

2024

Annual REPORT



UNIVERSITY of the
WESTERN CAPE



DULLAH OMAR INSTITUTE
FOR CONSTITUTIONAL LAW, GOVERNANCE AND HUMAN RIGHTS



The Dullah Omar Institute's staff with the Omar family and Chief Justice Raymond Zondo at the 14th Dullah Omar Memorial Lecture, 19 April 2024



The 14th Dullah Omar Memorial Lecture, 19 April 2024.

From the left: Prof Lukas Muntingh, Adv Sibonile Khoza, Judge Andre Le Grange, Chief Justice Raymond Zondo, Mrs Farieda Omar, Prof Vivienne Lawack, Judge Patricia Goliath, Justice Steven Majiedt and Prof Jacques De Ville

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ORGANISATIONAL OVERVIEW

ADVISORY BOARD

PROF JOSÈ FRANTZ

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Advocate at the Cape Bar

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Rector and Vice-Chancellor: University of the Western Cape

PROF JACQUES DE VILLE

Dean: Faculty of Law

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Director: Dullah Omar Institute

JUDGE VINCENT SALDANHA

Judge at the Western Cape High Court

MR ASHRAF MAHOMED

Practising attorney

PROF DEE SMYTHE

Professor of Public Law, University of Cape Town (until 22 November 2023)

PROF LEA MWAMBENE

Law Faculty representative

MS FAIRUZ MULLAGEE

Law Faculty representative

PROF DR WAHEEDA AMIEN

Professor of Legal Pluralism, Religious Family Laws, and Human Rights, Faculty of Law, University of Cape Town (since 28 May 2024)

MANAGEMENT COMMITTEE

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PROF JACQUES DE VILLE

ASSOC PROF LUKAS MUNTINGH

PROF LEA MWAMBENE

GLADYS MIRUGI-MUKUNDI

Research staff representative

CRYSTAL NITSCKIE

Support staff representative

STAFF

ASSOC PROF LUKAS MUNTINGH

Director

Financial Management

SADIEKA NAJAAR

Finance Manager

KIRSTY-MARTINE WAKEFIELD

Bookkeeper

Information and

Communications Management

KEATHÉLIA SAPTO

Coordinator: Communications

Office Management

DEBBIE GORDON

Coordinator: Institute Operations and Projects

Africa Criminal Justice Reform

ASSOC PROF LUKAS MUNTINGH

Project Head

DR JEAN REDPATH

Senior Researcher

JANELLE MANGWANDA

Researcher

DR TINA LORIZZO

Associate Researcher / Adjunct Professor

CRYSTAL NITSCKIE

Administrator

Children's Rights Project

PROF BENYAM DAWIT MEZMUR

Project Head

ASSOC PROF USANG MARIA ASSIM

Senior Researcher

SIDEEN LOUW

Doctoral Researcher

CRYSTAL NITSCKIE

Administrator

Socio-Economic Rights Project

GLADYS MIRUGI-MUKUNDI

Acting Project Head

PAULA KNIPE

Doctoral Researcher

DR AISOSA JENNIFER OMORUYI

Post-doctoral Researcher

CRYSTAL NITSCKIE

Administrator (since April 2024)

KEATHÉLIA SAPTO

Administrator (until March 2024)

ADJUNCT AND EXTRAORDINARY STAFF

PROF HENK KUMMELING

Utrecht University

ADJUNCT PROF STEPHEN

BERRISFORD

African Centre for Cities (UCT) / Pegasys Consulting

ADJUNCT PROF TINA LORIZZO

REFORMAR (Mozambique)

PROF XAVIER PHILIPPE

University of Paris I (Panthéon-Sorbonne)

ASSOC PROF ZEMELAK AYELE

Addis Ababa University

South African Research Chair in Multilevel Government, Law and Development (SARChI) and Multilevel Government Project (MLG)

