network of organizations working on promoting women's rights in Africa. It works to promote the ratification and implementation of the Maputo Protocol. The Centre through the WRU serves as the coordinator of the Southern Africa Cluster. In this capacity, several meetings were coordinated intended to plan and execute joint activities within the cluster.

Outcomes and impact

Overall, the WRU has disseminated information to create awareness on rights of African women as enshrined in the Maputo Protocol and the role of various stakeholders at the domestic level to ensure there is implementation of these treaty rights, monitoring of state compliance and steps taken to hold the state accountable for failure to meet their state obligations to women.

Outputs achieved in 2022 are:

- Create awareness of and enable collaboration between states and civil society on the implementation of the Maputo Protocol and the African Charter.
- Building of states to develop state reports in line with the guidelines set out by the African Commission and civil society organisations to participate in the shadow reporting process and the African Commission's open sessions in line with clear guidelines.

- Support the mandate of the SRRWA in raising awareness on the implementation and promotion of the Maputo Protocol.
- Increase knowledge on the regional and international law frameworks on the rights of women in Africa with the states, civil society, members of judicial and quasi-judicial entities tasked with interpreting the Maputo Protocol.

Partnerships

Ethiopia Human Rights Commission; Great Lakes Initiative on Human Rights and Democracy (GLIHD); International Commission of Jurists (Kenya); Equality Now; Moremi Initiative (Ghana)

Donors

Wellspring Philanthropic Fund; Norwegian Ministry of Foreign Affairs, through the Royal Norwegian Embassy, Pretoria; Embassy of Ireland; GIZ; SOAWR Coalition; European Union



Publications *2022*

PUBLICATIONS

PUBLICATIONS SECTION

The Centre in 2022 for the first time formally established a Publications section, with Dr Trésor Makunya as the first Publications Coordinator. He received the support of different individuals at different stages and for different projects. Janet Gbam, doctoral student with the Centre, acted as a co-editor of the *African Human Rights Yearbook*.

As part of the Centre's overall vision to improve the accessibility and popularisation of key human rights documents and the quality of human rights education, research and teaching in Africa and beyond, the publications team coordinates the publication of open access documents of the Centre and that of its institutional partners.

In close collaboration with the Pretoria University Law Press (PULP), the section manages the annual publication of the African Court Law Reports, the *African Human Rights Yearbook* and ensures that compendiums of key human rights instruments are published in different languages. The publications section helps to position the Centre as the leading research institute on human rights issues in Africa and the world. At the African Commission's 73rd Ordinary Session, a number of the Centre's publications, including Roadmaps to ratification, were made available. A baseline survey of the impact of PULP's publications was undertaken.

Initiatives in 2022 include:

- Developing an article-by-article *Commentary to the Maputo Protocol*, to be published in 2023
- Revision of the English, French and

Arabic *Compendium of key human rights documents of the African Union* (updates as at June 2022)

- Preparing and working on the African Commission's *Compendium of Key African Commission Documents* (Commemorative Compendium)
- The African Court Law Report was printed and distributed; preparing and working on the African Court Law Report Volume 4 and Volume 5; the first formatted draft of the African Court Law Report, French, Volume 4 was produced.
- *African Human Rights Yearbook* (Volume 6) was prepared.

Donors

Wellspring Philanthropic Fund; Norwegian Ministry of Foreign Affairs, through the Royal Norwegian Embassy, Pretoria.

PRETORIA UNIVERSITY LAW PRESS

Lizette Hermann was the Manager of the Pretoria University Law Press (PULP). She was assisted by **Sydney Mdhlophe** and **Liesl Hager**.

PULP, an independent press based in the Centre, 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

<https://www.pulp.up.ac.za>



Lizette
Hermann



Sydney
Mdhlophe



Liesl
Hager

Some of PULP's titles have had more than 6000 downloads since their publication and most have more than 3000 downloads. During 2022, PULP published 14 titles. It also published annually, and published in 2022, five law journals: the *African Human Rights Law Journal*, *De Jure Law Journal*, the *Pretoria Student Law Review*, the *African Disability Rights Yearbook* and the *African Human Rights Yearbook*. Of these, 4 are available as fully open-access, online journals. PULP also accepted a new journal in collaboration with the Faculty of Law, University of Lagos, called the *African Journal of Privacy and Data Protection* of which the first edition will be produced in 2023.

Various PULP book launches took place. A collection of essays *A life interrupted: Essays in honour of the lives and legacies of Christof Heyns*, containing 38 contributions, was published and

launched on 10 January 2022 (See <https://www.pulp.up.ac.za/catalogue/edited-collections>)

In May 2022, PULP in partnership with African Forum and Network on Debt and Development (AFRODAD) and Afronomicslaw presented the virtual book launch of *COVID-19 and Sovereign Debt*, edited by Danny Bradlow and Magalie Masamba. This publication was also published in French, with the Portuguese version in production.

