



CENTRE FOR HUMAN RIGHTS ANNUAL REPORT 2021



**Centre for
Human Rights**
UNIVERSITY OF PRETORIA

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DIRECTOR'S MESSAGE

In 2021, the Centre marked 35 years since its establishment in 1986. The **Centre** has managed to accomplish much in 35 years, but only because of the support and friendship of its many partners and friends, and its growing pool of graduates who are not only advocates for human rights but also 'ambassadors' of the **Centre**.

As in 2020, COVID-19 and the concomitant lockdown regulations in South Africa cast a shadow over the Centre's people and activities. However, the collective efforts of the Centre team saw the risk of disruption being neutralized by resilience and resolve, and the fear of uncertainty being overcome by flexibility and imagination. Despite the ongoing challenges, most of the students on the Centre's flagship Master's programme in Human Rights and Democratisation in Africa were able to take up residence at the Future Africa campus, of the University of Pretoria. Some of the students in the LLM in International

Trade and Investment Law in Africa also took up residence in Pretoria, and all successfully completed the programme. The final rounds of the 30th African Human Rights Moot Court Competition took place in person at the hosting institution, the University of Stellenbosch. These events were however presented in a hybrid format, combining online and in person participation.

In fact, most of the Centre activities took place either in a hybrid or exclusively virtual format. For example, the Nelson Mandela World Human Rights Moot Court Competition was held, but only as a virtual event; and the numerous Advanced Human Rights courses took place mostly with both online and in-person participants. The added advantage of this format was that these programmes had a wider reach and increased audience compared to the only-in-person format of the past. Remarkably, all the Centre's research and advocacy Units adjusted and continued its work to advance the rights of the most marginalized on our continent.

Given the context, it was quite suitable for the Centre to focus its annual advocacy campaign on '#Tech4Rights', with the online #Tech4Rights Expo as its highlight.

The Centre is about the people we work with, the people we have in mind in devising and executing out projects and programmes, and the people who make up the 'staff' of the Centre. This annual report is, in particular, testament to the dedication and talents of the brilliant individuals making up the Centre staff. We had to say 'farewell' to a few Centre stalwarts. Harold Meintjes, who for many years had been the Centre's Financial Manager, retired . Others -- the Programme Managers of the Disability Rights Unit (Innocentia Mgijima) and Women's Rights Unit (Patience Mpani), and the Manager of the Communications unit (Yolanda Booyzen) -- moved on to take up other professional challenges. At the same time, we were very fortunate to welcome Lloyd Kuveya, Samuel Chamboko, Dianah Msipa, Andile Mdleleni and Matilda Lasseko-Phooko as members of the Centre team.

The year was also one of deep sadness. On 28 March 2021, the previous Director of the Centre, renowned human rights scholar, at the time professor of human rights law and Director of the Institute for International and Comparative Law in Africa at the University of Pretoria, passed away. To us at the Centre, he was a founding father, a trail-blazer, and a constant source of inspiration and encouragement. He was our dynamic initiator-in-chief. He played a pioneering role in positioning the Centre as a pan-African centre of excellence. While his untimely passing saddened, we are inspired to build on his many legacies.

This Annual Report is dedicated to his memory.

Frans Viljoen
Director, Centre for Human Rights





REMEMBERING CHRISTOF HEYNS

Professor Christof Heyns, who so suddenly and sadly passed away on 28 March 2021, was the Director of the Centre for Human Rights from 1999 to 2006; Dean of the Faculty of Law from 2007 to 2010; and was the founding Co-Director of the Institute for International and Comparative Law in Africa at UP. He was United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions from 2010 to 2016; and

was a member of the UN Human Rights Committee from 2017 to 2020.

Christof Heyns Human Rights Scholarship

The Christof Heyns Human Rights Scholarship was instituted in his memory. Christof pioneered and supported numerous human rights education initiatives in the course of his life, including by providing opportunities to deserving students to pursue human rights education.

The first Christof Heyns Human Rights Scholarship was awarded in 2022.

Christof Heyns: In memoriam 1959-2021

A memorial publication, containing a collection of tributes to Christof, *Christof Heyns: In memoriam 1959-2021*, were prepared by Yolanda Booyzen, also handed to family and friends

Tree planting

On 15 November 2021, a tree planting ceremony in Christof's memory was held. A lowveld chestnut tree was planted between the Faculty of Law building and the Institute for International and Comparative Law in Africa (ICLA) house on the Hatfield Campus of UP. In his professional life at the University of Pretoria, Professor Heyns was Director of the Centre and Dean of the Faculty (with his office located in the Faculty of Law building) and Director of ICLA (with his office based in the ICLA



Fearika, Adam and Willemien Heyns, Christof's wife and two of his children, during the tree planting ceremony

The ceremony was attended by family, friends and colleagues of Prof Heyns, including the Vice-Chancellor and Principal of the University of Pretoria, Professor Tawana Kupe, Professor Frans Viljoen, Director of the Centre for Human Rights,

Professor Elsabe Schoeman, Dean of the Faculty of Law and Professor Charles Maimela, Deputy Dean of the Faculty. Delivering remarks at the event, Professor Kupe named the tree the 'Christof Heyns Tree of Life'.

As Professor Christof Heyns worked in collaboration with many people and made an impact throughout his career, the chestnut tree, indigenous to Africa, was planted to symbolise the huge impact that Prof Christof Heyns has made on the African continent and globally, and his unwavering drive to advance and promote human rights.

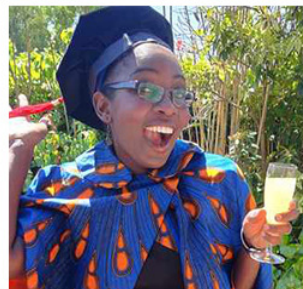
Christof Heyns African Human Rights Moot Court Competition

The Centre started the African Human Rights Moot Court Competition in 1992, with a southern African focus. In 1995 it expanded its focus to the rest of the continent and was affectionately called the 'All-African' Moot Court Competition. The Moot Court Competition will from 2022 be known as the 'Christof Heyns African Human Rights Moot Court Competition'. Professor Tawana Kupe, Vice-Chancellor and Principal of the University of Pretoria, who presided over the renaming ceremony during the 30th African Moot Court Competition at

Stellenbosch University, explained that the renaming was in 'memory and recognition of Prof Heyns' role as the Moot's founding father and sustaining driving force over many decades'. Professor Heyns passed away in March 2021, while hiking in the mountains just outside Stellenbosch.



CHRISTOF HEYNS Memorial Thesis Award



Dr Tabeth Lynn Masengu (winner)

Pretoria University Law Press
PULP

www.pulp.up.ac.za

Christof Heyns Memorial Thesis Award

The Memorial Thesis Award was introduced to honour the memory of the late Professor Christof Heyns. Christof was a founder of the Pretoria University Law Press and took the initiative towards the introduction of this prize. This prize underlines his exceptional passion for promoting scholarship and a life devoted to initiating innovative ideas to make the world a better place for all. There can be no better way to begin to recognise the enormous contribution that Professor Heyns has made to advancing scholarship, research and publication in Africa, by Africans and on Africa. The Award was first presented in 2021.



Dr Satang Nabaneh (runner up)



Dr Mohammad Bello (runner up)



First Christof Heyns Scholarship awarded Family and friends,
including the Vice-Chancellor and Principal of the University of Pretoria, Professor Tawana Kupe, with the first Christof Heyns Scholarship recipient, Keketso Kgomosotho

CENTRE GOVERNANCE

The Centre for Human Rights, 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 2021 the Board consisted of Professor Elsabe Schoeman (Dean, ex officio); Justice Johann Kriegler, retired Judge of the South African Constitutional Court; Justice Bess Nkabinde, Judge of the South African Constitutional Court; Justice Johann van der Westhuizen, retired Judge of the South African Constitutional Court; Professor 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.



Professor Elsabe Schoeman



Justice Johann Kriegler



Justice Bess Nkabinde



**Justice Johann van der
Westhuizen**



Professor Sylvia Tamale



**Mr Edouard Jacot-
Guillarmod**



Prof David Padilla



Professor Magnus Killander



Bonolo Makgale

CENTRE MANAGEMENT & 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 has overarching strategic and operational responsibility for the day-to-day needs of the Centre:

Director:

Professor Frans Viljoen

Assistant Director (Programmes):

Dr Nkatha Murungi



Assistant Director (Operations):

Lloyd Kuveya

(from 1 October 2021)



Financial Manager:

Harold Meintjes (until end of February 2021); **Samuel Chamboko** (from 1 February 2021)



Office Manager:

Carole Viljoen



Assistant Financial Managers:

Emily Laubscher and Sarita Pienaar-Erasmus

Communications and Advocacy Manager:

Yolanda Booyzen

(until 30 October 2021);



Simphiwe Khumalo was the Acting Communications and Advocacy Manager for the last two months of 2021.



Webmaster: Lourika Pienaar

FINANCIAL SECTION

The financial team ensures that the Centre's financial management is impeccable. Samuel Chamboko, the Financial Manager, took over from the retired Harold Meintjes and works together with two Assistant Financial Managers, Emily Laubscher and Sarita Pienaar-Erasmus, to ensure that the Centre receives 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.

At the end of 2019, the Centre's Communications and Marketing team merged with the Advocacy Unit. In 2021, Yolanda Booyzen was the Communications and Advocacy Manager.



Yolanda Booyzen

She was assisted by Simphiwe Khumalo, Thiruna Naidoo, David Ikpo, Tatenda Musinahama, Lourika Pienaar and Octavia Roodt. The Communications and Advocacy assisted all the programmes, Units, short courses and moot courts of the Centre with their communications and outreach. Apart from keeping the Centre's

main websites (www.chr.up.ac.za) and other affiliated websites (www.icla.up.ac.za, www.pulp.up.ac.za, accahumanrights.org, www.ahrhj.up.ac.za, www.adry.up.ac.za) updated, the team also managed photography, video production, design, content management and podcast production. The team is also responsible for managing the Centre's large network. Its reach in 2021 surpassed 100 000 followers and subscribers on various platforms. As a result of the ongoing COVID-19 pandemic, many staff continued to work online for much of the year.

The Communications and Advocacy team provided support for most of the Centre's activities. Despite the pandemic and its impact on the hosting of in-person events and the restrictions on domestic and international travel, events hosted by the Centre were very well attended. Public events were live-streamed to create greater awareness of the themes and issues raised and all recordings are accessible on the



Thiruna Niadoo



Lourika Pienaar

Centre's YouTube channel. As a result of activities being forced to move online, the Centre was able to reach more stakeholders than ever before. The Advanced Human Rights Courses saw a record number of applications and participants for many of its courses. Similarly, the Africa Rights Talk podcast launched its third season and managed to produce 12 new episodes, which



Tatenda Musinahama



David Ikpo

were recorded remotely. The Centre in 2021 continued its #Tech4Rights campaign, to draw attention to the complementarities, but also the complexities, arising from the relationship between human rights and technology.



35 YEAR

INTROSPECTION



Centre for Human Rights

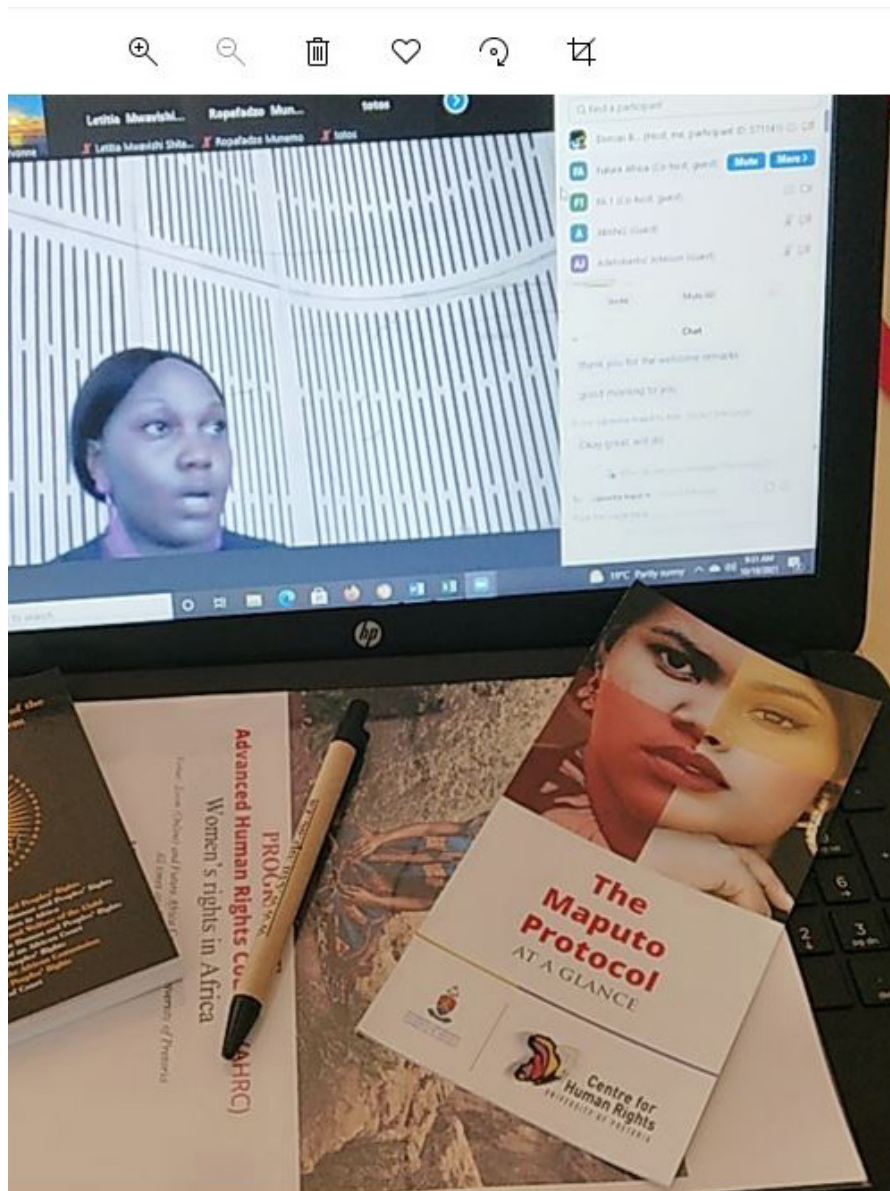
UNIVERSITY OF PRETORIA

The **Centre** in 2021 marks 35 years of its existence. To commemorate this milestone, the **Centre** on 9 December 2021 hosted a **Forum** (CHR @ 35 **Forum**) to reflect on its main achievements and contributions; and shortcomings or missed opportunities; and to consider how the **Centre** needs to (re)position itself to best fit into a dramatically changing landscape relevant to human rights. **Centre** and Faculty staff, students, graduates, partners, donors, and other stakeholders in the work of the **Centre** attended this event. The event was celebrated online, connected via Zoom.