PROF JAAP DE VISSER

South African Research Chair

ASSOC PROF TINASHE CHIGWATA

Project Head of Multilevel Government

PROF NICO STEYTTLER

Professor Emeritus, Dullah Omar Institute, UWC

THABILE CHONCO-SPAMBO

Doctoral Researcher / NGAP Lecturer

XAVIA POSWA

Doctoral Researcher

MELISSA ZISWA

Doctoral Researcher

CURTLY STEVENS

Doctoral Researcher

ADV JENNICA BEUKES

Doctoral Researcher

DR JOHANDRI WRIGHT

Postdoctoral Research Fellow

LAURA WELLEN

Administrator

RESEARCH ASSOCIATES

DR JACQUI GALLINETTI

Plan International

PROF JAMIL MUJUZI

Faculty of Law, UWC

PROF JULIA SLOTH-NIELSEN

Huddersfield Business School, University of Huddersfield

DR NKATHA MURUNGI

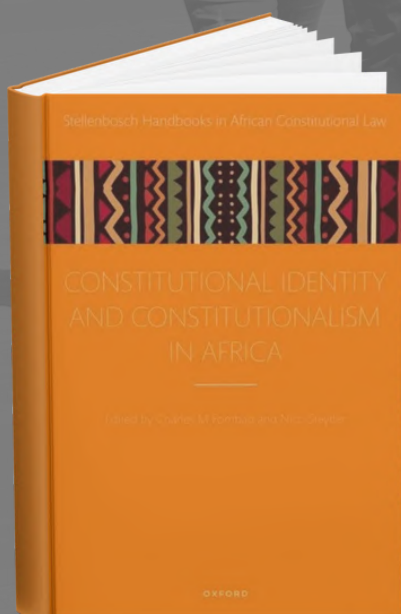
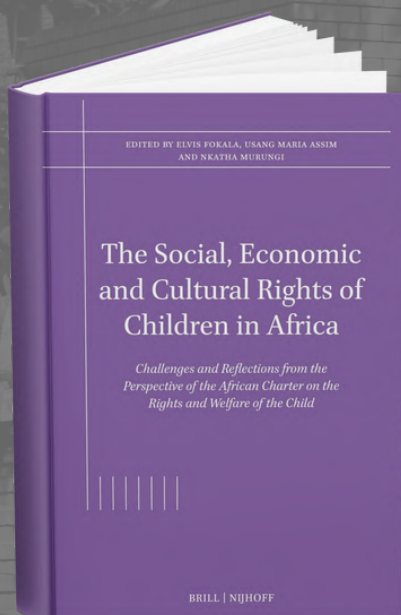
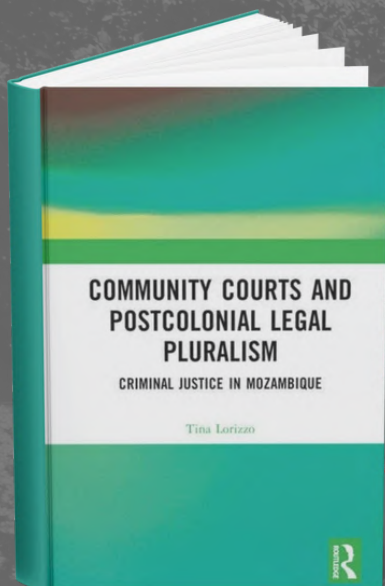
Centre for Human Rights