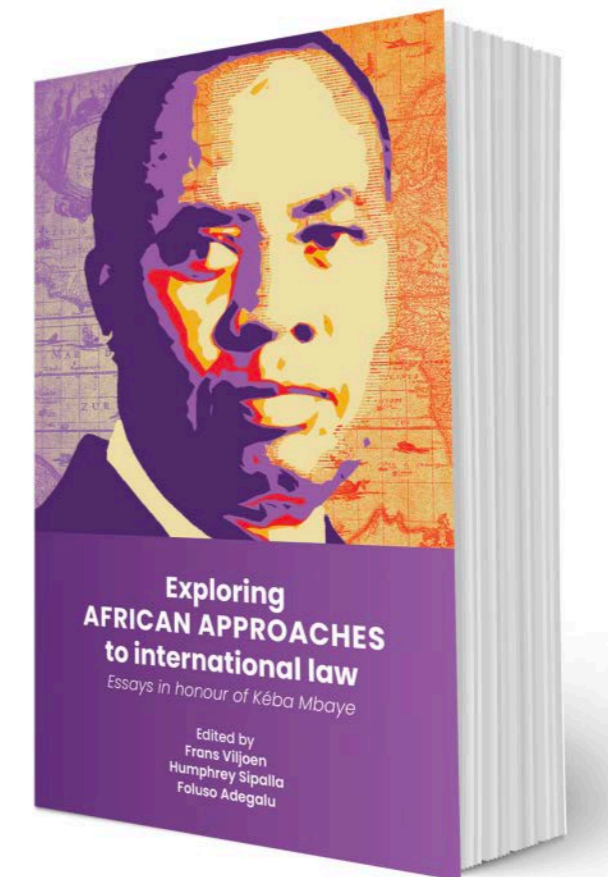


VIRTUAL BOOK LAUNCH

Portuguese & French Translations
COVID-19 and Sovereign Debt,
edited by

Daniel D. Bradlow
Magalie L. Masamba

Pretoria University Law Press
PULP
www.pulp.up.ac.za



Various publications were produced and launched during the 73rd Ordinary Session of the African Commission in Banjul, The Gambia. One of these was the *Commemorative edition of African human rights instruments of the 35th anniversary of the African Commission on Human and Peoples' Rights 21 October 1987-2022* edited by Honorable Rémy Ngoy Lumbu (Chairperson African Commission on Human and Peoples' Rights) in 4 languages.

In November 2021, PULP co-hosted a virtual book launch with the Kabarak School of Law of *Exploring African approaches to international law: Essays in honour of Kéba Mbaye*, edited by Frans Viljoen, Humphrey Sipalla and Foluso Adegalu. The book focuses on exploring African approaches to international human rights issues such as international legal theory, international human rights law, international

environmental and criminal law and international pedagogy. The book is a product of presentations from the academic conference on African Approaches to International Human Rights Law which was hosted by the Centre in December 2018.

PULP awarded the second Christof Heyns memorial thesis award to the winning thesis, by Dr Macaulay Chairman Okoloise, titled 'The role of the African human rights system advancing corporate accountability in the extractive industries' and was completed under the supervision of Professor Magnus Killander. The degree was awarded by the University of Pretoria. The runner-up thesis, by Dr Irene Thomas, is titled 'The application of the principle of complementarity in the relationship between the African Court and the African Commission under the regional

African human rights system' and was completed under the supervision of Professor Annika Rudman. The degree was awarded by the University of Stellenbosch.

During 2022, PULP's editorial committee was convened by Prof Charles Fombad. Its other members were Lizette Hermann (PULP Manager); Prof Frans Viljoen (Director, Centre); Prof Gustav Muller (Department of Private Law, Faculty of Law, University of Pretoria); Prof Magnus Killander (Centre); Dr Martha Bradley (then Lecturer, Department of Public Law, Faculty of Law, University of Pretoria); Dr Sanele Sibanda (Senior lecturer in the Department of Jurisprudence, Faculty of Law, University of Pretoria); Dr Tshepiso Scott (Lecturer in the Department of Mercantile Law, Faculty of Law, University of Pretoria); Dr Yvonne Jooste (Department of Jurisprudence,

Faculty of Law, University of Pretoria); Dr Trésor Makunya (then Postdoctoral Fellow and the Centre's Publications Coordinator); and Prof Serges Kamga (then Professor of Human Rights Law, Thabo Mbeki African School of Public and International Affairs, University of South Africa).

