

Centre for Human Rights



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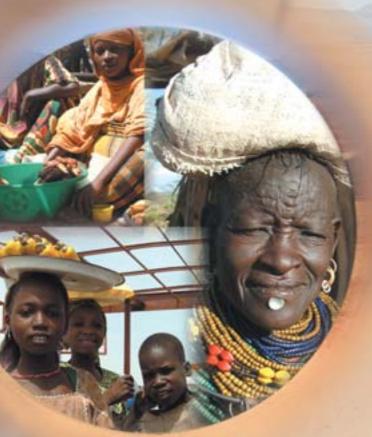
Introduction

The year 2003 saw the consolidation and expansion of several projects at the Centre for Human Rights, as reflected in these pages.

The Centre now has a strong focus on academic issues, and in addition to Master's Programmes and courses, an increasing number of publications on human rights law in Africa is emanating from the Centre.

My sincere thanks go to the staff of the Centre for their hard work and dedication; to the donors for their loyal support, to our partners around the world and to the Faculty of Law of the University of Pretoria, for the enabling environment in which we operate.

Christof Heyns Director



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Mary Robinson

Executive Director, Ethical Globalization Initiative, former United

Nations High Commissioner for Human Rights

Judge Johann Kriegler

Retired judge, Constitutional Court, South Africa

Moot Court

African Human Rights Moot Court Competition The Twelfth African Human Rights Moot Court Competition was held at the Catholic University of Central Africa, Yaounde, Cameroon, from 4 to 9 August 2003. The Moot brought together students and lecturers from 64 law faculties representing 28 African countries,19 being French-speaking. Each faculty was represented by two students and a lecturer.

After registration on the morning of 4 August, the opening ceremony was held in the International Conference Centre in Yaounde and was formally opened by the Minister of Higher Education of Cameroon. Speeches were also delivered by Father Oscar Eoné Eoné, the Rector of the Catholic University of Central Africa, and Prof Christof Heyns, Director of the Centre for Human Rights.

The competition itself takes the form of preliminary rounds in which the faculty representatives are constituted into benches of between three and five judges each and assigned to specific "courtrooms". The teams of two students each then argue the case four times over the next two days, twice for the Applicant and twice for the Respondent. The students are evaluated on their oral performance including their ability to answer questions from the judges, as well as on their presubmitted written arguments.

The preliminary rounds are conducted in the two official languages of the competition: English and French, each team of students arguing in a separate court in its first language.

On Wednesday 6 August, the oneday training course on "The International Protection of Human Rights" which is compulsory for all participating students, was presented. The following lectures were presented:

English

- Introduction to international human rights: Basic concepts.
 The African system of human rights protection: retrospective and future perspective - Prof Michelo Hansungule - Centre for Human Rights, University of Pretoria.
- The Inter-American system for the protection of human rights: - Dr Jean Allain - Department of Political Science, American University in Cairo.

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Moot Court

- The European system for the protection of human rights *Mr Wolfgang Strasser* Assistant Registrar, European Court of Human Rights, Strasbourg, France.
- The UN system for the protection of human rights **Dr Sihaka Tsemo** Representative of the UN High Commissioner for Human Rights in Southern Africa.

Français

- Introduction à la protection internationale des droits de l'homme: aspects fondamentaux: Le système africain de protection des droits de l'homme - **Prof Jean Didier Boukongou** - Université Catholique d'Afrique Centrale, Yaoundé, Cameroun
- Le système européen de protection des droits de l'homme **Wolfgang Strasser** Adjoint au Greffier, Cour européenne des droits de l'homme, Strasbourg.
- Le système interaméricain de protection des droits de l'homme - **Dr Jean Allain** - Département de Science Politique, Université Américaine au Caire.
- Compétence universelle et nouveaux tribunaux **Prof Alain Didier Olinga** Institut des Relations Internationales du Cameroun (IRIC).
- Le système onusien de protection des droits de l'homme **Dr Sihaka Tsemo** Représentante du Haut Commissariat des Nations Unies aux Droits de l'Homme en Afrique australe.

On Friday 8 August, the moot court excursion took the participants to Kribi where they spent the day at the beach.

The final round, which was held on Saturday 9 August, opposed the best four teams from the preliminary rounds, two from the English rounds and two from the French rounds. They were then newly reconstituted into two teams of four students each: one anglophone and one francophone team on each side. By draw of lots, they chose which side of the case they would argue. They were:

Applicant:

Université de Cocody Abidjan (Côte d'Ivoire) and the University of Natal Durban (South Africa)

Respondent:

Université Dschang (Cameroon) and the University of Nairobi (Kenya)

The finalists are evaluated exclusively on their oral arguments in this phase of the competition. The judges were:

- Prof Paul Gérard Pougoué, Vice-Rector of the University of Yaounde II
- Justice Sandile Ngcobo, Judge, Constitutional Court of South Africa
- **Dr Sihaka Tsemo**, Regional Representative of the UN High Commissioner for Human Rights
- Dr David Padilla, Fulbright Professor
- Mr Wolfgang Strasser, Deputy Registrar of the European Court of Human Rights
- **Prof Michelo Hansungule**, Centre for Human Rights
- Ms Florence Mukamugema, Faculty of Law, National University of Rwanda

The competition was won by the combined team for the Applicant.

After twelve years, the Moot Court has developed a life of its own. It is the biggest meeting of young African lawyers around the theme of human rights. It is also the only event in Africa, outside the meeting of University Rectors and Principals, to bring together so many African universities. The students who arrive at the Moot have been selected from a pool of students who took part in a selection process. This means that many students, at law faculties across Africa, get to study the hypothetical case and master the African Charter.

The Moot Court was covered by the media both in Cameroon and South Africa. Much research is done by the students to prepare their arguments and comments from judges in the preliminary rounds indicate that the standards are very high.

The Moot Court competition has established itself as an outstanding vehicle for teaching human rights in Africa and is a regular feature on the calendar of law faculties in Africa, with over 1,000 past participants and approximately 5,000 others who have researched and argued the hypothetical cases over the years.

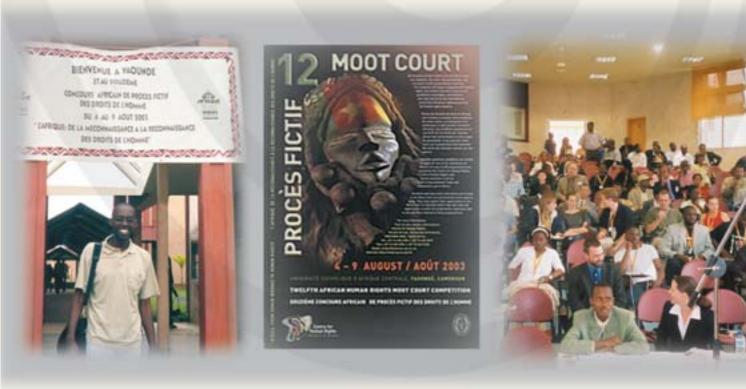
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The Moot Court is administered by Norman Taku, Martin Nsibirwa, Jeremie Uwimana and Gill Jacot Guillarmod.