ASSOC PROF ROBERT DOYA NANIMA

Faculty of Law, UWC

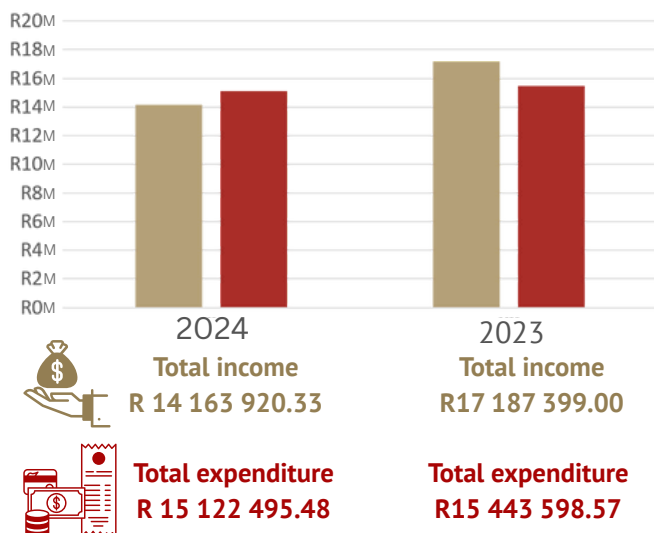
PROF YONATAN FESSHA

Faculty of Law, UWC

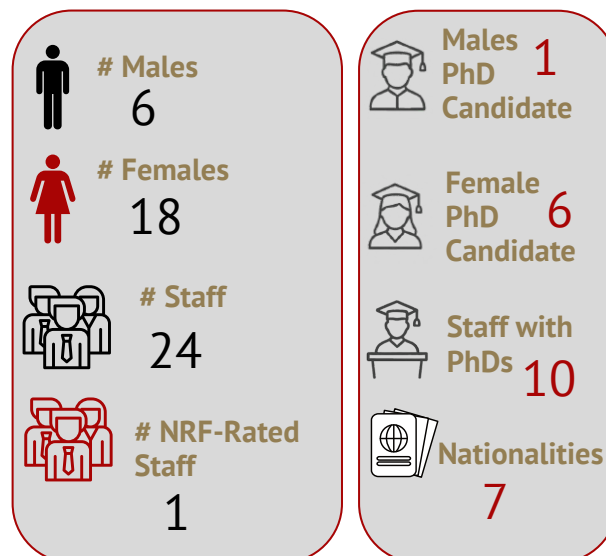


THE INSTITUTE AT A GLANCE

FINANCES



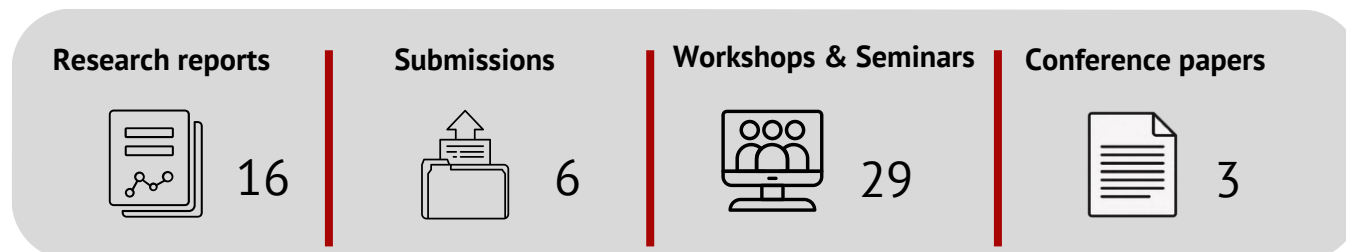
STAFF PROFILES



ACADEMIC OUTPUTS BY INSTITUTE STAFF



OTHER OUTPUTS



MEDIA



DEGREES AND DIPLOMAS AWARDED

DOCTOR OF PHILOSOPHY

DEBORAH ACHIMUGU-OPALUWA AGAH

Title: An analysis of the legal framework on gender discrimination and women's rights to property in Nigeria: A case study of the Igala people
Co-supervisor: Prof U.M Assim

XAVIA POSWA

Title: Implementing the Spatial and Land Use Management Act of 2013: an examination of the intersection of the role of traditional leaders and municipalities in spatial planning and land use management
Supervisor: Prof J de Visser
Co-supervisor: Prof N Steytler

HONORARY DOCTORATE

PROFESSOR HENK KUMMELING

LLM MINI-THESIS

SHEHNAZ CASSIM MOOSA

Title: Advancing a Gendered Approach to Climate Adaptation in the Metropolitan Cities of Cape Town and Ethekwini
Supervisor: Dr M Maziwisa
Co-supervisor: Prof T.C Chigwata

MASTER OF LAWS

ANDISIWE MZINGELWA

Title: An assessment of South Africa's Intergovernmental Relations System as a response to the COVID-19 pandemic
Supervisor: Prof N Steytler
Co-supervisor: Mr C Stevens