Academic programmes

The **Centre** became an 'official' academic department in 2017. Before that, it presented its academic offerings under the aegis of the Department of Legal History, Comparative Law and Legal Philosophy (now, Jurisprudence). In the first session of the **Forum**, students, teachers, and graduates of the **Centre's** five academic programmes, and doctoral candidates met separately, to reflect on aspects related to these programmes (such as the curriculum content, the pedagogical approach, the alumni networks).





Centre as 'NGO'

The first plenary panel aimed to take stock of the **Centre's** role as an 'NGO'. Lloyd Kuveya, Assistant Director (Operations), moderated this session.

Dr Farida Mamad (HRDA alumna 2009),

currently advisor to the Prime Minister of Mozambique, spoke fondly of the support from the **Centre** during her role as a human rights commissioner in the newly constituted human rights commission of Mozambique. Farida encouraged the **Centre** to increase its participation as an NGO in countries around Africa, especially in Lusophone countries.



Dr Farida Mamad



Dr Abdu Khadre Diop

Dr Abdu Khadre Diop, Université Virtuelle du Sénégal, discussed the role of the African Human Rights Moot Court Competition (from 2022, the Christof Heyns African Human Rights Moot Court Competition) in educating and informing students and academics in Francophone universities in Africa on the institutions and norms of the African human rights system. He further acknowledged the contribution of the **Centre** in protecting human rights in Africa through collaboration with CSOs, for example by submitting a case to the African Committee on the Rights of the Child together with Senegalese-based NGO *Rencontre Africaine pour la Défense des Droits de l'Homme* (RADDHO). He suggested

ways in which the **Centre** could reinforce its collaboration with civil society organisations in French-speaking Africa.

Roselyn Hanzi

(HRDA alumna, 2006),

Executive Director of Zimbabwe Lawyers for Human Rights, reflected on issues of sustainability concerning the **Centre** as an NGO. She proposed that the **Centre** should develop a sustainability plan, including a strategy to be less reliant on donor funds. She also identified new thematic areas to which the **Centre** may want to contribute to



Roselyn Hanzi



Adv Bahame Nyanduga

Adv Bahame Nyanduga, former chairperson of the Tanzania Commission for Human Rights and Good Governance, member of the African Commission on Human and Peoples' Rights and currently chairperson of the NGO AU Watch, spoke to the importance of establishing the **Centre** in South Africa in the period of apartheid. Commending the **Centre** for its ability to position itself as a think tank and reservoir of knowledge in Africa, Adv Nyanduga advised the **Centre** to build the capacity of leadership in a way that maintains its engagement with the human rights institutions and infrastructure. He also suggested that the **Centre** should find ways of

expanding its reach to more NGOs across Africa.

Relationships/partners/ partnerships

The multiple partnerships of the Centre was the focus of the second panel. In the 35 years of its existence, the Centre has forged many relationships and was only able to achieve its objectives because of the supportive relationships with too many partners to mention. In this panel, the focus fell on the intergovernmental organisations with which the Centre collaborated: The United Nations (UN) and African Union (AU). Dr Nkatha Murungi, the Centre's Assistant Director (Programmes), moderated this panel.

One of the Centre alumni, **Dr Patrick Eba, HRDA alumnus 2004**, currently Deputy Director, Division of International Protection, UNHCR, emphasised the existence of a gap between UN agencies and research institutions across Africa and underlined the importance of research knowledge in Africa.



Highlighting personal positive experiences working with the **Centre**, he highlighted areas in which the Centre can bridge this gap through partnerships with UN institutions. He noted the need for providing interns to UN entities allowing for strengthening relationships between the Centre and integrating the knowledge from the continent to UN entities.

Another Centre **HRDA alumnus, 2007, Horace Adjolohoun**, Principal Legal Officer at the African Court on Human and Peoples' Rights, highlighted the impact of the Centre on the Court, through its involvement in litigation. Also, he pointed out that three of the four senior legal experts of the Court are



Horace Adjolohoun

graduates of the Centre. He urged the Centre to pay attention to the Courts of the Regional Economic Communities, in particular, the ECOWAS Court of Justice and East African Court of Justice.

The acting Executive Secretary of the African Commission on Human and Peoples' Rights, **Lindiwe Khumalo (HRDA alumna 2010)**, noted with appreciation the **Centre's** contribution through legal 'interns' to the Commission. She suggested



Lindiwe Khumalo

that the **Centre** should be more intentional in positioning its graduates for change across strategic sectors, for example by prioritising mid-career professionals who are already making an impact in their countries when admitting students

for the Masters programmes. She urged the Centre to be guided by Agenda 2063 and other priorities of the AU.

A senior legal officer at the Committee of Experts on the Rights and Welfare of the Child, **Ayalew Getachew Assefa (HRDA alumnus, 2011)** reflected on the relationship between the **Centre** and the Children's Rights Committee, which was formalised when the Centre was granted observer



Ayalew Getachew Assefa

status. The Centre has over the years worked with the Committee in delivering its mandate, for example by submitting communications and shadow reports. Ayalew suggested that the Centre should programme its thematic issues in relation to

the organs of the AU, for example through cross-cutting mandates inclusive of all relevant institutions.



Clement Mavungu

Clement Mavungu (HRDA alumnus, 2006), Legal Counsel of the Pan-African Parliament, commended the Centre for working with PAP through the CSO Forum, convening civil society from across Africa to work more closely with the PAP. He called on the Centre, with its partners, to position itself to cure the weaknesses of the PAP by contributing to building a stronger PAP and enhancing the possibility of citizens monitoring and holding members of the PAP accountable.

Donors

The Centre has over the years benefited from the support of numerous donors. A number of these donors contributed to a third panel discussion, reflecting on the ever-changing human rights environment and how the Centre should adjust and re-position itself to stay relevant and able to make a meaningful impact. The Centre's Director, Frans Viljoen, was the moderator for this panel.

The **European Union** has since 2000 supported the Master's programme in Human and Rights and Democratisation in Africa (HRDA). The Centre has over the years maintained a close relationship with the EU Delegation in South Africa. Ambassador Dr Riina Kionka, currently heading the EU Delegation to South Africa, sketched some global challenges to human rights. She noted the importance of the Centre's strong regional and continental footprint. She encouraged the Centre to maintain and strengthen its focus on the rights of the most marginalised, including persons living with HIV, sexual and

gender minorities, and persons with disabilities. Ambassador Kionka also suggested that the Centre should forge closer links with CSOs in South Africa, and explore working relations with Chapter 9 institutions.

The **Government of the Netherlands**, through the **Royal Dutch Embassy** in Pretoria, has also been a long-standing donor and partner of the Centre, especially in the domain of sexual and gender rights. Speaking as part of the panel, **Ambassador Han Peters** emphasised the commitment of the Netherlands to reaching those



Ambassador Han Peters

who are most affected by human rights abuse and health inequality in light of COVID-19 pandemic. The pandemic has provided an opportunity to address issues of global inequality and bridge the gap between the haves and the have-nots.

He urged the Centre to see an opportunity in COVID-19 and respond by protecting the rights of the most vulnerable.

The **Government of Norway**, though the **Royal Norwegian Embassy** in Pretoria, has supported the Centre over many



Ambassador Astrid Halle

years and in numerous thematic areas. **Ambassador Astrid Halle** urged that progress in human rights must be highlighted to encourage people not to give up the fight in promoting human rights and democracy, despite the enormous challenges experienced globally, in Africa and in South Africa. She pointed to a gradual shift in funding priorities towards issues related to armed conflict and the climate crisis.

The Centre has also been working in partnership with the **Government of Flanders**, through the **Flemish Delegation in South Africa**. **Zvi Raman**, Deputy Representative of the Flemish delegation in South Africa, pointed out that Flanders has worked with the Centre since 2012 to democratise information through three short courses open to participants from across Africa. He underlined that this collaboration involves three Flemish universities.

Wellspring Philanthropic Fund has been supporting the Centre's work in sexual and reproductive rights and women's rights, and also provided invaluable operational

support. **Dr Godfrey Odongo** (HRDA alumnus 2002), participating on behalf of Wellspring Philanthropic Fund, offered insightful suggestions about how the Centre may reposition itself in a changing human rights landscape, for example by using multidisciplinary and cross-disciplinary approaches.



LLM/MPhil Multidisciplinary Human Rights excursion to the JAVETT Art Gallery, University of Pretoria.



ACADEMIC PROGRAMMES

DOCTORAL (LLD/DPHIL) PROGRAMMES

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

The following ten doctoral candidates graduated during 2021:

Ako, Ernest

Supervisor: Prof Frans Viljoen
Towards the decriminalisation of consensual same-sex conduct in Ghana

Chigudu, Rudo

Supervisor: Prof Charles Ngwena
A phenomenological study of the gendered and sexualised politics of a lesbian identity in contemporary Zimbabwe

Ginamia, Melani

Supervisor: Prof Michelo Hansungule
The right to development in post-conflict societies: Lessons from the Acholi in Northern Uganda

Holness, Willene: Supervisor Prof Charles Ngwena
Access to justice for mothers with intellectual disabilities in cases of child neglect at two KwaZulu-Natal children's courts

Kapapelo, Eduardo

Supervisor: Prof Magnus Killander
The role of state Institutions in Preventing violent conflict in Angola

Loots, Josua

Supervisor: Prof Daniel Bradlow
Infrastructure for development: The use of human rights impact assessments in public-private partnerships

Makunya, Trésor Muhindo

Supervisor: Prof Charles Fombad
Legal traditions and constitutional interpretation of bill of rights in Africa: Comparative perspectives from the constitutional courts of Benin, the Democratic Republic of Congo and South Africa

Masamba, Magalie L

Supervisor: Prof Daniel Bradlow
An African perspective on reforming sovereign debt restructuring of privately held debt

Okoloise, Chairman

Supervisor: Prof Magnus Killander
The role of the African human rights system in advancing corporate accountability in the extractive industries

Sogunro, Ayodele

Supervisor: Prof Frans Viljoen
Co-supervisor: Dr Ciara O'Connell (Trinity College)
Advocacy, social control, and the criminalisation of same-sex relationships: The evolution and enforcement of 'anti-gay laws' in Nigeria



MASTER'S PROGRAMMES

In 2021, 60 students graduated with Master's degrees presented in the Centre:

26 students graduated from the Master's in Human Rights and Democratisation in Africa (HRDA)

3 students graduated from the Master's in Multidisciplinary Human Rights (MDHR)

12 students graduated from the Master's in Sexual and Reproductive Rights in Africa (SRRA)

19 students graduated from the LLM in International Trade and Investment Law in Africa (TILA)

HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA (HRDA)

Professor Frans Viljoen was the HRDA Programme Director, Professor Magnus Killander was the Academic Coordinator, and Dr Ashwanee Budoo the Manager of this programme. Johannes Buabeng-Baidoo was the Programme Officer, Dr Oluwatomiwa Illori was the alumni coordinator, and the academic tutors were: Marystella Simiyu, Susan Mutambasere, Wilson Macharia and Mary Auma.



Professor Magnus Killander



Dr Ashwanee Budoo



Dr Oluwatomiwa Illori



Wilson Macharia



Johannes Buabeng-Baidoo



Marystella Simiyu



Mary Auma

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 programme aimed at strengthening the expert knowledge, as well as research, writing, critical thinking and analytical skills of human rights professionals. The 22nd group of the HRDA students held an informal graduation ceremony in person, and graduated officially by way of a

virtual ceremony on 10 December 2021.

The following award of prizes were made for the HRDA Class of 2021:

- Nelson Mandela Prize for the student with the best overall performance: **Ashina Ntenga Mtsumi (Kenya)**
- Kéba M'Baye Prize for the best mini-dissertation: **Andrews Kwame Darklo (Ghana)**
- Victor Dankwa Prize for the best student in African Human Rights: **Ramatoulie Isatou Jallow (Botswana)** and **Ashina Ntenga Mtsumi (Kenya) (shared)**
- Ubuntu Prize for the student who best captured the values of humanity: **Andrews Kwame Darklo (Ghana)**



Ashina Ntenga Mtsumi



Ramatoulie Isatou Jallow



Andrews Kwame Darklo

Vera Chirwa Award:

The Vera Chirwa Award is made to a graduate on 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 on her work for defending human rights in Malawi and Africa. This year, the Vera Chirwa

Award winner was Roselyn Hanzi, in recognition of her contributions through the Zimbabwe Lawyers for Human Rights (ZLHR) where she championed human rights protection for vulnerable groups through strategic litigation, research and advocacy.

Opportunities to four graduates of the HRDA Class of 2021:

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 2021 have the opportunity to contribute as follows in 2022: Intern/Legal officer,

African Committee on the Rights and Welfare of the Child: Open Sibanda; Intern/Legal officer, African Commission on Human and Peoples' Rights: Monique Traore; Intern/Legal officer, African Court on Human and Peoples' Rights: Khalif Cideka; Doctoral candidate and tutor, Centre for Human Rights: Wilson Macharia.



MULTIDISCIPLINARY HUMAN RIGHTS (MDHR)

Professor Frans Viljoen was the overall Academic Coordinator, and Professor Magnus Killander was responsible for presenting this programme. Janet Gbam was the Manager of this programme. This programme is offered on a part-time basis, over two years, principally for students with fulltime employment in South Africa. In 2021 there were 15 students doing the course and three students graduated on 10 December 2021.

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 Manager in 2021 was Innocentia Mgiijima, up to March, and thereafter, Dianah Msipa. In January 2021, the second cohort of the DRIA students began their first year of this two-year master's programme. Nine students were enrolled on this programme in 2021.

SEXUAL AND REPRODUCTIVE RIGHTS IN AFRICA (SRRA)

The SRRA is the Centre's first hybrid learning programme. The programme is delivered on-line as well as through contact block weeks. Professor Charles Ngwena and Dr Nkatha Murungi were the Academic co-coordinators of the programme, with Rutendo Chinomona as the Manager. The assistance of Professor Ebenezer Durojaye from the University of the Western Cape is also acknowledged with gratitude.