The organisers would like to acknowledge the financial contribution of the following sponsors:

- French Embassy, Cameroon
- Canadian Embassy, Cameroon
- Raoul Wallenberg Institute for Human Rights and Humanitarian Law, Sweden
- British High Commission, Pretoria
- United Nations Foundation, United States of America
- Attorneys' Fidelity Fund, South Africa
- Foundation for Human Rights, South Africa
- Billiton, South Africa



LLM

Human Rights and Democratisation in Africa The Centre for Human Rights at the University of Pretoria, in partnership with the American University in Cairo (Egypt), the Catholic University of Central Africa (Cameroon), the University of Ghana, Makerere University (Uganda) and the University of the Western Cape (South Africa), presented the Master of Laws (LLM) in Human Rights and Democratisation in Africa for the fourth consecutive year in 2003. Since the inception of the programme, the number of applications received has steadily increased. In 2003, 28 students (from 270 applications) representing 13 African countries (14 women and 14 men) were admitted to study for the degree.

The students spent the first six months at the University of Pretoria where they attended formal lectures presented by experts in human rights from around the world. The students also undertook practical exercises to test their knowledge in real-life situations.

Besides human rights lectures, the students attended courses on political science, good governance and public international law. All students did either an intensive introductory French or advanced English course, depending on their language background.

The class visited Rwanda for two weeks to learn about the 1994 genocide in that country. They met senior Rwandese politicians and officials of the Office of the Prosecutor of the International Criminal Tribunal for Rwanda (ICTR). They visited genocide sites and memorials, interacting with both the victims (survivors) and the perpetrators.

During the first six months in Pretoria, the students visited other places of interest including the South African Apartheid Museum and the Constitutional Court.



Human Rights and Democratisation in Africa

In May 2003, all the students spent a weekend on Robben Island to defend their dissertation proposals before a panel of academics from the partner institutions and other invited guests, including Judge Johann Kriegler of the Constitutional Court of South Africa.

In June the class was divided into six groups, one of which remained at the University of Pretoria for the second semester. Each of the other five groups spent the second semester at one of the partner universities, where they did course work, served practical attachments at human rights organisations and completed their dissertations under the supervision of a lecturer in the host faculty.

Following the successful completion of the programme, some of the students have been selected to serve internships lasting from three months to one year. The host institutions include the African Commission on Human and Peoples' Rights, the International Criminal Tribunal for Rwanda, CIVICUS: World Alliance for Citizen Participation, the Institute for Security Studies and the International Bar Association. Two students have been selected to study for a Doctor of Laws (LLD) degree at the Centre for Human Rights.

The Centre for Human Rights facilitates regular contact between past students of the course, establishing an important network of human rights lawyers on the continent. Together they constitute a significant resource tool for human rights research and advocacy in Africa.

The LLM is administered by Martin Nsibirwa, Norman Taku and Jeremie Uwimana.

The programme was funded jointly by:

- European Union
- Raoul Wallenberg Institute for Human Rights and Humanitarian Law, Sweden
- · Royal Netherlands Embassy in Pretoria
- Deutscher Akademischer Austauschdienst (DAAD)

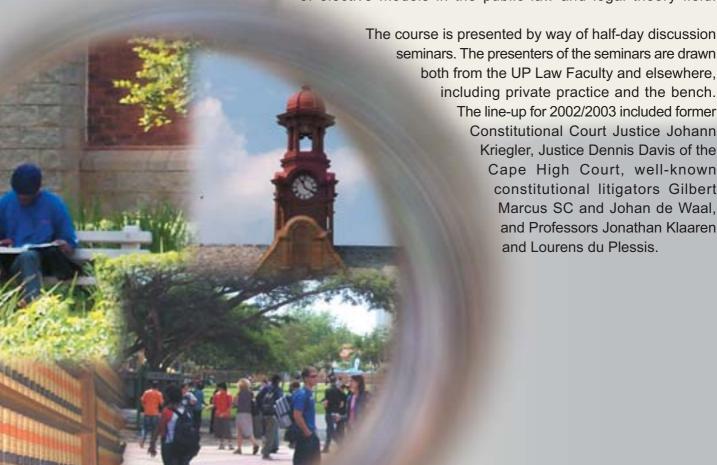


LLM

Human Rights and Constitutional Practice

The LLM in Human Rights and Constitutional Practice is the oldest LLM presented by the Centre for Human rights and is now entering its tenth year. This LLM was originally intended to provide an opportunity for practitioners and others who have completed their undergraduate legal studies without having encountered human rights law before to become acquainted with South African human rights law in a practical fashion. The course has since evolved into one of the premier LLM courses on South African human rights law. Although the student body is drawn from a much more diverse pool than before, including a mix of full-time LLM students who have just completed their LLB degrees, students working in the NGO field and students from the Bar and Side Bar, the course retains its practical focus.

The course consists of four lectured modules, each with a substantial research component included. Three modules - on international human rights law, on the operational provisions of the Constitution and Bill of Rights, and on the impact of the Bill of Rights on the existing law respectively - are compulsory. For the final module, students can choose between a number of elective models in the public law and legal theory field.



LLM

International Trade and Investment Law in Africa In 2003 the Centre launched a Master of Law (LLM) degree in International Trade and Investment Law in Africa. The University of Pretoria and the University of the Western Cape present this degree in partnership with Makerere University in Uganda, The Washington College of Law at the American University in the United States and the University of Amsterdam in the Netherlands.

The first intake of students on the programme were welcomed in January 2003 at the University of the Western Cape. In July 2004 the University of Pretoria welcomed its first intake of students. More than 150 applications from across Africa were received for each intake. Of the 17 students selected for the first intake, eight African countries are represented (Ethiopia, Ghana, Kenya, Malawi, South Africa, Tanzania, Uganda and Zimbabwe) and one European country (Germany). The second intake saw 12 students being selected from 10 African countries (Cameroon, Ethiopia, The Gambia, Malawi, Nigeria, Rwanda, South Africa, Tanzania, Uganda and Zimbabwe).