Association
entifies

ASSOCIATED ENTITIES

INTERNATIONAL DEVELOPMENT LAW UNIT (IDLU)

In 2022, the International Development Law Unit (IDLU) was headed by **Professor Danny Bradlow**, with **Ada Asad** as the Administrative Assistant. Two postdoctoral fellows were also based at IDLU, **Dr Jonathan Kabre** and **Dr Magalie Masamba**. **Marie-Louise Aren** was a research assistant in the Unit.

INSTITUTE FOR INTERNATIONAL AND COMPARATIVE LAW IN AFRICA (ICLA)

Prof Charles Fombad was the Director of ICLA, and was assisted by Pumeza Matwa as Administrative assistant. The other academic staff at ICLA were: **Professors, Dire Tladi, Corlia van Heerden, Niek Grove, Stuart Casey-Maslen, Jann Kleffner** and **Dr Thomas Probert**. **Professors Casey-Maslen** and **Jann Kleffner** are extraordinary and honorary professors, respectively, at the Centre, while **Dr Probert** is an extraordinary lecturer. Other members consist of researchers such as **Dr Lukman Abdulrauf, Dr Thompson Chengeta, Simon Mateus**, and two post-doctoral fellows, **Dr Samson Dabire** and **Dr Johannes Socher**. ICLA manages the Freedom from Violence project which aims to bring together human rights and public

health-based approaches towards the problem of violence, particularly on the African continent. ICLA's Freedom from Violence project also manages a **website on Police use of Force** and **the Right of Assembly**. ICLA co-organises the National Schools Moot Court Competition, and conducts various research projects. Professor Fombad annually organises the Stellenbosch Annual Seminar on Constitutionalism in Africa (SASCA). This year's SASCA seminar on the theme "Constitutional change and constitutionalism in Africa" took place in Stellenbosch from 13-16 September 2022. The keynote addresses were delivered by Dr Osy Eekesili, a former Vice President of the World Bank, and Professor Babacar Kante, a former Vice President of the Constitutional Court of Senegal. Two notable milestones of ICLA in 2022, was the awarding to Prof Fombad of the University of Pretoria's 2021



Chancellor Award for Research and the election of Prof Dire Tladi as Chair of the UN International Law Commission.

CENTRE SERVED AS SECRETARIAT TO THE AFRICAN COALITION FOR CORPORATE ACCOUNTABILITY

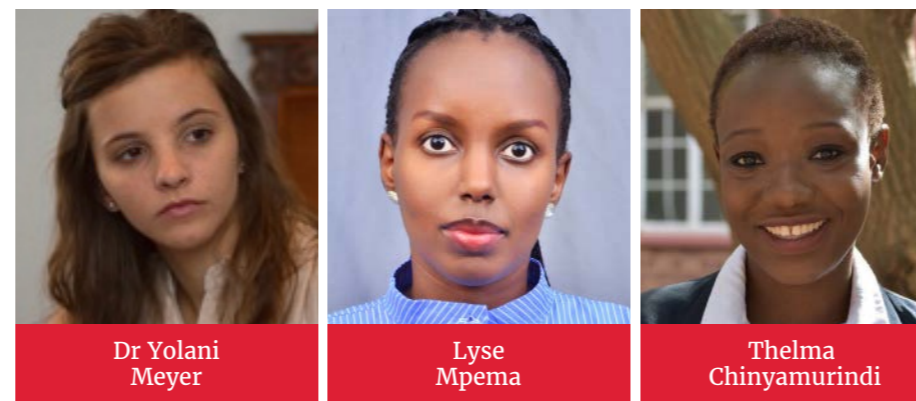
In 2022, the African Coalition for Corporate Accountability (ACCA) Manager was **Dr Yolani Meyer** and **Lyse Mpema** Communications was the Coordinator Membership and Communication. Lyse also acted as Manager for a prolonged period of time when the position was vacant, holding the ACCA reins very competently. **Thelma Chinyamurindi** was an intern with ACCA.

ACCA is a coalition of organisations based in Africa supporting communities, and individuals whose human rights are adversely impacted by business activities on the continent.

The ACCA secretariat is hosted by the Centre and is partly under the supervision of the Business and Human Rights Unit Manager. The main objective is to strengthen the capacities and cooperation among African CSOs working on business and human rights and corporate accountability and enhance the protection and respect for collective and individual rights in relation to the activities and relationships of business enterprises. In 2022, the ACCA secretariat organised a hybrid ACCA General Assembly, which was held in Lilongwe, Malawi. Acca worked on four thematic streams: Access to remedy; free, prior and informed consent; Chinese Investment in Africa; and a binding UN treaty.

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True Cost Initiative; Open Society Foundations; Ford Foundation



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