TRADE AND INVESTMENT IN AFRICA (TILA)

This programme is presented at the University of Pretoria every second year, alternating with the University of the Western Cape as hosting institution. Prof Danny Bradlow was the academic coordinator and Jonathan Kabre was the Programme Manager, with administrative assistance from Thandeka Rasetsoke. Dr Femi Oluyaju acted as supervisor on the students' theses and Marie-Louise Aren was a tutor. In 2021 19 students completed the course and

graduated on 10 December 2021.

The following awards were made in 2021:

- Best academic performance in the Advanced International Investment Law module: **Nelson Chilotam Onuoha**
- Best academic performance in the Advanced International Trade Law module: **Nelson Chilotam Onuoha**
- Dr T.O Elias prize for the best academic performance in the mini-dissertation: **Nelson Chilotam Onuoha**
- Student who best embodied selfless service during the 2021 LLM (International Trade and Investment Law in Africa): **Jack Jayalo Okore**

POST-DOCTORAL FELLOWS

Five post-doctoral fellows were involved in the Centre's work in 2021: **Dr Magalie Masamba**, **Dr Benjamin Traoré** and **Dr Jonathan Kabré** were all based within the International Development Law Unit (IDLU). **Dr Rudo Chigudu** worked with the SRRA programme, **Dr Ayodele Sogunro** was the Manager for the SOGIESC Unit and **Dr Romola Adeola** worked with the Migration Unit.



Dr Magalie Masamba



Dr Benjamin Traoré



Dr Rudo Chigudu



Dr Ayodele Sogunro



Dr Romola Adeola



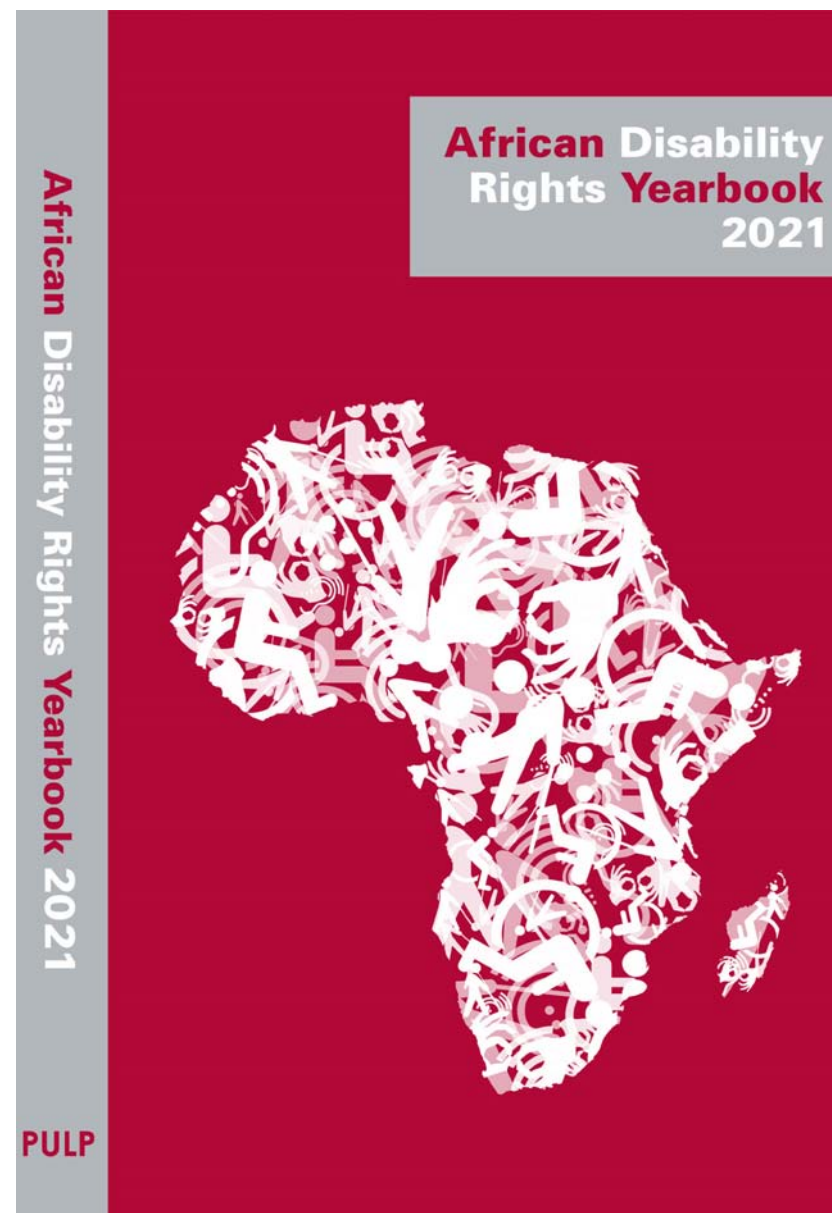
RESEARCH

PUBLICATIONS

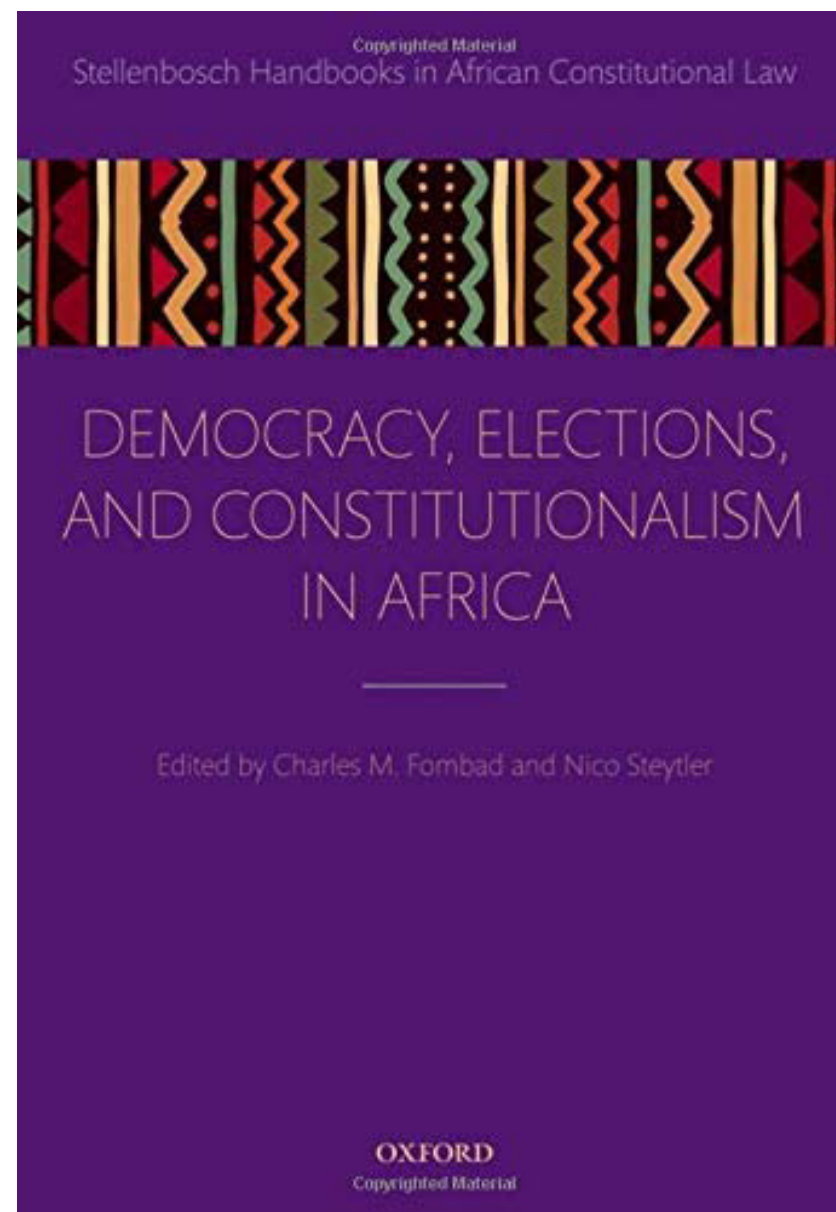
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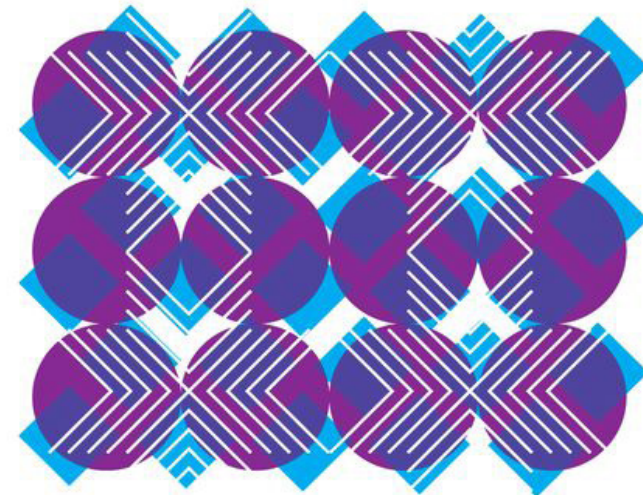
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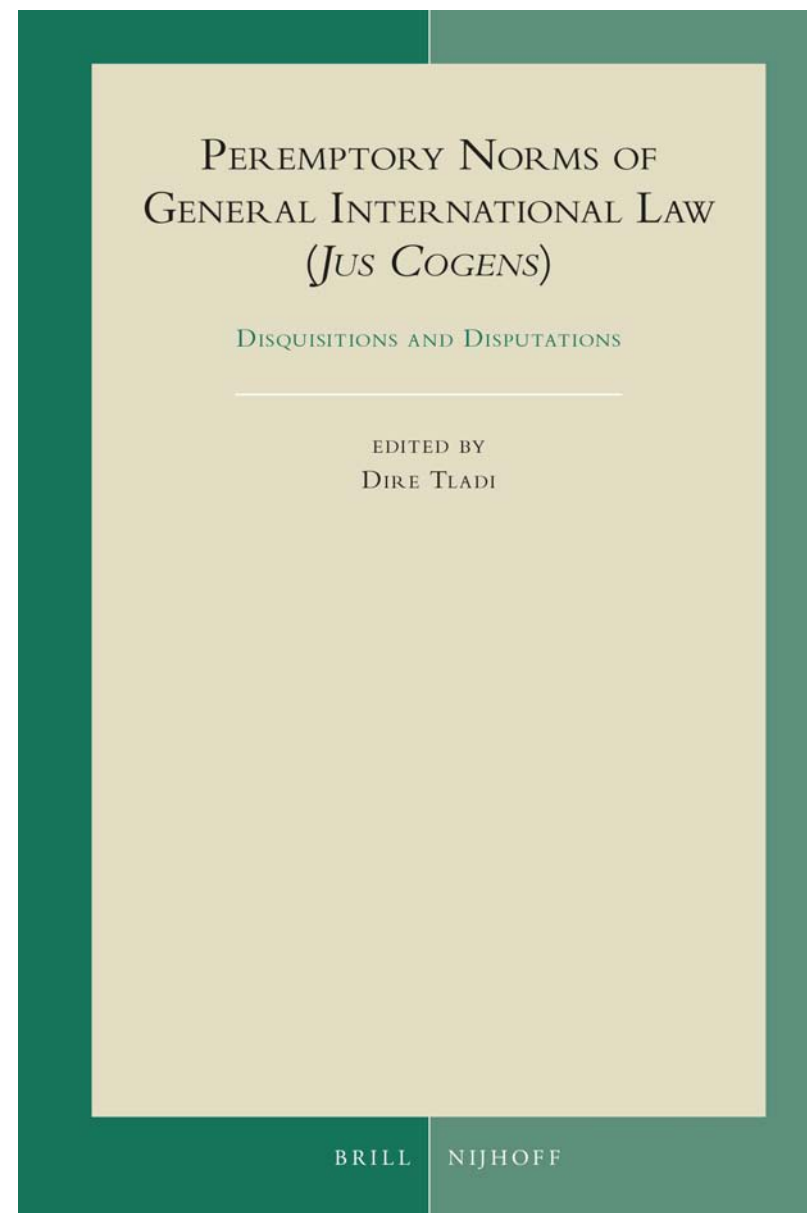
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Stuart Casey-Maslen



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EDUCATION PROJECTS

MOOT COURTS AND SHORT COURSES

AFRICAN HUMAN RIGHTS MOOT COURT COMPETITION



Ahmed Sayaad

Ahmed Sayaad was the Project Coordinator for the African Moot and Matikomborera Nyamadzi assisted. The final rounds of 30th edition of the African Human Rights Moot Court Competition was hosted by the Faculty of Law, Stellenbosch University. The event coincided with the 35th anniversary the Centre for Human Rights.

For the second year in a row the format of the competition was changed due to the ongoing COVID-19 pandemic. A 'hybrid' format (with a part presented



Matikomborera Nyamadzi

virtually, and a part taking place in person) was adopted in compliance with lockdown regulations in South Africa. A total of 43 universities representing 17 African countries registered and participated in the 2021 edition of the competition. The first phase, comprising the online preliminary rounds, were held from 24 May to 4 June 2021. Qualifying teams were then invited to proceed to the in-person quarter-final, semi-final and final rounds in Stellenbosch from 20 to 25 September



Stellenbosch University team preparing for the final round of the 30th African Moot Court Competition, 2021



Teams that participated in the top 16 cut of the 30th African Moot Court Competition, 2021
Stellenbosch, South Africa

An important component of the Moot week is the one-day human rights conference and in 2021, the conference discussed the responsiveness of the African human rights system to sexual and gender-based violence, an issue on which the hypothetical cases was based. Justice Edwin Cameron delivered a virtual opening address to set the scene for the in-person and hybrid 'stream' (focused on the 'The responsiveness of the African human rights system to sexual and gender-based violence'). The second exclusively virtual stream dealt with 'Diversity and gender identities and expressions', and Liberty Matthyse, of GenderDynamix, made the opening remarks.

Fourteen teams composed of eight English-speaking, five French-speaking proceeded to the quarter and semi-final rounds. Kenyatta University and Stellenbosch University advanced to the final as the best anglophone teams; and Université Félix Houphouët-Boigny and Eduardo Mondlane (the overall winner of the preliminary rounds in the lusophone zone) as the best French-language and Portuguese-language teams, respectively.