During the first semester in South Africa (the second semester is spent at one of the overseas partner universities), students attended lectures given by leading academics, specialists in the field, practising lawyers and representatives from South African institutions including the Department of Trade and Industry and the South African Reserve Bank.

The full-time curriculum is based on interactive learning and simulation exercises that provide a general framework of both international and regional (African) law. The various topics include the WTO and the regulation of international trade, regional trade agreements, intellectual property law, international finance and investment, dispute settlement, international business transactions, etc. The second semester at an overseas partner university is aimed at channeling the first semester curriculum in a specialist direction. The students also have to submit a dissertation for completion of the course.

In December 2003, eight students completed their second semester at the American University under the guidance of Prof Danny Bradlow, and one student at the University of Amsterdam. Seven of these students graduated from the University of the Western Cape in March 2004. The remainder of the January 2003



Trade and Investment Law in Africa

students and those from the second intake will complete their degrees at the University of Amsterdam in May 2004, under the guidance of Prof James Mathis. They will graduate at the University of the Western Cape in September 2004 and the University of Pretoria in December 2004 respectively.

Programme highlights in South Africa included visits to the Johannesburg Stock Exchange, the Johannesburg Development Agency, local law firms, the Constitutional Court of South Africa, the Apartheid Museum and Robben Island. A number of students also had the opportunity to attend conferences and workshops on international trade and investment while in South Africa and two of them delivered papers at an international conference that focused on the relationship between the EU and Africa. In America, students met with the Assistant US Trade Representative dealing with Africa.

In October 2003, the LLM students at the University of Pretoria organised a public discussion on the Multilateral Trading System and Developing Countries. The panel of guest speakers included Xavier Carim (South Africa Chief Negotiator), Allan Tousignant (Trade Attaché, US Embassy, Pretoria), Peter Draper (South African Institute of International Affairs) and Riaz Tayob from the Southern and Eastern African Trade Information and Negotiations Initiative (SEATINI). Students are already reaping the benefits of their

academic training. A student from Malawi was part of the Malawian delegation to the WTO Ministerial Meeting in Cancun, Mexico in 2003. At the request of his government, Zimbabwe, another student spent an internship period working as part of an initiative to revive Trade and Foreign Investment in that country. Yet another student was employed by the High Court in Cape Town, South Africa. Five more students have completed three-month internships at various relevant organisations in South Africa, including the Trade Law Centre (Tralac) in Stellenbosch, the Western Cape Investment and Trade Promotion Agency (Wesgro), the Investment and Trade Policy Centre in Pretoria and the South African Institute of International Affairs (SAIIA), Pretoria.

The LLM is administered by Loretta Feris and Deborah Theron.

The programme is funded by a three-year grant from the Carnegie Corporation of New York, who by way of the same grant also finance a parallel Master's degree in Commerce (MCom) in Trade and Investment presented jointly by the Departments of Economics at the University of Pretoria and the University of the Western Cape. The EU/ACP is funding second semester costs at the University of Amsterdam for the first and second intake of students. They are also providing support for the internship programmes after graduation.



African Human Rights Law Journal

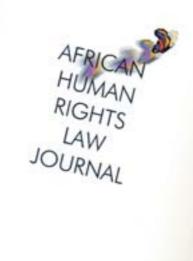
The African Human Rights Law Journal appears twice a year. Launched in March 2001, six editions have now been published. The Journal publishes contributions dealing with human rights related topics of relevance to Africa, Africans and scholars of Africa. In the process, the Journal aims to contribute towards an indigenous African jurisprudence. The Journal is edited by Frans Viljoen and Christof Heyns and is funded by the European Union.

The AHRLJ and the AHRLR are published by Juta.
To order, contact:
Juta Law Customer Services
Tel: +27 21 763 3600

Fax: +27 21 761 5861

During 2003 the following articles were published:

- The African Commission on Human and Peoples' Rights and the exhaustion of local remedies under the African Charter *Henry Onoria*
- Election management bodies in Africa: Cameroon's 'National Elections Observatory' in perspective Charles Manga Fombad
- Freezing the press: Freedom of expression and statutory limitations in Botswana *Bugalo Maripe*
- A schematic comparison of regional human rights systems Christof Heyns, Wolfgang Strasser and David Padilla
- Economic integration and human rights in Africa: A comment on conceptual linkages Sisule Fredrick Musungu
- The normative and institutional framework of the African Union relating to the protection of human rights and the maintenance of international peace and security: A critical appraisal Kithure Kindiki
- Bringing communications before the African Commission on Human and Peoples' Rights Sabelo Gumedze
- The right to a satisfactory environment and the African Commission - Kaniye SA Ebeku
- Considering the interpretation and implementation of Article 24 of the African Charter on Human and Peoples' Rights in light of the SERAC communication *Morne van der Linde and Lirette Louw*
- Human rights litigation in Zimbabwe: Past, present and future Adrian de Bourbon
- The Pan-African Parliament of the African Union: An overview Konstantinos D Magliveras and Gino J Naldi
- The conflict in the Democratic Republic of Congo and the protection of rights under the African Charter Andre Mbata B Mangu
- Enforcement of international humanitarian law in Nigeria *Jide James-Eluyode*
- Police accountability in Kenya Joshua N Auerbach
- The case of The State of Egypt v Saad Eddin Mohammed Ibrahim Curtis FJ Doebbler
- Report of the second ordinary session of the African Committee of Experts on the Rights and Welfare of the Child - Amanda Lloyd



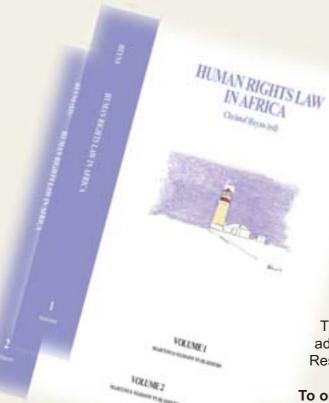


The African Human Rights Law Reports

The African Human Rights Law Reports, prepared for publication during 2003, contains legal decisions of relevance to human rights in Africa. The Reports will be published annually, starting in 2004 with the first volume for 2000, covering decisions and judgments up to 31 December 2000. The Reports cover a selection of United Nations cases (heard by the UN treaty monitoring bodies), African Union cases (the decisions of the African Commission on Human and Peoples' Rights and in the future also the African Court on Human and Peoples' Rights) and selected domestic cases decided by African courts. The editors are Christof Heyns, Frans Viljoen and Michelo Hansungule.

All findings of the African Commission decided before 31 December 2000 have been included in the first volume.