MNOTHO THAMSANQA NGCOBO

Title: An analysis of the amendments to the regulations issued in terms of the Electricity Regulation Act 4 of 2006 that empower municipalities to generate their own (renewable) electricity and purchase from Independent Power Producers
Supervisor: Prof N Steytler

MASTER'S IN HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA (HRDA)

AKOT MAKUR CHUT

Title: The role of human rights defenders in addressing the impact of child marriage on the girl-child's right to education in South Sudan
Supervisor: Prof U.M Assim

NICHOLAS KIPKOECH CHERUIYOT

Title: Implementation of Decisions by the African Court and African Commission on Human and Peoples' Rights on Indigenous Peoples in Kenya
Supervisor: Prof F Viljoen
Co-supervisor: G Mirugi-Mukundi

POSTGRADUATE DIPLOMA IN PUBLIC LAW

- ANATHI MAJEKE
- ASHLEY WAYNE AMON
- BANDILE AMILCAR MBALO
- CLAIRE LILIAN VAN DER POLL
- CLEMENT SHADRACK MABE
- DEAN LOUIS MAASDORP
- DIBUENG CORNEY LENTSOE
- EDWIN EDDIE MAILA
- ELLIAS SELLO MAROKANE
- GAIRONESA LEWIS
- GEORGE VAN DER WESTHUIZEN
- GOITSEMODIMO SPEEDO
- DAVID MOREOSELE
- JILL SUMMER LAKAY
- JUSTIN PLAATJIES
- KGABO MOLOTO
- LAURENZO WILL FORTUIN
- LINDELANI MBAMBO
- LLEBUHANG PAUL ONGO
- LOUISE MULLER
- MANTSING GRACA LEKOLA
- MILLICENT MULAUDZI
- MOSA TLALI
- MPUMELELO HENDRICKS
- MVUYISI SIBONGILE
- MKHULULI APRIL
- NANCY LYNETTE MOSES
- NATALIE HENDRICKS
- NDHAMBHI MACHIMANA
- NICOLENE PETERS
- NKOSIYEZWE CYPRIAN VEZI
- NOMFUNDO HENGE
- NOMVUYISO FANISHE
- ONKE MGUNCULU
- PFARELO MUKWEVHO
- RICARDO VINCENT MOSES
- RIO WILLIAMS
- SALMA MOHAMED HUSSIEN OSMAN
- SIYAMCELA ZOZI
- TAKATSO PHILIAT MAUREEN LEBENYA
- TSHIKHUDO MADZIVHANDILA
- ZENZELE MICHAEL MSOMI

HARRIS v. I to Follow?



Seminar with Prof
Rodney Uphoff: Harris
(?) vs Trump – Is There
More Drama Ahead?
6 August 2024



“Chief Justice Raymond Zondo presenting on
‘The Rule of Law and the South African Judiciary in the first 30 years of
South Africa’s constitutional democracy’ at the
14th Dullah Omar Memorial Lecture, 19 April 2024”



DIRECTORS REPORT

PROF LUKAS MUNTINGH

In 2024, South Africa held general elections, ushering in a new era in its democratic journey. The establishment of a Government of National Unity has, on the one hand, deepened democratic engagement, and on the other, heightened our awareness of its inherent fragility. We continue along this path, navigating extensive socio-economic challenges, governance weaknesses, and a persistent crime problem. We are not immune to the shifting context and the challenges - as well as opportunities- it presents.

During the year under review, the Institute produced a diverse array of research outputs in pursuit of its aims and objectives. These included six books, 12 book chapters, eight journal articles, 16 research reports, six policy submissions, four issues of the *Local Government Bulletin*, and four issues of the *ESR Review*. We continued our postgraduate teaching, and were pleased to see two students awarded doctoral degrees, four awarded Master's degrees, and 40 awarded the Postgraduate Diploma in Public Law (Local Government).