The Bench in the final round was chaired by Professor Thuli Madonsela, the former South African Public Protector and the current Law Trust Chair in Social Justice at the Faculty of Law, Stellenbosch University. The panel further included a representative from each

of the three African Union bodies: Dr Solomon Dersso, Chairperson of the African Commission on Human and Peoples' Rights, Justice Angelo Matusse, previously a Judge of the African Court on Human and Peoples' Rights; and Dr Robert Nanima, member of the African Committee of Experts on the Rights and Welfare of the Child. Professor Laurence Burgorgue-Larsen, who teaches international law at the Sorbonne University in Paris, and who is a former Judge of the Constitutional Court of Andorra, was the fifth Judge on the panel.

In memory and recognition of the late Prof Christof Heyns' role as the Moot's founding father and driving force over many decades of the African Moot Court Competition,

the Competition will, going forward, be known as the 'Christof Heyns African Human Rights Moot Court Competition'. Professor Tawana Kupe, Vice-Chancellor and Principal of the University of Pretoria, officially inaugurated the name change.

The combined team of the Université Félix Houphouët-Boigny de Cocody, Côte d'Ivoire, and Kenyatta University, Kenya, appearing as the Applicants, emerged as the winners of the 30th African Human Rights Moot Court Competition. The runner-up was the combined team of Universidade Eduardo Mondlane, Mozambique, and Stellenbosch University who appeared as the Respondent.



Team from University of Ghana at the 30th African Moot Court Competition, 2021
Stellenbosch, South Africa

NELSON MANDELA WORLD HUMAN RIGHTS MOOT COURT COMPETITION



Eduardo Kapapelo

In 2021, Eduardo Kapapelo was the Project Coordinator with Matikomborera Nyamadzi as an assistant coordinator.

The Nelson Mandela World Human Rights Moot Court Competition has become a leading human rights educational event. It is unique in bringing together some of the youngest and brightest students from universities all 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



Matikomborera Nyamadzi

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.

In 2021 the World Moot was presented online from 3 to 16 July 2021. As part of the activities of the Moot, the Second Annual Nelson Mandela Human Rights lecture was presented in partnership with the South African Permanent Mission and the African Group of Ambassadors in Geneva.



Winning team of the 13th edition of the
Nelson Mandela World Moot Court Competition 2021
from Strathmore University, Kenya



Team from Justice Defencer, Uganda, in the virtual rounds of the 13th edition of the Nelson Mandela World Moot Court Competition. 2021

The theme of the lecture was on the 20th anniversary of the Durban Declaration and Programme of Action and was led by former United Nations High Commissioner for Human Rights, Dr Navi Pillay. A panel discussion took place consisting of Dr Gay McDougall, a former member of the UN Committee on the Elimination of Racial Discrimination,

Ms Edna Maria Santos Roland, Chair/Rapporteur of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action and Ms Mona Rishwami, Chief Rule of Law, Equality and Non-Discrimination Branch, Office of the United Nations High Commissioner for Human Rights.

As a way to expand the activities of the Moot, a peer-to-peer workshop on the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence was also organised on 16 July. The workshop was presented by Mr Ibrahim Salama, Director of the

Human Rights Treaties Division at the Office of the High Commissioner for Human Rights and Mr Michael Winer, Senior Human Rights Officer at the Office of the High Commissioner for Human Rights.



Team from Univeristy of Buenos Aires, Argentina
in the 13th edition of the
Nelson Mandela World Moot Court Competition 2021



Team from Centro Universitario Curitiba, Brazil
in the 13th edition of the
Nelson Mandela World Moot Court Competition 2021



Team from Kabarak University, Kenya
in the 13th edition of the
Nelson Mandela World Moot Court Competition 2021



Team member from Friedrich-Alexander-Universität Erlangen-Nürnberg
in the 13th edition of the
Nelson Mandela World Moot Court Competition 2021.

ADVANCED HUMAN RIGHTS COURSES (AHRC)

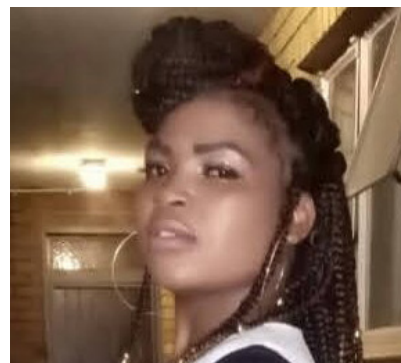
In 2021, this project was managed by Dennis Antwi who was assisted by Ms Dorcas Basimanyane.

The AHRC project is designed to support human rights and development professionals who seek to develop and deepen their knowledge and expertise on relevant issues, an opportunity to do so in a one-week-long advanced course.

These courses are targeted at building the capacity of government officials, managers and staff of civil society organisations (CSOs), judges and magistrates, legal practitioners, staff of international and intergovernmental organisations, academics and senior students. The project is geared towards the Centre's holistic strategy of promoting 'lifelong' learning among human rights and development practitioners in Africa. This capacity-building intervention is aimed at supporting the protection and implementation of international human rights standards in Africa. In 2021, the following courses were successfully held:



Dennis Antwi



Dorcas Basimanyane

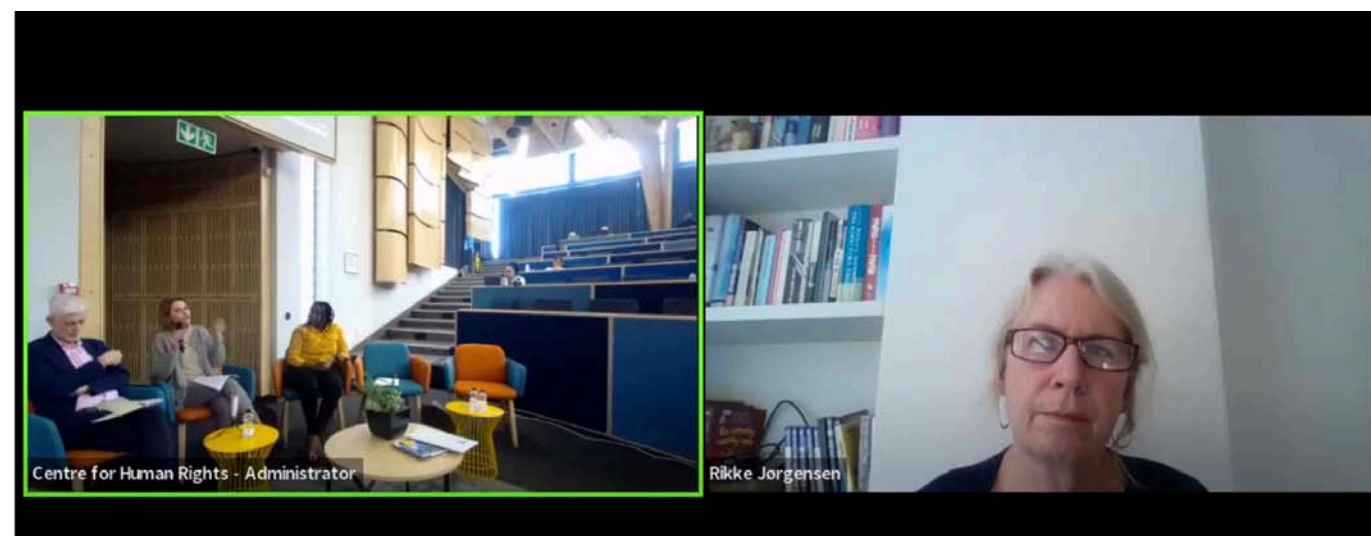


NAME OF THE COURSE	DATE PRESENTED	MODE OF COURSE DELIVERY	NO OF PARTICIPANTS
SEXUAL MINORITY RIGHTS IN AFRICA	22 – 26 FEBRUARY	HYBRID	95
DISABILITY RIGHTS IN AN AFRICAN CONTEXT	8 - 12 MARCH	HYBRID	93
AFRICAN HUMAN RIGHTS SYSTEMS	15 –19 MARCH	HYBRID	121
JUDICIAL ENFORCEMENT OF SOCIO-ECONOMIC RIGHTS	17 - 21 MAY	HYBRID	107
POLICING LOCKDOWNS	24 – 28 MAY	ONLINE	70
CHILDREN'S RIGHTS	21 - 25 JUNE	ONLINE	111
CIVIL SOCIETY	2 - 6 AUGUST	ONLINE	77
RIGHT TO DEVELOPMENT	16 - 20 AUGUST	ONLINE	69
POLICING AND VULNERABILITY	13 - 17 SEPTEMBER	ONLINE	41
WOMEN'S RIGHTS	18 - 22 OCTOBER	HYBRID	74
INDIGENOUS PEOPLE'S RIGHTS	1 - 5 NOVEMBER	HYBRID	54
PROTECTION OF FORCIBLY DISPLACED PERSONS IN AFRICA	22 - 26 NOVEMBER	ONLINE	50

The new virtual format required participants to have access to a reliable and stable internet connection. It also required them to download the Zoom application on their laptops, desktops, cellphones or tablets. There were a number of practical and interactive sessions built into the course programmes to ensure that sessions were interactive and do not become monotonous monologues.

The manner in which information was shared and made available to participants was also improved. All the readings were made available in a shared folder on Google Drive. The course materials and recommended readings were shared at least a week before the courses commenced, affording participants an opportunity to read through them before the courses. Participants were, therefore, able to come prepared, pose questions and contribute to the courses.

As has been the practice, there was a need to modify some of the existing curricula because of changes in trends of human rights violations on the continent. New topics were therefore introduced to address



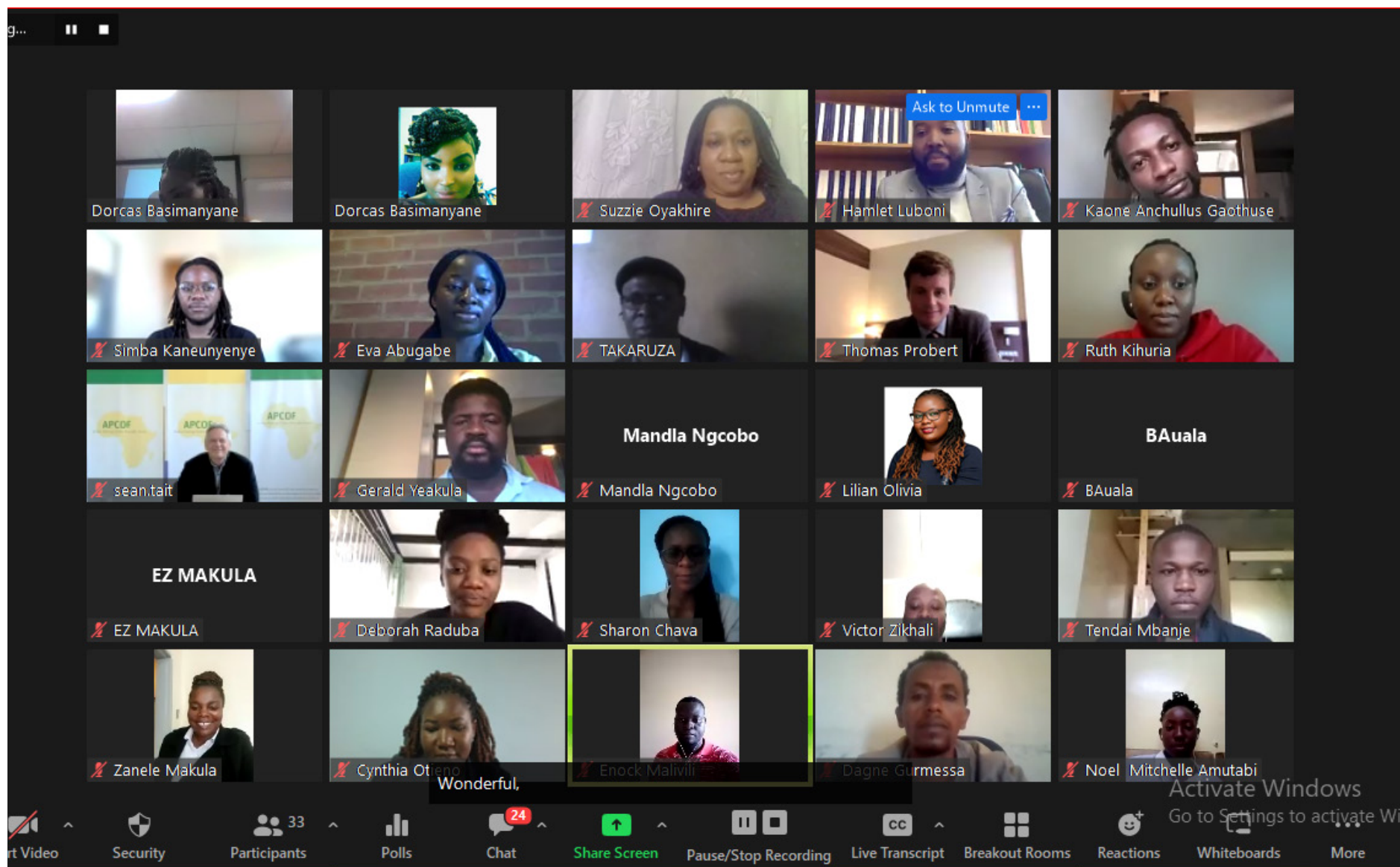
some of the pertinent issues faced in Africa.

A total number of **962** participants from across Africa and abroad attended the above courses. This increased number was made possible by the online delivery mode, which has proven that despite connection challenges in some parts of Africa, many people are still able to attend the courses from the comfort of their homes and offices, as compared to the full physical course that limit the project to admitting a maximum of 50 people per course. The increased awareness is also due to a strong social media presence. This year, AHRC has promoted the

use of **Twitter** during the courses to broaden its outreach. The project coordinator and the participants consistently tweet on the key points discussed within the course on a daily basis. This has proven to be a very important advocacy tool, evidenced by the support of other human rights organisations. Our sponsors and partners for the courses consistently liked and retweeted course pages.

A number of partnerships were maintained and strengthened with various renowned institutions locally and internationally. These partners include the following: Vrije Universiteit Brussels, Belgium;

University of Antwerp, Belgium; Ghent University, Belgium; The 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; The International Centre for Not-For-Profit Law, African Policing Civilian Oversight Forum (APCOF) and the Global Law Enforcement and Public Health Association.