The financial assistance of the Commonwealth Secretariat and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law is gratefully acknowledged. The French version of these *Reports* will be published by the Institute for Human Rights and Development in Africa, Banjul, The Gambia.



Human Rights Law in Africa

Human Rights Law in Africa is an evolving reference work. It is edited by Christof Heyns and Morné van der Linde and published by Martinus Nijhoff. The book covers the human rights activities of the UN in Africa, the OAU/AU, and the national legal systems of 53 African countries. Four volumes have already been published: for 1996, 1997, 1998 and 1999. A consolidated edition, covering up to 2002, comprising 1700 pages was completed in 2003 and will be available in early 2004. The 1998 and 1999 volumes have also appeared in a separate, parallel French edition, published by Bruylant (Brussels) and edited by Paul Tavernier.

The HRLA is funded by the Raoul Wallenberg Institute with an additional grant from the French Government through the National Research Foundation.

To order, contact:

Martinus Nijhoff Publishers, Brill Academic Publishers, Plantijnstraat 2, 2321 JC Leiden. PO Box 9000, 2300 PA Leiden. Tel: + 31 71 535 3516, Fax: + 31 71 531 7532

Good Governance Programme

The Good Governance Programme consists of a series of advanced courses presented by the Centre for Human Rights on an annual basis. It attempts to establish a culture of good governance and a respect for the rule of law with human rights at its core across the region.

These courses have been developed by the Centre for Human Rights over the last four years, with significant participation from decision-makers across Africa, and lecturers who are internationally recognised as leaders in their field. The strategic location of the Centre for Human Rights based at the University of Pretoria gives this institution an ideal opportunity to make significant contributions to the development of human capacity and the implementation of principles of good governance across the continent.

The Centre has previously presented courses in co-operation with institutions such as the International Committee of the Red Cross, the Department of Public Law (University of Pretoria), the South African Branch of the International Law Association (SABILA), the School of Public Administration (University of Pretoria) and the School of Information Technology (University of Pretoria). Current long-term partner institutions on the GGP include the Raoul Wallenberg Institute (Sweden), the International Committee of the Red Cross (South Africa), and the Norwegian Institute for Human Rights

(Norway).

In addition to our partner institutions, the GGP has a strong collaboration with the Southern African Development Community (SADC), the African Union, the World Intellectual Property Organisation, the Treasury (SA) and other prominent organisations.

During 2003, close to 400 participants attended courses presented by the GGP. Although participants were mainly from Africa, a number of participants were representative of Europe, India, Canada and the USA.

All courses cover the main principles relating to the respective fields they address, but seen from a specifically Southern Africa perspective, focusing on the issues of relevance in the subregion.

Good Governance Programme

Courses presented during 2003 include:

- International Law (January)
- Human Rights in Africa (February)
- The Management of Human Rights Institutions (March)
- Election Observation (May)
- Socio-economic Rights (June)
- Commonwealth Workshop for National Human Rights Institutions for Southern and Eastern Africa (June)
- Good Governance (July)
- The Management of HIV and AIDS (August)
- Gender Equality in Africa (September)
- The Management of International Criminal Prosecutions (October)
- All-Africa Course on International Humanitarian Law (November)
- Development and Human Rights (December)
- Conference on the Environment: The Needsassessment and Planning Meeting for the SADC Region (December)

The Centre for Human Rights, in collaboration with the United Nations Environmental Law Programme (UNEP) and the Chief Justice of South Africa, Hon Justice Arthur Chaskalson, organised a three-day Consultative Meeting of the Chief Justices of countries in Southern Africa in Johannesburg from 7-9 December 2003. The Meeting was arranged in support of the

Governing Council of the UNEP decision which called upon the Executive Director of UNEP to, inter alia, 'Support, within the framework of the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century and within available resources, the improvement of the capacity of those involved in the process of promoting, implementing, developing and enforcing environmental law at the national and local levels such as judges, prosecutors, legislators and other relevant stakeholders.'

24 Judges from 13 countries in the SADC region attended the seminar which was addressed by several well-known international authorities in the field.

The GGP is administered by Cherryl-Lee Botterill, Morne van der Linde, Elwina Daniels and Pheeha Rambau.

The following institutions funded the GGP:

- Belgian Technical Cooperation
- Embassy of Belgium, Pretoria
- Foundation for Human Rights
- Royal Netherlands Embassy, Pretoria
- The Commonwealth Secretariat
- Royal Norwegian Embassy, Pretoria
- UNEP, Pretoria



Gender

2003 saw the Gender Unit moving in an exciting new direction. Aligning itself with the activities of the rest of the Centre and responding to the present human rights needs of women in Africa, the Unit concentrated on lobbying advocating for the adoption and early ratification of the Protocol to the African Charter on Human and Peoples' Rights on Women in Africa (Women's Protocol). Efforts were also made to encourage the effective participation of women in the structures and programmes of the African Union.

The Protocol was adopted by the African Heads of State and Government on 11 July 2003. The Gender Unit played a role in influencing the final text of the Protocol, as well as encouraging the adoption and dissemination of information regarding the Protocol. The Gender Unit hosted and participated in a number of information sessions, conferences, workshops, etc. which took place during the year in different parts of South Africa and the continent to introduce interested parties to the substance of the Draft Protocol and to explain the processes that would see a second Meeting of Experts finalizing the Draft Protocol, and the eventual tabling of the Draft Protocol for adoption by the AU Summit of Heads of State and Government. Adv Boogie Khutsoane and Adv Elize Delport were active participants at most of these events.

Adv Delport attended meetings in several countries across the continent, including Addis Ababa, Ethiopia, Niamey, Niger, Banjul, The Gambia, Maputo, Mozambique, Nairobi, Kenya and Libreville, Gabon.

- In Addis Ababa, at the conference organised by Equality Now on the evening of the second Meeting of Experts, the South African delegation was key to arguing for the opening of discussions on issues of substance.
- Adv Delport was invited to participate as a trainer in the course on the use of 'International Human Rights Procedures for the Promotion and Protection of Human Rights in Africa' which was held in Niamey, Niger.

Sandar Unit

- In The Gambia, she participated in the 34th Session of the African Commission and preceding activities.
- The Gender Unit was invited by Ms Graca Machel to collaborate in preparing and facilitating a women's pre-summit meeting, prior to the 2nd AU Summit in Maputo.
- In Nairobi, at the FEMNET organised follow-up meeting, an agreement was reached that the Centre would take a leading role in providing technical support to the Special Rapporteur and would be the focal point and work together with other women's organisations in the region.
- The Gender Unit participated in the NEPAD Secretariat's 'Gender and NEPAD Conference' in Libreville, Gabon, to explore and highlight the linkages between NEPAD and the Women's Protocol.
- The Gender Unit also participated in the Johannesburg NEPAD meeting on the African Peer Review Mechanism, where the main objective of the meeting was to develop questionnaires which were to be used to collect information for the APRM Panel when they go to countries on NEPAD missions.
- The Gender Unit also participated in a conference in Pretoria to discuss the Draft Statutes of the Economic, Social and Cultural Council of the African Union, as well as the Draft Code of Ethics and Conduct for

African Civil Society Organisations.

Adv Delport and Khutsoane also served on the Substance sub-committee of the Steering Committee for the South African Women in Dialogue conference organised at the University of Pretoria, Pretoria by the Spousal Office in the Office of the President. This event, attended by 600 women from all over South Africa, was hosted under the auspices of the First Lady, Mrs Zanele Mbeki. Adv Delport also delivered an address that focused on challenges for the future. In this address, she introduced the audience to the Draft Protocol.

- The Gender Unit participated in the first phase of the Raoul Wallenberg Institute (RWI) Advanced International Programme on the Equal Status and Human Rights of Women held in Lund, Sweden during September/October 2003. The Gender Unit is looking forward to hosting the second phase of this programme in Pretoria during April 2004.
- The Gender Unit has also participated in training courses organised by the RWI regional office in Nairobi, Kenya.

The Gender Unit is administered by Joelene Moodley and Melton Netshiombo.

The Gender Unit is funded by the Open Society of South Africa (OSISA) and the Ford Foundation.



SASVO

Southern African Student Volunteers Since it inception in 1993 at the Centre for Human Rights, SASVO has become one of the leading student volunteer development agencies in Southern Africa. In 2003 SASVO underwent major organisational changes, with the formation of the new partnership between the Centre for the Study of AIDS and the Centre for Human Rights. SASVO became a joint venture of the two centres in the second quarter of the year, with HIV/AIDS becoming a strong motivation for all SASVO projects.

Community Based Project Officers (CBPOs) were placed in the five provinces where SASVO currently conducts its activities, viz., Mpumalanga, Free State, North West, KwaZulu-Natal, and Limpopo. The placement of these officers was a strategic decision to anchor SASVO at the community level, to strengthen relationships with the communities in an effort to improve the quality of life in disadvantaged rural areas and to market SASVO. The officers were trained as trainers to enable them to organise and facilitate training workshops for rural communities.

SASVO embraces the principle of 50/50, meeting communities halfway. During their vacation periods the students continue to volunteer their time and skills by engaging with the communities in rural areas in development projects which improve the quality of life of the disadvantaged. This strategy aligns well with the Millennium Development Goals that were developed in September 2000 at the United Nations Millennium Summit.

The establishment of fruit and vegetable gardens and renovation of community buildings remains one of SASVO's main activities during holiday work camps.

A pilot project was undertaken during 2003, during which 17 student leaders from 10 different tertiary institutions from South Africa and the SADC region participated in a leadership training camp in the Free State Province in an effort to enhance their leadership skills. SASVO collaborated with Outward Bound on this project which was funded by the South Africa Norway Tertiary Education Development Programme. SASVO's activities during the year included:

14 HIV/AIDS awareness workshops were conducted in the five provinces where SASVO operates.

In KwaZulu Natal, classrooms were constructed at the following schools which were also fenced by SASVO student volunteers: Nkombabantu Primary School, Eshkwebezi Secondary School, and Ntombothi Primary School

Classrooms were built at the Manquzela Primary School, the Thaba Chicha Junior Secondary School, and the Lower Tsitsane Junior Secondary School in the Eastern Cape Province. Renovations and improvements were carried out at the Upper Mtumasi Junior Secondary School and the Sekuthlong Senior Primary School, also in the Eastern Cape Province.

10 CBPOs and 10 community members from the five provinces where SASVO operates attended a five-day training programme on gardening and farming, presented by the Tshwane University of Technology. The project officers identified a garden in each province where SASVO operates to be implemented by SASVO during future work camps.

SASVO / UNV Project

During 2003, the United Nations Volunteers finalised an agreement with SASVO to strengthen the volunteer management capacity within SASVO. The grant, which was endorsed by the Department of Social Development in November 2003, is for a three-year project that includes placement of two long-term international United Nations Volunteers (UNV) to work within SASVO for three years, to ensure effective and efficient implementation of the project.

The placement of the international United Nations Volunteer in the capacity of Programme Advisor coincided with the onset of the baseline survey for the project. The UNV Programme Advisor and the Programme Manager for SASVO worked with the team for this baseline survey. A preliminary report was presented to SASVO, UNV and UNDP.

Canada World Youth Exchange Programme

SASVO was involved in an exchange programme that involved Mozambique, South Africa and Canada. During the first phase a team of nine volunteers from South Africa and Mozambique spent three months in Canada working on development projects around the country. They returned to South Africa accompanied by a team of Canadian volunteers. Following an orientation programme at the University of Venda, the volunteers were placed with host families in Maungane Village, Limpopo Province.

As SASVO continues to flourish, the spirit of volunteerism amongst students in tertiary institutions in Southern Africa will continue to be promoted, to the benefit of South Africa's needy rural communities.

SASVO is administered by Simon Nedohe, David Mmbi and Jan Bezuidenhout.

SASVO is funded by CEPD SANTED, Canada World Youth, VSO, Alexander Forbes, Raoul Wallenberg Institute, Syfrets (Noakes Family Trust), SG Menell Trust, Caxton Group Ltd and Bidvest.



Integrated Bar Project

The Integrated Bar Project (IBP), has been growing steadily since its inception in 1989.

Three-week internships for senior black law students from all South African universities are organised at the country's largest law firms, and specialised internships are arranged at other institutions, such as the courts and the legal departments of commercial banks. Approximately 1,179 students have been placed on the programme since its inception.

During 2003, over 1,000 enquiries and 525 completed applications were received from the 21 law faculties in the country. A panel comprised of representatives from the Law Society of South Africa, Lawyers for Human Rights, the Fulbright Commission, Unisa and the Centre for Human Rights selected the students for the first phase at the law firms.

In July, 159 students were placed on three-week internships with law firms across the country. 14 of these students afterwards served additional internships with the Constitutional Court, High Courts and the legal departments of the largest commercial banks.

The IBP is administered by Carole Viljoen.

The IBP is funded by the Ford Foundation.

"My hopes for being an attorney | advocate have been strengthened by the IBP.