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 overseeing the conceptualization and implementation of African Coalition for Corporate Accountability (ACCA) activities. He was assisted by Thomas White. Thelma Chinyamurindi, the ACCA intern, also supported research and Nelson Onuoha joined the team in September as an 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



Thomas White

In the reporting period, the Unit undertook a number of activities as briefly highlighted below:

The Centre and partners including the Dullah Omar Institute, the University of the Western Cape; the



Thelma Chinyamurindi



Nelson Onuoha

Global Initiative for Social, Economic and Cultural Rights (GI-ESCR); the Initiative for Social and Economic Rights (ISER), and the Right to Education Initiative continued their support to the African Commission Working Group on Economic

Social and Cultural Rights (Working Group) developing a General Comment on State Obligations to Regulate Private Actors involved in the Provision of Social Services. This was following the adoption of African Commission on Human and Peoples' Rights Resolution 434, on the Need to Develop Norms on States' Obligations to Regulate Private Actors in the Provision of Social Services. The Draft General Comment was submitted to the Working Group for reviews and comments.

The Centre for Human Rights participated and issued a statement on the Right to Development in Africa during the 3rd Session of the UN Expert Mechanism on the Right to Development. The statement was anchored around the importance of the current UN Agenda 2030 on sustainable development and how it was largely informed by the Declaration on the Right to Development and hence the right to development remains vital for the full realization of the 2030 Agenda.

The Centre participated in the 21st Session of the UN Working Group on Right to Development which embarked on the discussion and review of the proposed draft of the legally binding instrument on the right to development. The Centre made a statement and emphasized the importance of the legally binding instrument on business and human rights process which would benefit from support of other special mechanisms around the right to development due to the linkages in both processes.

The Centre also participated and issued a statement at the 7th Session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights. The Centre reiterated its support to the process of developing a legally binding instrument on business and human rights and called on states to meaningfully engage and defend the process and ensure stronger protection of victims and human rights defenders, and primacy of human rights over trade and

investment agreement, and made interventions and comments on specific articles of the 3rd revised draft.

The Centre also participated and was a panellist at the 2021 UN Forum on Business and Human Rights. We were part of the Session on 'Making Mandatory Human Rights Due Dilligence Work.' In our discussion, the Centre and ACCA speaking from an African perspective, noted that effective mandatory human rights and environment due diligence is grounded in effective stakeholder engagement especially with affected communities, project affected persons and the most vulnerable groups.

The Centre, in partnership with the Free State Centre for Human Rights at the University of the Free State, the Thabo Mbeki School of International Affairs at the University of Johannesburg and the National University of Lesotho organised the 4th annual conference under the theme 'Right to Development and Illicit Financial Flows from Africa.'



The Centre for Human Rights also did a mini-launch of its report 'A human rights- based approach to addressing illicit financial flows from Africa.' This was initially designed as a study of the African Commission on Human and Peoples' Rights.

Under the GIZ project, a research study was commissioned on the role of the African Development Bank (AfDB) in the COVID-19 response in Africa. Once the report is finalized and launched it will assist in our engagements with the African Commission on Human and Peoples Rights and Civil society actors regarding the effectiveness of the response measures and assessing the extent and impact of country measures towards social service delivery and strengthening social protection mechanisms for the most vulnerable and marginalized groups.

The Centre continued to work with various partners in the implementation of its activities. These include; University of Antwerp, Belgium, African Coalition for Corporate Accountability (ACCA) and members, International Network on

Economic Social and Cultural Rights (ESCR-Net) and Free State Centre for Human Rights, University of Free State, South Africa.

CHILDREN'S RIGHTS UNIT

Dr Elvis Fokala managed the Children's Rights Unit. He was assisted by two doctoral candidates, Mai Aman and Nqobani Nyathi.



Dr Elvis Fokala



Nqobani Nyathi

In November 2021, Reece Gemma Pierce-Jones, a second year LLB student, joined as an intern. The objectives of the Children's Rights Unit are to influence laws, policies, mindsets, attitudes, behaviour and practices at national and regional levels to improve the promotion and protection of the rights of children in Africa.



Mai Aman



Reece Gemma Pierce-Jones

The Unit implemented several activities in 2021. These include:

The Unit reviewed the country reports of 10 state parties to the African Children's Charter. These state parties are Algeria, Burkina Faso, Burundi, Cameroon, Ethiopia, Ghana, Namibia, Mozambique, Sudan, and Tanzania. The objective of the country studies was to provide a comparative analysis of the approaches to implement the African Children's Charter in the selected countries. This was a continuation of the previous study with the same focus that was conducted in five African countries – Chad, Egypt, Kenya, Nigeria and South Africa. The study will be published in 2022.

In March 2021, the Clinic provided support the Committee of African Experts on the Rights and Welfare of the Child by submitting briefing reports for the use of the Committee at the 36th ordinary session. The Clinic has also developed training module on initial and periodic State reporting under the African Charter on the Rights and Welfare of the

Child (ACRWC) and finally, the Clinic held a validation of the child friendly version of the African Children's Charter that was prepared by the clinic of 2020 class.

The Day of the African Child (DAC) was commemorated on the 16 of June 2021 under the theme, '30 years after the adoption of the Charter: accelerate the implementation of Agenda 2040 for an Africa fit for children'. This is an annual continental event celebrated by several organisations and children across Africa. The Unit held a webinar that was attended by several participants across the continent and presentations from UN Children's Emergency Fund, African Children's Committee, and the Forum for African Women Educationalists (FAWE). The aim of the webinar was to draw the attention of states parties and other stakeholders to the significance and goals of Agenda 2040; to share good practices and approaches to the implementation of the Agenda, and to explore tools and innovations such as technology, to accelerate the implementation of the agenda.

To increase the visibility, importance and impact of the DAC, the Children's Rights Unit issued a **statement** in which it called on African states to implement Agenda 2040.

On 20 July 2021, the Unit hosted a webinar, in collaboration with the Expression, Information and Digital Rights Unit on Children's Rights Privacy in the digital sphere in Africa. The event was a contribution to the Centre's tech for rights campaign - **#Tech4Rights**. The aim of the webinar was to draw the attention of the public to issues arising in the context of the rights of children in the digital sphere in Africa; to share perspectives from ongoing research on children and digital rights; to inform a regional approach to the protection of children's rights in the digital context in Africa; to urge AU member states to ratify the AU Convention on Cyber Security and Personal Data Protection.

On 15 September 2021, the Unit in conjunction with **EndCode** co-hosted the **launch of the Model Guidelines on Age-Appropriate Design for Online Services** — an Impact

Amplifier Africa Online Safety Fund project, funded by [Google.org](https://www.google.org). The Model Guidelines is a set of principle statements and recommendations on how online service providers provide for children's privacy at the design-stage of online products and services.

The Unit commissioned country consultants to conduct in depth research on the protection of Children's right to privacy in the digital sphere in several African countries. The main objective of the research was to document and evaluate the nature and scope of children's right to privacy in the digital sphere in Africa with the aim of making recommendation on the measures to be adopted to promote children's rights to privacy. On 3 November 2021, a validation meeting was held in Pretoria, South Africa to validate the consolidated report.

The Unit conducted a study on children's socio-economic rights in Africa with the main objective of reviewing the contribution of the African Children's Charter to the

socio-economic rights discourse and progress made by African countries towards the realisation of the socio-economic rights of children in Africa since its adoption. In addition, the unit engaged scholars from the region to submit country specific papers on the socio-economic rights of children. In collaboration with Raoul Wallenberg Institute of Human Rights and Humanitarian Law, the Children's Rights Unit held a symposium on children's socio-economic rights in Africa on 4 and 5 November 2021 at Southern Sun Hotel, Pretoria. The objective of the symposium was to review the contribution of the African Children's Charter to the socio-economic of children in Africa. Besides reflecting on emerging issues on children's socio-economic, participants at the symposium also analysed the extent to which the Charter may need to respond to emerging socio-economic issues of children in the future.

The Unit conducted a consultancy on child participation in Development Agenda in Africa to establish the extent to which child participation

is anticipated, and implemented in the design and implementation of global (UN) and regional (AU) development frameworks. The study will be validated in 2022 and a stakeholders meeting will be held in 2022 to disseminate the study.

The Children Rights Unit conducted a consultative session with children in South Africa in November 2021. The session was part of preparations for the Kathmandu Conference on Child Participation organized by the Global Campus for Human Rights (to be held virtually from 31 January to 4 February 2022). Participants to this International Conference will be children and young people, Global Campus members and its strategic partners (global/regional) and local partners in Nepal and others. The conference will seek to address the following objectives: to mobilise the voices and views of children and youth from Nepal and other regions in the world; to facilitate and support the meaningful inclusion of children and young people as full participants; to prepare a child participation package comprising of a Summary Report and an

Action Plan developed by children themselves based on the outcomes of the conference; and to prepare a Child Participation Model, informed by the package mentioned above, to facilitate and support meaningful child participation in other forthcoming regional conferences and Global Campus activities around the world.

DEMOCRACY AND CIVIC ENGAGEMENT UNIT

The Unit was managed by Bonolo Makgale and Tariro Sekeramayi assisted as an intern and Research Assistant.

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



Bonolo Makgale

through research, capacity building and advocacy. The Unit facilitates African CSOs formal mechanism of engagement with AU organs, the Pan-African Parliament and ECOSOCC with the aim to close the democratic gap by creating a space for citizens and civil society to interact and influence the work on the African Union through these organs. Furthermore, the Unit does work on democratic elections in Africa and the promotion of human rights through constitutional literacy.

The Unit was involved in many activities during the year:

Pan-African Parliament activities:

- Completed a study on the contribution by the Pan-African Parliament (PAP) to governance



Tariro Sekeramayi

in the AU from 2004-2020

- The Unit hosted a Civil Society Forum on 9 June 2021 to discuss the postponed elections of the PAP and issues related to the Fourth Ordinary Session of the Fifth PAP. The virtual event was attended by 180 participants from across the continent. Subsequently, the PAP CSO Forum submitted a statement concerning certain issues that affect the functioning of the PAP and pose a threat to the further fulfilment of its mandate to the PAP Bureau - <https://www.chr.up.ac.za/dce-unit-news/2588-press-statement-african-csos-statement-on-the-recently-postponed-pap-elections-of-the-fifth-parliament>
- Developed the 'PAP Malabo Protocol Toolkit' and hosted a roundtable review with key partners. The toolkit has not been completed and is still in progress
- Participated in the review and amendment of the PAP Media and Communication Strategy on 2 September 2021
- Facilitated training on CSO

advocacy in the PAP at the Zimbabwe Alternative Mining Indaba on 4 October 2021

- Facilitated training on CSO advocacy in the PAP with CSOs, media, members of national parliaments in Francophone and Anglophone West Africa (Bukina Faso (virtually), Dakar and Banjul (Physically) - November 2021)

ECOSOCC activities

- The Centre provided technical and legal support through the placement of an intern to enhance the capacity of ECOSOCC and support its mandate.
- The Unit commissioned an impact analysis study on the contribution of ECOSOCC in the governance architecture of the AU. The study was reviewed by the Unit and ECOSOCC Secretariat.
- The Unit participated in AU ECOSOCC CSO Consultations on the AU Theme of the Year 2021 policy booklet development on 13, 20 and 27 July 2021.
- The Unit participated in

Tripartite Workshop on the participation of Civil Societies in Peace and Security programmes and processes of the AU and its RECs in Siavonga Zambia: 16-18 August 2021.

- The Unit developed a training manual for African CSOs, CSOs in the diaspora and the media on effective engagement with ECOSOCC and the AU. The first review of the manual was undertaken with input from the CHR and ECOSOCC Secretariat.

Constitutional literacy activities

- The Unit undertook a pilot project to develop simple and easy-reference booklets (for non-lawyers) per country that summarises the Bill of Rights as contained in the Constitutions of Kenya, Malawi and Zambia. The booklets were subsequently translated into the local languages of the respective countries (Swahili, Chichewa and Bemba). The objectives of this project are to promote human rights and constitutional literacy among citizens by developing and

widely disseminating accessible information demystifying the Bill of Rights for citizens of African countries; to empower the citizens to effectively participate in governance issues; and to empower the citizens to effectively protect their own human rights while fulfilling their obligations as provided for by their Constitutions.

Election in Africa activities

- Facilitated webinar relating to elections and governance on the continent (on elections, internet shutdown and access to information, on 18 March 2021)
- Participated in webinar of the Southern African Civic Education Coalition (Analysing regional response to COVID-19-challenges, success and opportunities, on 25 March 2021)

Hosted a webinar series aimed at facilitating conversation and understanding of the influences of voter apathy among the South African youth and how to ensure their participation in the local

government elections. Topics covered in webinar series:

- Voter apathy and youth participation in South African elections: A focus on local government elections - 1 April 2021
- Campus Youth Leadership Round Table: A focus on interaction with political parties and the effects of on-campus politics - 17 June 2021
- Spatial (in)justice and the post-apartheid state - 8 September 2021

Participated in various engagements in preparation for the local government elections in South Africa, including

- Facilitating an IEC elections readiness CSO briefing: Electoral Accountability, Reform, and Voter Turnout - 28 April 2021
- Presenting at a Local Government Elections and CSO Roundtable: Civil Society and Electoral Support in South Africa: Influences and Shifts - 29 April 2021

The Unit was also involved in various media engagements and research/

publications relating to the local government elections in South Africa:

- Participated in a webinar analysis of the recent SA unrest and its impact on local government elections hosted by DDP - 30 July 2021
- Participated in *Sunday Times* Dialogue: Coalition governments on Municipal level in preparing for the upcoming local government elections - 9 September 2021
- <https://www.youtube.com/watch?v=VoOjbaw4Lms>
- Participated in a dialogue on the Impact of COVID-19 on municipal systems and accountability hosted by DDP - 15 September
- Published an opinion piece on South African Local Government Elections and the Covid-19 pandemic - 20 September 2021
- Participated in the *Mail & Guardian* dialogue: Unpacking the socio-political landscape ahead of the local government elections - 30 September 2021 <https://youtu.be/W06wSlvoGC4>

- Analysed ANC including politically motivated violence, internal leadership disputes and municipal candidate selection irregularities in Tshwane on ENCA - 15 October 2021 https://youtu.be/s4ZegIL_nKQ

The Unit collaborated with the following organisations: Parliamentary Network Africa; The Democracy Development Program; Mapungubwe Institute for Strategic Reflection; Centre for Human Rights University of the Free State; Mzalendo Kenya; ZELA Zimbabwe; Corlet Letlojane, HURISA; Jeggan Johnson, OSISA; Dr Sikwane Ncube, University of Johannesburg and Professor Babatunde Fagbayibo, UNISA.

DISABILITY RIGHTS UNIT

In 2021, the Disability Rights Unit was managed by two people: Innocentia Mgijima-Konopi (up to 31 March 2021) and Dianah Msipa (from April 2021).



Innocentia Mgijima-Konopi



Dianah Msipa

They were assisted by Sabeeha Majid and Tadiwanashe Mavunga, both interns/project officers. Mary Auma and Wilson Macharia joined

the Unit as researchers. Paul Juma and Faith Njahira Wangari are doctoral candidates in the Unit. Professor Charles Ngwenya provided substantive guidance to the Unit and is involved in some of the Unit activities.

The objective of the Disability Rights Unit is to promote the rights of persons with disabilities in Africa. This is done through various research, education and capacity building activities, of which the aim is to contribute to the international disability rights discourse by focusing on targeted measures to advance the rights of persons with disabilities on the continent. The Unit's activities contribute to the Centre's efforts towards human rights education and the improvement of the rights of marginalized groups on the continent such as persons with disabilities.

During 2021, the Disability Rights Unit hosted the following events:

- The 9th Annual Disability Rights in Africa Conference from 16 to 17 November 2021 virtually via



zoom. The conference theme was *Realising the sexual and reproductive rights of persons with disabilities in the African Region: The promise of disability rights treaties*.

- A webinar on the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa (African Disability Protocol) held on 18 November 2021. The webinar had a two-fold purpose, to raise awareness about the African Disability Protocol and to encourage African states to ratify it.
- A training workshop on the right to public and political participation for persons with disabilities in Malawi held on 27

August 2021 in hybrid format in Lilongwe and online via zoom

- Webinar: Live chat with the new UN Independent Expert on the Enjoyment of Human Rights by Persons with Albinism held on 27 October 2021. The chat served to introduce the new mandate holder, Ms Muluka-Anne Miti-Drummond to various stakeholders in the albinism movement.
- A validation workshop held in hybrid format in Lusaka, Zambia and online via zoom on 15 September 2021. The purpose of the workshop was to validate the research findings under the project *Persons with disabilities and barriers to equal access to justice in the criminal justice system in Zambia*.

- An online African Regional Consultation on draft guidelines on deinstitutionalization co-organised by the Unit and the Committee on the Rights of Persons with Disabilities' Working Group on De-institutionalisation held in June 2021. Part of the Global Coalition on De-institutionalisation project, this consultation sought to elicit ideas from stakeholders on what the guidelines should include in order for them to be relevant to persons with disabilities in Africa.

The Disability Rights Unit had a number of ongoing projects in 2021 including the following:

- A research project on 'Ensuring the right to public and political participation for persons with

disabilities in Malawi and Namibia'. In 2021, the unit worked on completing the research reports and position papers in Malawi and Namibia as well as completing a capacity-building training in Malawi.

- Research and capacity-building projects on 'Persons with disabilities and barriers to equal access to justice in Zambia, Botswana and South Africa'. In particular, the unit worked on completing research reports and position papers for Zambia, Botswana and South Africa.
- A research project on 'Monitoring the human rights impact of Covid-19 and related emergency measures on persons with disabilities in Southern Africa'

- Global Coalition on De-institutionalisation project in which the unit partnered with other international disability organisations to support the Committee on the Rights of Persons with Disabilities' Working group on de-institutionalisation to draft guidelines on de-institutionalisation
- A research and capacity-building project on 'Promoting access to justice for persons with intellectual and psychosocial disabilities in Southern Africa'
- Uploading new materials on the Repository on Disability Rights in Africa (RODRA) site.
- Various initiatives aimed at strengthening the capacity of the UN Independent Expert on the Enjoyment of Human Rights by Persons with Albinism to promote the rights of persons with albinism in Africa
- Publication of volume 9 of the *African Disability Rights Yearbook*

The overall impact of the work of the DRU at outcome level is

the promotion of disability rights through enhanced awareness of disability rights through education and capacity building activities and documentation of barriers and challenges faced by persons with disabilities for the purposes of informing interventions through our research activities.

During 2021, the Unit partnered with a number of organisations in the implementation of its activities. These include the International Commission of Jurists (Johannesburg) in the hosting of the Workshop on the ratification of the African Disability Protocol; the Validity Foundation (Africa) in the hosting of the workshop on the ratification of the African Disability Protocol and the Southern African Federation of Organisations of the Disabled (SAFOD) in the dissemination of surveys for the COVID-19 monitoring project.

EXPRESSION, INFORMATION AND DIGITAL RIGHTS UNIT

In 2021, Hlengiwe Dube was the manager of the Expression, Information and Digital Rights Unit, and was assisted by Dr Tomiwa Ilori and Marystella Simiyu as researchers and project officers.



Hlengiwe Dube



Marystella Simiyu

The objective of the Unit is to raise awareness and contribute to research on freedom of expression, access to information and the intersection between technology and human rights. The Unit contributes to the Centre's vision to be a world-class academic and human rights institution focusing on research, teaching and advocacy from the perspective of human rights developments that are taking place in the information and digital age including the inclusion and protection of those most vulnerable to human rights violations.



Dr Tomiwa Ilori

During 2021 the Unit undertook the following activities:

- **Data Protection and Privacy Book Project:** This is an ongoing

project, to be completed in 2022. It consists of 15 chapters that were presented at a conference on privacy and protection in Africa that was held in October 2020.

- **The Right to Privacy in the Digital Age MOOC:** It consisted of five modules. The self-paced course was launched online on 24 May 2021. Course participants were free to take up the course up to the first week of July 2021. In addition, a series of webinars were held for each module. Participants who successfully completed the course were awarded a certificate.
- **Children's Right to Privacy in the Digital Sphere:** The Unit, in collaboration with the Children's Rights Unit, worked on this project and a continental report on the status of children's privacy in the digital sphere has been compiled and validated by experts in the children's rights.
- **Digital Rights in Africa Course:** The course was conducted by the unit as part of Paradigm Initiative's media fellowship,

which draws participants from various countries on the continent. There were two cohorts (March-June and September-November). Participants who successfully completed the course were awarded a certificate.

- **#Tech4Rights Expo:** This was held on 26-29 October 2021 as part of the CHR's campaign on technology and human rights (#Tech4Rights). In addition, a number of activities were carried under this campaign. The output of the activities under the campaign will be a digital magazine that will be finalised in 2022.
- **Access to Information and Elections:** Under this project, the unit assesses states' compliance with the Guidelines on Access to Information and Elections in Africa. In 2021, Ghana, Tanzania and Uganda were assessed. The compliance reports are still at review stage and will be launched in 2022. A pre-election workshop was held in The Gambia on 30 November 2021, in partnership with Article

19 and the Gambia Press Union. A consultant has been contracted to draft the report on The Gambia's compliance ahead of 4 December 2021 elections.

- **Elections and Democracy Project (collaboration with Democracy and Civic Engagement Unit):** Under this project, two articles will be published in the second issue of the 2021 *African Human Rights Law Journal*. A third article will be featured in the 2022 issue.
- **Shadow Reporting:** The unit worked on shadow reports for Benin, Eswatini, Namibia, Niger, Malawi and Kenya.
- **Contribution to Short Courses and Academic Programmes:** The unit members taught in the HRDA, and Sexual and Reproductive Rights programmes as well as the women's rights short courses. Focus areas were access to information and elections, information disorder, women's rights in the digital age, and digital advocacy.

- **Artificial Intelligence Country Reports:** Through the human rights clinic, the unit produced three country reports (Kenya, Nigeria and South Africa) for the global index on artificial intelligence, a project that is run by the Center for AI and Digital Policy. The final reports were presented in September 2021.
- **Online gender-based violence research:** This is a report that consists of eight country studies (Angola, Botswana, Malawi, Mozambique, Namibia, South Africa, Zambia, and Zimbabwe) on online gender-based violence in Southern Africa. The African Commission's Special Rapporteur on Women's Rights contributed the foreword. Eight researchers drafted the country reports and an editorial team is working on reviewing the reports. The partners in this project are the Centre, NamTshuwe Digital, Gender Links, and Pollicy.
- **Commemorative events:** On 28 January 2021, the Unit collaborated with the Council of Europe in commemorating

the International Privacy Day. Data protection authorities from Kenya, South Africa, Ghana, Morocco and Mauritius participated in the event. The Unit also supported the African Commission's Special Rapporteur on freedom of expression and access to information in commemorating the International Day for Universal Access to Information on 27 September 2021.

The overall impact of the work of the Unit in 2021 has been to help build upon advocacy research and scholarship on freedom of expression, access to information and digital rights on the continent.

The African Commission's Special Rapporteur on Freedom of Expression and Access to Information in Africa, the South African Information Regulator, Paradigm Initiative, Center for AI and Digital Policy, Equality Now, Witness, NamTshuwe Digital, GenderLinks, Pollicy, Article 19, Gambia Press Union, International Center for Not-for-Profit Law, Global Partners Digital, and Institute for Democracy and Electoral Assistance.

FREEDOM FROM VIOLENCE UNIT

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 seven different African countries to Pretoria to research issues ranging from counter-terrorism to gender-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. Prof Christof Heyns, Prof Stuart Maslen and Dr Thomas Probert acted as supervisors. Before his sudden passing in March 2021, Prof Heyns was employed by the University, the other two supervisors worked on a contract basis on the project.



Prof Stuart Maslen

Building upon the work of developing two global repositories of domestic law, one on use of force

(<https://www.policinglaw.info/>) and one on the regulation of public gatherings (www.rightofassembly.info), in 2021 the Unit continued to lobby for greater attention to be paid to these critical issues. 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. In 2021 a successor report to the **"Lethal Force Monitor"** project was published, presenting a deep-dive into available information about police use of force in South Africa and Kenya.



Dr Thomas Probert

A model law on the use of force by law enforcement officials has been completed, after a process of wide consultation, and discussions have

been underway about how it can be deployed within ongoing legal reform initiatives in South Africa. Prof Heyns served as an expert witness for the implementation part of the Marikana report, where he recommended certain legal changes. The Panel of Experts' report, finally made public in March 2021, included a recommendation that the "Model Bill" be used as a basis for legal reform.

The African Commission 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, a version of which was by the end of the reporting period being reviewed by the Commission ahead of a wider continental consultation in 2022.

Engagement with the issues of policing in a South African and wider continental 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 in 2021, Fair Trials and the Global Law Enforcement and Public Health Association also joined to co-facilitate a course.

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 – this year in a virtual format. Lecturers from UP, other South African universities and around the world 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 cases studies for the project's award-winning resource about the use and abuse of tear gas around the world.

Normative standards surrounding accountability processes continue to be developed. Members of the Unit participated in trainings about the Minnesota Protocol (a UN document the revision of which was spearheaded by Christof Heyns as Special Rapporteur): one organized in Bangkok for jurists from across the ASEAN region, and one dedicated session with judges who would be serving on the variety of commissions of inquiry established in Nigeria in the aftermath of violence associated with the #EndSARS movement.

LITIGATION AND IMPLEMENTATION UNIT

In 2021, Michael Nyarko managed the Unit; Foluso Adegalu assisted as Associate Manager and Brian Kibirango assisted as an intern from July to November.

The objectives of Unit include engagement in strategic human rights litigation before international and regional human rights bodies; engagement in activities that supports the implementation of the jurisprudence of international human rights bodies; advocacy on situations of human rights before international and regional human rights bodies, particularly the human rights bodies with which the Centre has observer status. The Unit aims to influence jurisprudence and institute cases for effective monitoring of AU human rights treaty obligations; conduct research and institute dialogues for effective monitoring of human rights treaty obligations; and help the Centre to fulfil its institutional commitments arising from maintaining observer status with relevant human rights institutions.



Michael Nyarko



Foluso Adegalu



Brian Kibirango

In 2021, the Unit engaged in a number of activities, including the following:

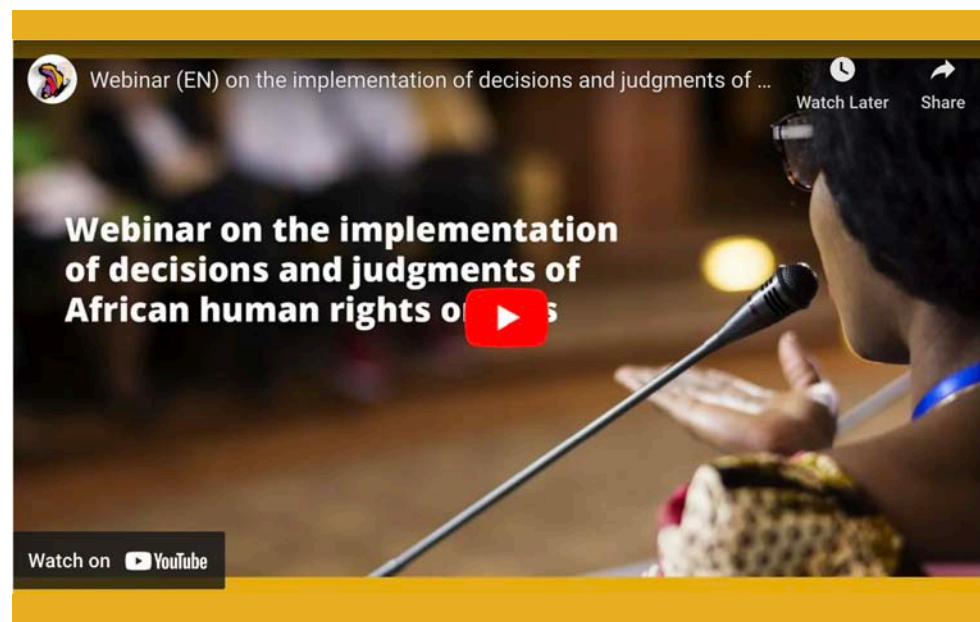
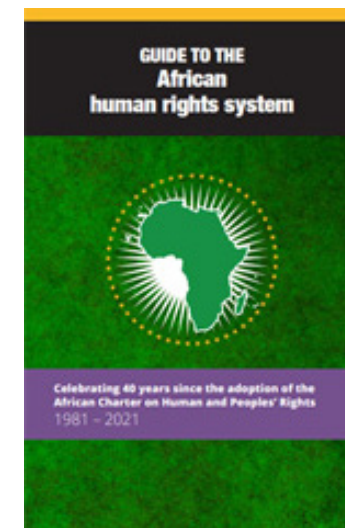
- Working on a database on impact of UN human rights treaty system in 193 countries
- Coordinating a research project on the impact of COVID-19 pandemic on human rights and democratic governance in Africa
- Advocacy on human rights situation before the Human Rights Council during the sessions of the Human Rights Council in March and September
- Advocacy on human rights

situation before the African Commission on Human and Peoples' Rights

- Research on the implementation of selected decisions of the African Court on Human and Peoples' Rights and presentation during the African Court's session in November.
- Video documentary on the decision of the African Committee of Experts on the Rights and Welfare of the Child in the *Talibe* case
- Edited book on African

approaches to international human rights law

- Edited book on the domestic



impact of the UN treaty system

- Comprehensive update of the Unit's website
- Webinar on the implementation of the decisions and judgments of African human rights organs
- Coordinated the Litigation Clinic for students from the HRDA Masters' programme
- Coordinated the Implementation Clinic for students from the HRDA Masters' programme
- Providing legal opinion to

the Secretariat of the African Commission

- Submitted a case to the African Committee of Experts on the Rights and Welfare of the Child on the situation of children accused of witchcraft in Nigeria.
- Attend and present at Symposium on implementation of decisions of African Court and Tribunals organized by Pan African Lawyers Union and West African Bar Association on 6 and 7 December in Abuja, Nigeria.