My love for the law has been fuelled by my experience and I would definitely do it again"

Linda Ramadi, University of Pretoria,
IBP 2003

Phillip C Jessup International Moot Court Competition

The South African National Rounds for the Philip C. Jessup International Moot Court Competition were hosted by the Centre for Human Rights at the University of Pretoria from 22-25 January 2003. The National Coordinators were Adv Morne van der Linde, Rose Lee and John Wilson from the Centre for Human Rights.

Ten universities participated in the National Rounds. The University of the Witwatersrand and the University of Potchefstroom competed in the final rounds which were held at the Constitutional Court in Johannesburg. The University of the Witwatersrand were declared the winners but both teams went on to represent South Africa at the International Rounds in Washington DC. Mr A. Friedman from Wits was judged the Best Oralist and the Best Spirit Award went to the University of the Transkei. At the conclusion of the National competition, Rose Lee from the Centre was invited by the Executive Director of the competition in the United States to be one of the coordinators in the International Rounds.

All universities who participate in the national rounds are permitted to enter the Hardy C. Dillard Competition for Best Memorials in Washington DC. The University of Pretoria came third in this competition. In the overall competition against 83 other universities in the world, the University of Potchefstroom came 22nd and the University of Witwatersrand came 36th.

African Human Rights Law Database

The African Human Rights Law Database is a developing project by the Centre with the vision of collecting all the journal articles, textbooks and other sources from prominent authors in the field of human rights law in Africa.

The collection is electronically indexed in Reference Manager, a software package by Microsoft which is equipped with functions that will allow the researcher to access the Database via the internet and create bibliographic formats which can be catered to one's own specifications and needs. Cite-as-you-write feature is also one of the major bonuses for writers of human rights law. No more tedious typing of references or errors in your bibliographies while writing an article, as the Database will generate it automatically.

The Database is fully referenced with a short abstract allowing researchers to obtain a short introduction to the article via the internet. The full text version is obtainable at the Centre for Human Rights Library, creating the optimal researching environment for scholars from all over the world.

CHRISTOF HEYNS

Books

Completed *Human rights law in Africa* (edited with Morné van der Linde), to be published by Martinus Nijhoff Publishers (2 volumes)

Chapters in books etc

Chapter on "African human rights law" for the *Handbook* on international human rights law, published by the University of Deusto in Bilbao, Spain, in Spanish

"The African Union" (2003) 46 *German Yearbook of International Law* 252-283 (with Evarist Baimu and Magnus Killander)

Articles

"A schematic comparison of regional human rights systems" (2003) 3 African Human Rights Law Journal 76-87 (with Wolfgang Strasser and David Padilla)

Teaching

Adjunct Professor at the Washington College of Law, American University in Washington DC

Taught in the LLM course in International Law at the University of Amsterdam and the MA (Human Rights) Mediterranean Master's Programme in Malta

Editorships

Editor-in-chief: African Human Rights Law Reports

Co-editor: African Human Rights Law Journal

Member of editorial boards

Netherlands Human Rights Quarterley

African Journal of International and Comparative Law

East African Journal of Peace and Human Rights

Board member

International Academic Council, United Nations Peace University (attended meeting in Stockholm)

Ethical Globalization Initiative, New York (attended meetings in Aspen, Colorado USA and Bellagio, Italy)

Advisory Council of the Academy for Human Rights, Washington College of Law, American University, Washington DC

Castan Centre for Human Rights Law, Monash University, Victoria, Australia

Fulbright Commission of South Africa

Conferences/Symposia

Presentation on "The capacity of the AU to do Peer Review", Institute for Strategic Studies, Pretoria Attended the Expert Meeting "Remedies for victims of violations of international humanitarian law" Amsterdam Centre for International Law

Attended "The United Nations High Commissioner for Human Rights: the First Ten Years", Columbia University, New York, USA

Presentation on SASVO to the Council of Education Ministers, Cape Town

NORMAN TAKU

Conferences

Attended the 34th session of the African Commission on Human and Peoples' Rights in May in Banjul, The Gambia.

MORNÉ VAN DER LINDE

Articles

"Considering the interpretation and implementation of article 24 of the African Charter on Human and Peoples' Rights in light of the SERAC communication" (2003) *African Human Rights Law Journal* 167-187 (with Lirette Louw)

MICHELO HANSUNGULE

Books

Tree Justice: An Overview of Informal Justice Systems in Africa with particular reference to GACACA justice system in Rwanda, to be published by Martinus Nijhoff Publishers, 260 pages

Case Law and Commentary of the Banjul Jurisprudence on Human and Peoples' Rights in Africa, to be published by Martinus Nijhoff Publishers, 350 pages

Constitutional Development in Zambia since 1964, published by University of Zambia Press, 273 pages

Articles

"Accountability in Post One-Party Dictatorships in Africa" International Commission of Jurists (ICJ) Kenya Section, 2003

"Structural Adjustment Programmes and their Impact on Poverty with particular reference on Zambia" Social Watch. No 8, 2003.

Castillade Correo 1539, Montevideo, Uruguay

"Land Tenure and Reform in Zambia" OXFAM Great Britain, 2003

"Accountability for Gross Violations of Human Rights in International Law: A Look at the TRC Experiences in South Africa", to be published by the Nkurumani Group as one of the articles for a book.

Teaching

Visiting Professor, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, University of Lund, Sweden. Taught LLMs and diploma students

Taught LLMs at Copenhagen University, Faculty of Law

Gave a public lecture on African Union: Prospects and Constraints, jointly hosted by University of Lund and Amnesty International, Lund

Taught LLMs at University of Jarkata, Indonesia

Fact Finding

Member of the International Commission of Jurists (ICJ) - Geneva Mission to Swaziland to collect facts and compile Report on the Rule of Law in that country

Observer on behalf of the ICJ - Geneva to the trial of Zimbabwe High Court Justice Blackie in Harare, Zimbabwe

One of the three members of the Fact-Finding Mission to the Democratic Republic of Congo (DRC) on the human rights and democratisation situation in that country on behalf of All Africa Women for Peace

LIRETTE LOUW

Articles

"Considering the interpretation and implementation of article 24 of the African Charter on Human and Peoples' Rights in light of the SERAC communication" (2003) African Human Rights Law Journal 167-187 (with Morné van der Linde)

Papers delivered

"Domestic effect of UN human rights treaties in Africa (including references to findings by treaty bodies)" at the Conference on the Impact of the Work of the United Nations Treaty Bodies on National Courts held in Turku, Finland

Conferences

Attended the 33rd session of the African Commission on Human and Peoples' Rights in May in Niamey, Niger

Attended the 34th session of the African Commission on Human and Peoples' Rights in November in Banjul, The Gambia