The Unit works in partnership with: Human Rights Implementation Centre, University of Bristol; Geneva Academy of International Humanitarian Law and Human Rights; Office of the High Commissioner for Human Rights; Global Campus of Human Rights; Harvard Law School Advocates; and the Danish Institute for Human Rights. The Unit is also part of the following networks: Coalition for Independence of the African Commission; Coalition for Effective African Court and the Litigants' Groups.

MIGRATION UNIT

Since May 2021, Abiy Ashenafi managed the Unit, and Tunde Enigbokan assisted as a Project Officer of the Unit. Alphonse Francis Obonyo assisted as the Network Officer of the GENIDA project.



Abiy Ashenafi



Tunde Enigbokan



Alphonse Francis Obonyo

The objective of the Unit is to realise the Centre's vision and mission in the protection and promotion of human rights in Africa, through research and training on, advocacy for, and monitoring of, the rights of migrants on the continent.

The following were the major activities that the Unit implemented in 2021.

- The Unit hosted a webinar on the promotion of refugees' inclusion in education and sports in Africa on 22 June 2021, in commemoration of the World Refugee Day. Short lectures were delivered by a panel of experts. About 100 participants attended the webinar.
- The Unit developed a curriculum

for the Advanced Human Rights Course on the protection of the rights of forcibly displaced persons in Africa.

- The Unit hosted a short course on the protection of the rights of forcibly displaced persons in Africa from 22 to 26 November. Fifty participants from South Africa and the rest of the continent, Americas, Europe, and Asia successfully completed the course.
- The Unit conducted a desk research on the right to primary education of refugees and asylum seekers in Africa in the COVID-19 pandemic era. The research is intended to be published in the African Human Rights Policy Papers.
- The Unit updated the landing page of its website.
- The Unit contributed to the Centre's activities on monitoring human rights in Africa contributing its input to the Centre's shadow report to the African Commission.
- As part of the Centre's assistance to its partners, the Unit contributed to the

development of the African Commission's guidelines on state of emergency, a project undertaken by APCOF.

The Global Engagement Network on Internal Displacement in Africa (GENIDA) is located within the Migration Unit. The GENIDA network has established an online presence through the website and social media platforms. It has 160 followers on Twitter, 70 followers on Facebook, and 60 followers on Instagram. The number of network

members has increased to nearly 200 members. Following the advocacy workshop in Sierra Leone, a national action plan was launched and is currently being monitored by the GENIDA Sierra Leon Network Members. In Uganda, the Colloquium led to the submission of a petition to the Parliament of Uganda to review the Uganda IDP policy. In Cameroon, IDP advocates were trained and equipped with the knowledge required to track, document, report, and advocate for the rights of IDPs. Online learning

platform was launched. This was done with the personal finances of the GENIDA Network Officer, as funds for this were not disbursed to the University of Pretoria. Publications of Blogs, working papers, policy briefs and mini-series reports on the GENIDA website. #Voice of IDPs Report. GENIDA engaged IDPs in Uganda and Cameroon towards its objective to create a platform for inclusive IDP centred development of solutions to internal displacement in Africa. This report highlights the experiences,

challenges and solutions proposed by IDPs in Selected IDP camps in Uganda and Cameroon. Launch of the **#LETSTALKIDPS** Podcasts: The **#Let'sTalkIDPs** Podcasts were launched to allow the writer of blogs, policy briefs, working papers, and blogs to expand on tacit knowledge while speaking to stakeholders' questions.



Developing and Sustaining Solutions for the Protection of Internally Displaced Persons in Africa

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

The Unit personnel in 2021 were Dr Ayodele Sogunro (Project Manager), Tapiwa Mamhare (Project Officer), Thiruna Naidoo (Project Officer) and Nathan Milanzi (Project Officer). The work of the Unit was also supported at various times during the year by interns Ompha Tshamano and Bianca Dyers and a few students of the Human Rights and Democratisation in Africa (HRDA) programme.



Tapiwa Mamhare



Nathan Milanzi



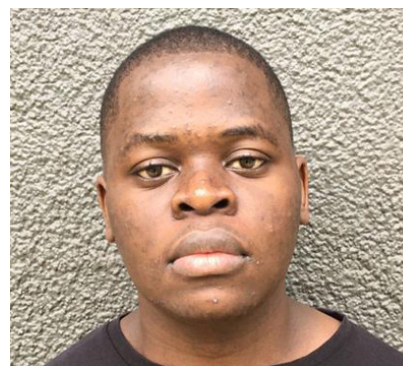
Dr Ayodele Sogunro



Bianca Dyers



Thiruna Naidoo



Ompha Tshamano

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 Resolution 275, adopted by the African Commission on Human and Peoples' Rights to encourage state parties to the African Charter to adhere to the call to protect LGBTIQ+ persons. The Unit also strengthens advocacy and shares knowledge in South Africa and across the continent particularly on issues of decriminalisation, anti-discrimination, and strategic litigation through short courses and workshops for potential and existing SOGIESC activists, lawyers, and social workers.

Major activities in 2021:

- **April:** The Unit conducted an outreach visit to Cape Town for community engagement and dissemination of SOGIESC literature.
- **August:** The Unit commissioned the staging of a play, *Born Naked*, for an audience composed

of international and local participants.

- **September:** The Unit produced a photobook collection titled **Looking through the prism: Narratives of queer dignity in South Africa.**
- **Various times:** The Unit issued statements on the LGBTIQ+ situation in Angola, Ghana, and South Africa including discussions in media interviews and appearances.
- **Various times:** The Unit contributed to the Centre's statements to the African Commission on Human and Peoples' Rights on the LGBTIQ+ situation in Africa.

- **Various times:** The Unit contributed to the Centre's podcasts with interviews on **confronting online violence against sexual minorities; 'binaries and boxes'; and conversion therapy.**
- **April:** The Unit made a submission on gender identity to the UN Independent Expert on SOGIE.
- **May:** The Unit published a report titled **'Report on Current Practices in Conversion Therapy, Emerging Technology, and the Protection of LGBTQ+ Rights in Africa'.** The Unit also developed a policy paper based on this report for the

African Human Rights Policy Paper series, on **'Conversion Therapy: Current Practices, Emerging Technology, And The Protection Of LGBTQ+ Rights In Africa'.**

- **August:** A report commissioned by the Unit on the use of the Equality Courts was delivered by an external consultant.
- **November:** The Unit is in the process of finalising and launching the intersex study report.
- **February:** The Unit hosted a hybrid Advanced Human Rights Course on Sexual Minorities in Africa from 22 – 26 February.
- **May:** In partnership with

Synergia and Commissioner Manuela, the Unit facilitated a meeting of sub-regional Lusophone NGOs to promote the use of the African human rights system and engagement with the African Commission.

- **August:** The Unit hosted a hybrid Capacity Building Workshop for LGBTIQ+ defenders in Africa from 23 - 27 August with participants from all over Africa.
- **Various times:** The Unit hosted LGBTIQ+ awareness events including the conversion therapy webinar on 17 May; IDAHOBIT Art and Solidarity webinar event on 20 May (in partnership with



LOOKING THROUGH THE PRISM
Narratives of queer dignity in South Africa
VOLUME 2

the Flanders Representation); Africa Day webinar on 25 May (in partnership with Young Queer Alliance, Mauritius), and a webinar on LBQ women and Resolution 275 on 25 November.

The Unit has a number of institutional and individual partners in its networks. Worthy of mention for activities in 2021 are the Initiative for Strategic Litigation in Africa (ISLA); Network of African National Human Rights Institutions (NANHRI); Synergia-IHR; REDRESS; and Pride Afrique.



WOMEN'S RIGHTS UNIT

In 2021, Patience Mpani managed the Unit from January to February, Ashwanee Budoo-Scholtz was the Acting Manager from April to July and Matilda Lasseko-Phooko was appointed in July. Lydia Chibwe, Oluwaseyitan Solademi and Susan Mutambasere were Programme Officers.

The Unit strengthens compliance and implementation of the African Charter on Human and Peoples' Rights (African Charter) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) by enhancing the capacity of states to report under the African Charter and the Maputo Protocol as well as popularising and advocating for the implementation of the Maputo Protocol.

A number of activities were undertaken in 2021:

State reporting workshops

State reporting workshops were held with government officials from departments with a role to play

in collating periodic state reports to the African Commission on Human and Peoples' Rights (African Commission) and civil society actors in five African states as follows:

- Regional: Namibia, Uganda and South Africa: 29 to 31 March 2021
- Tanzania: 22 to 24 June 2021
- Sierra Leone: 24 to 26 August 2021
- South Africa: 9 to 10 November 2021

Stakeholder meeting on Concluding Observations and Recommendations: 2 December 2021, Rwanda Kigali

The Centre and Great Lakes Initiative for Human Rights and Development hosted a stakeholders' meeting on the Concluding Observations and Recommendations received by the government of Rwanda following the consideration of its combined 11th, 12th, 13th and 14th periodic report on the African Charter and its initial report on the Maputo Protocol to the African Commission in January 2017. The objectives of the meeting were to consider Rwanda's implementation



of the Concluding Observations and Recommendations. This involved looking at the actions that have been implemented and the challenges faced in implementation. The meeting aimed to have stakeholders jointly formulate a roadmap towards the implementation of the outstanding actions in realising the rights of women guaranteed in the Maputo Protocol and identify actors in the implementation of the roadmap developed. Ultimately, the process was to support the treaty monitoring procedures of the African Commission leading to sustained

monitoring of the implementation of the Concluding observations and Recommendations in the country to keep the government accountable for improving the human rights of women and girls within the country.

The Advanced Human Rights Short Course on Women's Rights in Africa: 18 to 22 October 2021, Pretoria, South Africa

The Unit hosted a five-day hybrid intensive short course on Women's Rights in Africa to provide participants, from various

professional backgrounds, with a perspective of the women's rights framework at the international and regional levels. The course had 74 participants registered with 62 registered for online participation and 12 physically present at the University of Pretoria's Future Africa Campus in Pretoria, South Africa. The participants were from 25 countries, 22 of which were African, two Asian and one European. Among the participants were government representatives, legal practitioners, representatives of non-governmental organisations,

activists, as well as doctoral and Master's students from various Universities from across the continent working in areas relating to women's rights.

Webinar with the Special Rapporteur on the Rights of Women in Africa (SRRWA): 22 June 2021

The Unit hosted a webinar with the SRRWA and other CSOs on marriage and property rights with a focus on the recent General Comment 6. The meeting had high level panellists

including the SRRWA, former SRRWA and Chair Commissioner Maiga, members and former members of the CEDAW Committee and a former chair of the ESCR Committee. Participants were from Africa and Asia CSOs.

Webinar to commemorate the International Day of Older Persons: 4 October 2021

Together with the African Commission Working Group on the Rights of Older Persons and Persons with Disabilities, the Unit hosted a webinar to mark the International Day of Older Persons. The webinar was with National Human Rights Institutions, CSOs and state officials from Lesotho and Benin, African Union (AU) member states that have ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons (Older Persons Protocol) as well as Ethiopia and Malawi as states that have made progress towards ratification of the Older Persons Protocol. The purpose of the webinar was to support AU member states that have ratified the Older Persons Protocol to formulate strategies to





PUBLICATIONS

PUBLICATIONS SECTION

In 2021 Dr Trésor Muhindo Makunya coordinated the activities of the Publications Unit. Janet Gbam assists the Unit as well as Isabella Roberts, an intern from Georgia (United States).



Dr Trésor Muhindo Makunya



Janet Gbam



Isabella Roberts

The Publications Unit supports the Centre's efforts to improving human rights education, research and scholarship in Africa and beyond. It updates relevant Centre's publications such as the *Guide to the African human rights system*, various law reports and ensures the regular publication of its academic journals. It also proposes and conducts new research projects on human rights issues of relevance to Africa. In these ways, the Publications Unit contributes to positioning the Centre as the leading research institute on African human rights issues.

Activities in 2021 included:

- Revision and publication of the *Guide to the African human rights system* in the five African

- Union languages
- Preparing the publication of the Volume 5 of the *African Human Rights Yearbook* (published in 2022)
- Putting together cases to update the Centre's law reports in English and French
- Liaise with the African Court and consultants in preparing the Volume 4 of the African Court Law Report
- Showcasing publications of the Centre at the African Court judicial dialogue in Dar-es-Salaam (4-5 November 2021)
- Sharing our most important publications with various institutions, the Court, the Commission, the Committee, NAHRI, 8 July 2021
- Undertake a new study on the Drafting History of African Human Rights Courts
- The Publications Section jointly organised a virtual book launch of *L'étrange alchimie de la vie et de la loi* on 19 November 2021. The book was published by the Pretoria University Law Press. A blog was published as a special issue in *AfricLaw* in December

2022, putting together all the presentations made by panelists.

PRETORIA UNIVERSITY LAW PRESS

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



Lizette Hermann

In 2021, the editorial committee was convened by Professor Charles Fombad. Its other members were: Lizette Hermann (PULP Manager); Prof Christof Heyns (until his passing); Prof Frans Viljoen (Director, Centre); Dr Gustav Muller (then Senior Lecturer, Department of Private Law, Faculty of Law, University of Pretoria);



Sydney Mdhlophe

Prof Magnus Killander (Director of Research, Academic Coordinator: LLM/MPhil (HRDA), Centre for Human Rights, Faculty of Law, University of Pretoria; Dr Martha Bradley (then Lecturer, Department of Public Law, Faculty of Law, University of Pretoria).