EVARIST BAIMU

Articles

"Amendment to the African Union's right to intervene: A shift from human security to regime security?" (2003) African Security Review 37 (with Kathryn Sturman)

Papers delivered

"Involuntary or enforced disappearance in Africa" at the Conference on Enforced Disappearance coorganised in February by the Humanist Committee on Human Rights and the Centre for Human Rights in Pretoria

Conferences

Inaugural conference of the International Network for Economic Social and Cultural Rights (ESCR-Net) in Chiang Mai, Thailand

Inaugural session of the African Peer Review Mechanism (ARPM) Panel of Eminent Persons and APRM Stakeholders Workshop in Cape Town

FRANS VILJOEN

Publications

"Homicide in defence of property in an age of constitution-alism" South African Journal of Criminal Justice (2003) 16(2) 121-136

Editorships

Editor-in-chief: African Human Rights Law Journal

Co-editor: African Human Rights Law Reports

Associate Editor: De Jure

LORETA FERIS

Chapters in books

"The Right to Access to Reproductive Health Care in the South African Constitution - A Real Victory for Women?" in Obioma Nnaemeka & Joy Ezeilo (Eds) Engendering Human Rights: Cultural and Socioeconomic Realities in Africa, St Martin's Press, New York (2003)

"Environmental Rights" in Christof Heyns & Danie Brand (eds) Socio-Economic Rights in South Africa: Analysis and Documents Protea Boekhuis, Pretoria accepted for publication

Conferences

"Protecting Traditional Knowledge through the National Management Biodiversity Bill: An Opportunity Missed". Paper presented at the annual meeting of the **Environmental Law Association**

Consultancies

Consultant to the Centre for Environmental Management (CEM), Potchefstroom

ANNELIZE NIENABER

Papers delivered

"Cross-cultural Perspectives on Informed consent and material inducement" at Yale International AIDS Summer Institute

Editorships

Journal of Contemporary Roman-Dutch Law & African Human Rights Law Journal

GABRIEL SHUMBA

Editorships

Student Assistant of the African Human Rights Law Reports

Papers delivered

"Police Brutality and Torture in Zimbabwe" to the Southern African Regional NGO Network in Lusaka

"Human Rights Documentation and Monitoring in Southern Africa" to the Truth and Reconciliation Commission of Lesotho

Articles

"A critical reflection on the 2002 presidential elections in Zimbabwe" (327-346) in African Human Rights Law Journal

Reports

The Centre for Human Rights' Election observation report on Madagascar's 2002 elections

A Model Human Rights Syllabus for South Universities in Co-operation with the University of Western Cape

ELIZE DELPORT

Conferences/Symposia

The Draft Protocol to the African Charter on Human and Peoples' Rights on the rights of Women in Africa - raising issues of substance and process. University of Pretoria

AU Draft Protocol on the Rights of Women Conference. Commission on Gender Equality

Draft Protocol to the African Charter on Human and Peoples' Rights of Women in Africa. Bisho, Eastern Cape

Draft Protocol to the African Charter on Human and Peoples' Rights relating to the rights of women in Africa, African Union, Addis Ababa

Gender and NEPAD Conference. Libreville, Gabon

11th Training course on the use of International Human Rights Procedures for the Promotion and Protection of Human Rights in Africa. Niamey, Niger

Attended the 33rd Ordinary Session of the African Commission on Human and Peoples' Rights. Niamey, Niger

Women's Pre-African Union Summit Meeting, Maputo, Mozambique

Consultative Workshop on Human Rights Advocacy hosted by the African Centre for Democracy and Human Rights Studies, Banjul, The Gambia

Attended the 34th Ordinary Session of the African Commission on Human and Peoples' Rights, Banjul, The Gambia

Papers presented

Panel Discussion Paper South African Women: Challenges for the future, South African Women in Dialogue, University of Pretoria, Pretoria

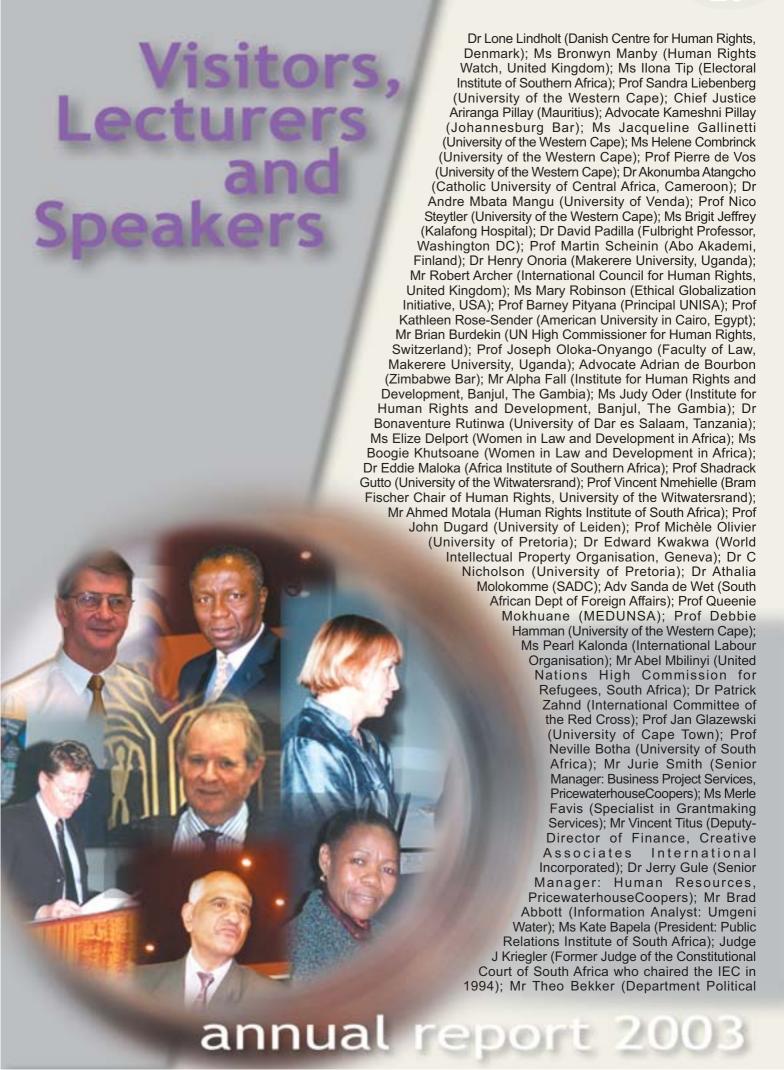
Teaching

Presented lectures on topics such as the Protocol on the Rights of Women in Africa, Gender mainstreaming in the African Union, Gender and the HIV/AIDS pandemic and the gender dimensions of the New Partnership for Africa's Development (NEPAD) at the East African Programme on the Equal Status and Human Rights of Women, Nairobi, Kenya