The Pretoria University Law Press (PULP), an independent press based in the Centre for Human Rights, at the Faculty of Law of the University of Pretoria, seeks to strengthen the rule of law and promote legal scholarship on the African continent by publishing primary materials and scholarly texts on law and its related disciplines in Africa. In keeping with PULP's access to information policy – all books are available online in



Liesl Hager

electronic format at no charge at <https://www.pulp.up.ac.za>

Some of PULP's titles have more than 6000 downloads since their publication and most have more than 3000 downloads.

In June 2021, PULP presented one of two virtual book launches for the year, this title was one of the last books published by Professor Christof Heyns before his death *National Commissions of Inquiry in Africa: Vehicles to pursue accountability for violations of the right to life?* Presenters of the book launch included Justice Kate O'Regan and the co-editor of the book Thomas Probert.



Prof Christof Heyns



Dr Gustav Muller



Dr Martha Bradley



Prof Frans Viljoen



Prof Magnus Killander



VERNISSAGE VIRTUEL D'UN OUVRAGE VIRTUAL BOOK LAUNCH

**L'étrange alchimie de
la vie et de la loi**
LE JUGE ALBIE SACHS
traduit et commenté par Christine Schurmans
(2021)

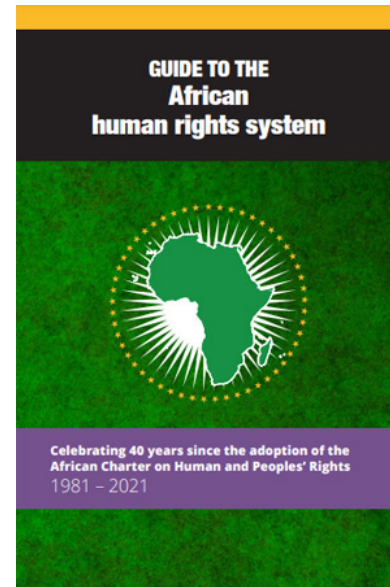
Pretoria University Law Press
PULP
www.pulp.up.ac.za

In November 2021, PULP presented the second Virtual Book Launch which was the French translation of Albie Sachs' book *The Strange Alchemy of Life and Law* (originally published by Oxford University Press) *L'étrange alchimie de la vie et de la loi*, translated and commented by Christine Schurmans.

REGULAR PUBLICATIONS EDITED BY THE CENTRE

During 2021, PULP published 14 titles along with 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, four are available as fully open-access, online journals. In celebration of 40 years since the adoption of the African Charter on Human and Peoples' Rights, PULP published the *Guide to the African human rights system: Celebrating 40 years since the adoption of the African Charter on Human and Peoples' Rights 1981 – 2021* in English, French, Portuguese and Swahili, the Arabic translation is in production.



CHRISTOF HEYNS MEMORIAL THESIS AWARD

In 2021, the Christof Heyns Memorial Thesis Award was instituted. The first award was made in November 2021, based on the assessment of a panel consisting of Professor Hennie Strydom, University of Johannesburg (Convener), Professor Johanna Botha, Nelson Mandela University, Port Elizabeth and Professor Solomon Ebrobrah, Niger Delta University, Nigeria. The criteria used by the panel include the inherent quality of the research, as well as the relevance of the topic to African

challenges and the originality of the approach.

The award for the best thesis by an African doctoral candidate completed in 2020, went to Dr Tabeth Lynn Masengu. The winning thesis by Dr Masengu is titled 'What lies beneath the complex nature of appointing women judges in Zambia and South Africa', and was completed under the supervision of Professor Hugh Corder, University of Cape Town, and Professor Eva Brems, University of Ghent. The degree was awarded by the University of Cape Town.

Two runners-up were also identified. The first is Dr Satang Nabaneh, who graduated with a thesis titled 'Power dynamics in the provision of legal abortion: A feminist perspective on nurses and conscientious objection in South Africa', from the University of Pretoria. Her thesis was prepared under the supervision of Professor Charles Ngweni, University of Pretoria, and Professor Siri Gloppen, University of Bergen. The second runner-up is Dr Muhammad Bello, who completed a thesis titled 'The place of socio-economic rights in

sovereign debt governance' under the supervision of Prof Elizabeth Snyman-Van Deventer and Dr Annelie de Man at the University of the Free State. Dr Bello graduated from the University of the Free State. A total of 16 theses were nominated for the Award, from the following universities: University of Cape Town (four nominations); University of Pretoria (two nominations); University of the Western Cape (two nominations); University of Kwa-Zulu Natal (two nominations); and one nomination each from Bayreuth and Makerere Universities and the University of the Free State, Nairobi, North-West/Tilburg and Johannesburg.

AFRICLAW

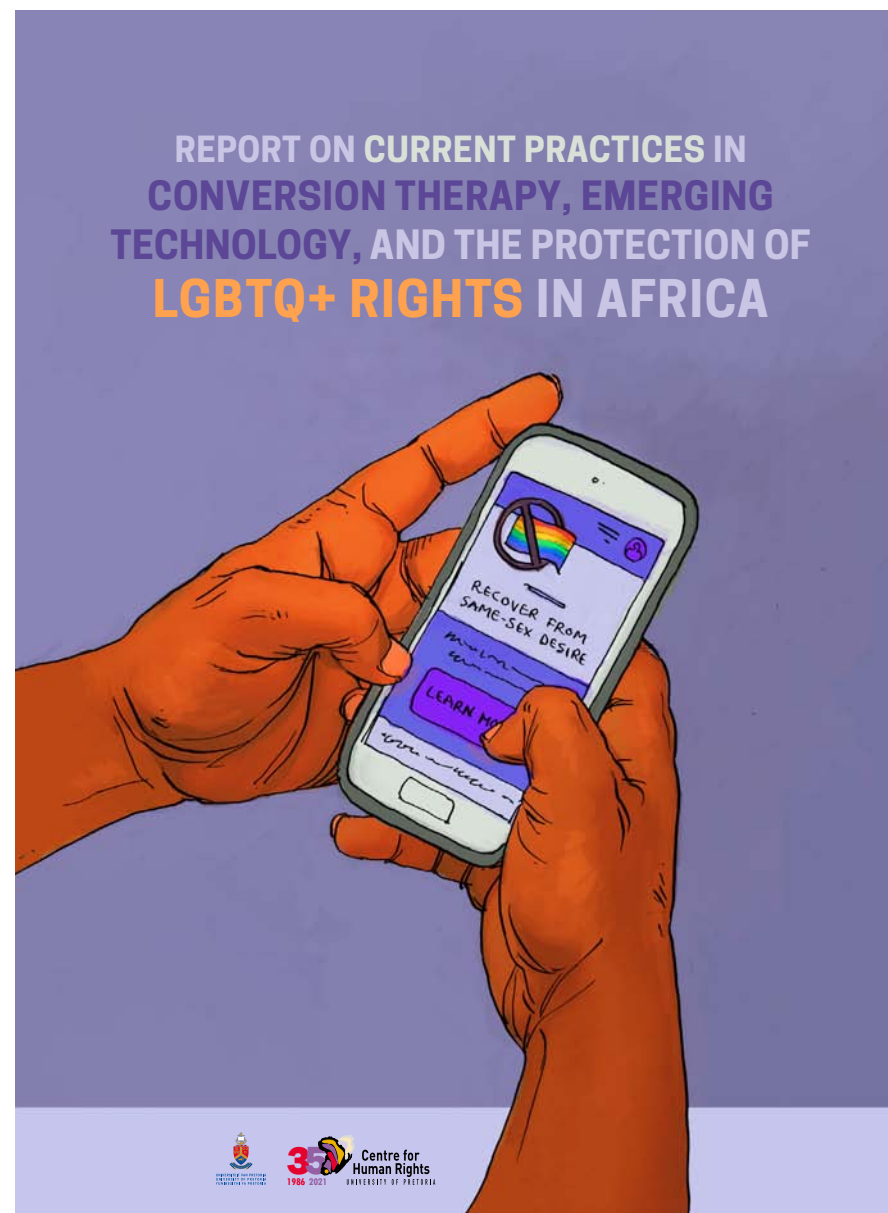
AfricLaw (<https://africlaw.com/>), launched in April 2012, is a blog which provides a platform for discussion for those interested in the rule and role of law in Africa. All areas of law applicable to Africa are covered, both international (global and continental) and national. Legal academics and students, researchers, international and national civil servants, legislators and politicians, legal practitioners and

judges, as well as those who are not lawyers but have an interest in law are among those who are welcome to participate in the discussions. In 2021, 45 contributions were published on AfricLaw. AfricLaw is a joint venture of ICLA and the Centre. Michael Nyarko has been the editor of AfricLaw since 2015.

AFRICAN HUMAN RIGHTS POLICY PAPERS

One paper (African Human Rights Policy Paper 3) in this series was published in 2021:

Thiruna Naidoo and Ayodele Sogunro **'Conversion therapy: Current practices, emerging technology, and the protection of LGBTQ+ rights in Africa'**.



A close-up photograph of several hands assembling white puzzle pieces on a light-colored wooden surface. One hand in the foreground is holding a puzzle piece, while another hand in the background is also working with a piece. The puzzle pieces are interlocking, and the hands are positioned around them, suggesting a process of construction or completion. The lighting is soft and natural, highlighting the texture of the wood and the smooth surface of the puzzle pieces.

ASSOCIATED ENTITIES

INTERNATIONAL DEVELOPMENT LAW UNIT (IDLU)

In 2021, the International Development Law Unit (IDLU) had a full-time staff of four people. The staff consisted of SARCHI Professor Daniel Bradlow, the head of the Unit, and Ms. Thandeka Rasetsoke



Professor Daniel Bradlow



Thandeka Rasetsoke

who is Professor Bradlow's personal assistant and the office manager for the IDLU house.

In 2021, 19 students from 11 African countries participated in the LLM in the TILA programme. Despite the challenges of doing their programme remotely due to the COVID pandemic, all the students successfully completed the programme.

IDLU also received a generous donation in 2021 from Dr. Charles Okahalam to support students in the TILA LLM programme. This is a three-year grant and so will support students in future years.

IDLU organized the following events during 2021:

- Webinar on 'COVID-19 Debt Distress and Renewable Energy', 14 July 2021—second workshop in project on Renewable Energy Transitions in a Period of Debt Distress in SADC Countries: What Role for Development Finance Institutions for a Green and Inclusive Recovery? (together with BU GDP Centre and SACREE)

- Webinar on 'Financial Sector Benchmark Project and Its Potential Applicability in South Africa's Financial Sector', 15 September 2021. Youtube available at: <https://www.chr.up.ac.za/latest-news/2682-discussion-the-financial-services-human-rights-benchmark-project-and-its-potential-applicability-to-south-africa-s-financial-sector>
- Webinar on 'What Role Should Central Banks Play in Dealing with Environmental and Social Challenges like Climate Change and Inequality', 22 October 2021 (together with Business and Human Rights Initiative, University of Connecticut and Center for Human Rights and Humanitarian Law, American University Washington College of Law). YouTube available at: <https://www.chr.up.ac.za/centre-staff/daniel-bradlow>

During 2021, IDLU participated in the following collaborations:

- Dr Masamba was appointed as a joint post-doctoral fellow at IDLU and the Global Development Policy Center at Boston University

and coordinated work on our collaboration on financing of renewable energy projects in the SADC region.

- IDLU strengthened its collaboration with the Business and Human Rights Initiative, University of Connecticut and Center for Human Rights and Humanitarian Law, American University Washington College of Law in a public finance and human rights project. This project sponsored 2 workshops in 2021 and published a policy brief with the T20.
- IDLU collaborated with Oxfam SA on work dealing with enhancing the transparency and accountability around the work of the New Development Bank and other IFIs in South Africa.

IDLU also was fortunate to receive funding in 2021 from OSISA to do a feasibility study of a DOVE (Debts of Vulnerable Economies) Fund. The work will be done primarily in 2022. IDLU also has been able to use an older grant from OSISA to organize workshops and publish a book on sovereign debt in the SADC region. The book will be published by PULP in 2022.

INSTITUTE FOR INTERNATIONAL AND COMPARATIVE LAW IN AFRICA (ICLA)

Professor Christof Heyns was the Director of the Institute for International and Comparative Law in Africa (ICLA) until his untimely passing away on 28 March 2021.



Professor Charles Fombad



Pumeza Matwa

He was succeeded by Professor Charles Fombad, who was assisted by Pumeza Matwa (office administrator).

Academic staff at ICLA include: Professors Dire Tladi, Corlia van Heerden, Niek Grove, Stuart Maslen-Casey, Jann Kleffner and Dr Thomas Probert. Other members consist of researchers such as Dr. Lukman Abdulrauf, Dr Thompson Chengeta, Ms. Cheree Olivier, Ms. Brenda Mwale, Mr. Simon Mateus, and a post-doctoral fellow, Dr Samson Dabire. 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. A key aspect of the project is a doctoral programme, which has a number of doctoral students, focused on themes related to freedom from violence registered under the supervision of ICLA supervisors. ICLA also manages a website on Police use of Force (<https://policinglaw.info>) and the Right of Assembly (<https://rightofassembly.info>). ICLA co-organises the National Schools

Moot Court Competition, and conducts various research projects. Professor Heyns, together with Professor Viljoen, in 2021 continued overseeing a study on the impact of UN treaties at the domestic level in 20 selected UN member states. It also specialises on constitutionalism in Africa. Professor Fombad annually organises the Stellenbosch Annual Seminar on Constitutionalism in Africa (SASCA).

DONORS

Financial contributions from a number of donors enabled the Centre to undertake and continue its programmes. Without these generous contributions, the work of the Centre would not be possible. We are very grateful to all the donors.

- 11th Hour Project;
- Charitable Gift Trust
- Baker Mckenzie (law firm)
- Dr. Charles Okahalam (private donor)
- Embassy of Ireland
- European Union through the Global Campus of Human Rights
- Ford Foundation
- GIZ
- Global Partners Digital
- Google Inc
- Government of Flanders
- Konrad Adenauer Stiftung
- Lexis-Nexis
- META
- Millennium Trust
- National Research Foundation
- Open Society Foundation
- Open Society Initiative for Southern Africa
- Paradigm Initiative
- Paradigm Initiative
- PLAN International
- Raoul Wallenberg Institute of Human Rights and Humanitarian Law
- Right Livelihood Foundation
- Royal Norwegian Embassy in Pretoria
- Stellenbosch University
- Swedish International Development Cooperation Agency
- The Kingdom of the Netherlands
- True Cost Initiative
- United Kingdom Research Institute
- Wellspring Philanthropic Society

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