Presented lectures on childrens' rights and the race/gender intersection at the Raoul Wallenberg Institute, Lund, Sweden

Training

Conducted training on the Convention on the Elimination of All Forms of Discrimination against Women, the Draft Protocol, the UN Convention on the Rights of the Child and the gender dimensions of the HIV/AIDS pandemic



Visitors, Lecturers and Speakers

Sciences, University of Pretoria); Mr Takawira Musavengana (Executive Officer in the Office of the Secretary General, SADC Parliamentary Forum); Prof Tom Lodge (Head of Department Political Studies, University of the Witwatersrand); Mr Denis Kadima (Executive Director Electoral Institute of Southern Africa (EISA)); Mr Tony Reis (United Nations Electoral Assistance Secretariat (UNEAS)): Mr Norman du Plessis (Deputy Chief Electoral Officer for Electoral Operations, Independent Electoral Commission, South Africa); Mr Celio Santos de Assuncao (IT Specialist, Electoral Court of Ditstrito Federal, Brasilia); Mr Claude Kabemba (Senior Researcher (EISA)); Mr Richard Klein (Senior Programme Manager, National Democratic Institute (NDI), Washington D.C.); Prof Sandra Liebenberg (Project Co-ordinator, Socio- Economic Rights Project, Community Law Centre (UWC)); Ms Charlotte McClain (Commissioner, SA Human Rights Commission); Dr Theunis Roux (Reader in Law and Society Law and Transformation Project, Centre for Applied Legal Studies, University of the Witwatersrand); Adv Karrisha Pillay (Cape Bar); Prof Julia Sloth-Nielsen (UWC Law Faculty); Adv Faranaaz Veriava (Centre for Applied Legal Studies, Wits); Mr Kenneth Creamer (Independent Consultant); Adv Nic De Villiers (Legal

Resources Centre, Pretoria); Mr Hanif Vally (Head of Human Rights Unit, Commonwealth Secretariat); Mr Emile Short (Chairman, Ghana's Commission on Human Rights and Administrative Justice); Ms Debra Long (UN & Legal Programme Officer, Association for the Prevention of Torture); Mr Pieter Cronje (Independent Consultant); Adv Leon Wessels (Access to Information Commissioner: South African Human Rights Commission); Dr Enslin van Rooyen (School of Public Management and Administration, UP); Prof Niek Schoeman (Dept of Economics, University of Pretoria); Mr Richard Calland (Manager of the Political Information and Monitoring Programme, Institute for Democracy in South Africa (IDASA)); Ms Gill Marcus (Deputy Governor, South African Reserve Bank); Mr Neil Cole (Director of Budget Reform, National Treasury, South Africa); Prof Chris Harmse (Department of Economics, UP); Ms Mary Crewe (Director, Centre for the Study of Aids, University of Pretoria); Mr Jan van Rensburg (Dept of Economics, University of Pretoria); Mr Brendan Vickers (Office of the Presidency); Mr Roland Henwood (Dept of Political Sciences, UP); Judge Yvonne Mokgoro (Constitutional Court, South Africa):



annual report 2003

Revenue Statement 2003

RETAINED REVENUE 2002		5,281,146
LLM - Human Rights and Democratisation in Africa	European Commission Ministry of Foreign Affairs, the Netherlands SIDA through the Raoul Wallenberg Institute, Sweden Association of African Universities (AAU) DAAD	5,522,781 375,000 929,542 215,314 500,000
LLM - Trade and Investment Law in Africa	Carnegie Corporation of New York Other Income	2,778,246 46,902
Moot Court Competition (donations made directly to the hosts in Cameroon not included)	British High Commission SIDA through the Raoul Wallenberg Institute, Sweden Foundation for Human Rights United Nations Foundation Billiton Law Faculty, University of Pretoria Attorney's Fidelity Fund South African Universities University of the Western Cape	53,435 323,828 225,000 111,650 41,420 10,000 190,000 334,300 29,500
Southern African Student Volunteers (SASVO)	Bidvest Caxton Group Ltd The SG Menell Trust Syfrets (Noakes Family Trust) SIDA through the Raoul Wallenberg Institute, Sweden Canada World Youth CEPD SANTED Alexander Forbes VSO	1,000 600 7,500 5,000 13,680 100,358 200,000 25,000 77,839
Good Governance Programme (GGP)	Embassy of Belgium Ministry of Foreign Affairs of the Netherlands Foundation for Human Rights Commonwealth Secretariat for Human Rights NORAD through the Institute for Human Rights, University of Oslo Course Fees Other Income	329,805 375,000 162,500 261,265 351,103 188,884 60,000
United Nations Environmental Programme	United Nations Environmental Programme Trust Fund	521,180
Gender Programme	Open Society of Southern Africa The Ford Foundation Course Fees	303,500 208,835 29,550
Integrated Bar Project (IBP)	The Ford Foundation The Bar Association of New York SIDA through the Raoul Wallenberg Institute, Sweden	358,778 30,664 54,670
Seminar on Current Developments in Respect of Human Rights in Africa	NORAD through the Institute for Human Rights, University of Oslo	52,011
Nicro Seminar Seminar for Traditional Leaders Seminar on Advanced International Programme on Human Rights	Nicro SIDA through the Raoul Wallenberg Institute, Sweden SIDA through the Raoul Wallenberg Institute, Sweden	3,500 285,865 154,962
African Human Rights Law Reports Socio-economic Rights Book	Commonwealth Secretariat for Human Rights NORAD through the Institute of Human Rights, University of Oslo	120,520 15,967
Other Donations	,	593,750

TOTAL REVENUE: (R) 21,861,350 Centre for Human Rights Faculty of Law University of Pretoria Pretoria, 0002 Republic of South Africa

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Projects of the Centre for Human Rights:

LLM (Human Rights and Democratisation in Africa)
LLM (International Trade and Investment Law in Africa)
LLM (Human Rights and Constitutional Practice)
African Human Rights Moot Court Competition
Database on Human Rights in Africa
Gender Unit
Good Governance Programme
Integrated Bar Project (IBP)

Regular Publications of the Centre for Human Rights:

Southern African Student Volunteers (SASVO)

Human Rights Law in Africa African Human Rights Law Journal Constitutional Law of South Africa African Human Rights Law Reports