A notable highlight of the year was the delivery of the 14th Dullah Omar Memorial Lecture by the Honourable Chief Justice of South Africa, Justice Raymond Zondo, on 19 April. We are grateful to Justice Stephen Majiedt for his facilitation and persuasive efforts in securing Justice Zondo's participation. The lecture, titled "*The Rule of Law and the South African Judiciary in the First 30 Years of South Africa's Constitutional Democracy*," provided a powerful reflection on our democratic journey.

Justice Zondo invited us to look back over the past 30 years and consider what has been achieved - particularly what figures like Dullah Omar would be proud of. He spoke of his instrumental role as the first Minister of Justice in a democratic South Africa and recalled how Dullah Omar appointed him as an acting judge in the Labour Court in 1996. A year later, Omar personally called to inform him of his permanent appointment as judge - an act that left a lasting impression on the Chief Justice.

In his address, Justice Zondo affirmed his trust and confidence in the South African judiciary, emphasizing that its members remain servants of the people - fearless and unyielding in the face of intimidation. The lecture concluded with poignant questions from the audience, many from students who seized the opportunity to engage directly with the Chief Justice. Their admiration was clear, with many eager afterwards to have their photographs taken with him - an expression of how highly young



South Africans regard his independence and integrity, particularly in light of the findings from the Zondo Commission.

In September, Prof Henk Kummeling, Rector Magnificus of Utrecht University since 2018, was awarded an honorary doctorate by UWC. Prof Kummeling has been an extraordinary Professor at the Institute since 1998 and regularly spends time with us. His scholarly work spans human rights, transparency in governance, electoral and local government law, and the legal implications of the digital age. His *Commentary on Dutch Local Government Law* remains an essential reference for scholars and practitioners.

He has served in various capacities such as: Chair of the Dutch Electoral Council; Chair of the Complaints Committee of the Ministry of Health, Social Welfare and Sport; and membership on several governmental advisory committees, including those on digital-era human rights, judicial development, and state liability. He also serves on editorial boards of various legal journals. We are honoured and privileged to count Professor Kummeling as a long-standing friend of the Institute.

South Africa's criminal justice system continues to face numerous challenges, with significant implications for the rule of law and the protection of rights enshrined in the Bill of Rights. Africa Criminal Justice Reform (ACJR) focused on the National Prosecuting Authority, undertaking research, legal analysis, and engagement on draft legislation. The 2024 elections impacted parliamentary processes, and the new Government of National Unity delayed urgently needed law reform in this area.

ACJR pursued two main initiatives under its work on the decriminalisation of poverty and status. The first focused on women working in public spaces, with stakeholder consultations held in Accra, Nairobi, and Johannesburg. These revealed the marginalisation of women in the informal sector, whose contributions

are often criminalised and whose voices are excluded from policymaking. The project explored alternatives to criminalisation in addressing the socio-economic challenges of African urban environments.

The second initiative involved research into unusual and exceptional legislation in Francophone and Lusophone Africa, particularly in Burundi, Côte d'Ivoire, and Mozambique. This work examines colonial-era laws still in force, discriminatory statutes, and laws applied in exceptional or arbitrary ways. Collaborating with local partners, we undertook expert engagements and data validation. The project will conclude in 2025.

The year 2024 also marked the 35th anniversary of the UN Convention on the Rights of the Child, prompting renewed reflection on both long-standing and emerging challenges—including children's digital rights and the impact of climate change. Professors Mezmur and Assim engaged in a range of teaching and advocacy activities. Prof Mezmur undertook multiple teaching activities at Harvard University, Columbia University, University of Pennsylvania, and University of Erfurt to name a few.

The Children's Rights Project hosted events on children's rights in relation to climate change, business practices, and—with SERP—a roundtable on obstetric violence. Prof Mezmur participated in the 40th Anniversary Programme of the Harvard Law School's Human Rights Programme, where he delivered remarks on *"The Future of Children's Rights in the Next 40 Years."* We are particularly proud to report that Prof Mezmur was re-elected to the UN Committee on the Rights of the Child for a fourth term (2025–2029). The CRP continues to produce peer-reviewed publications and engage in international fora to advance children's rights.

The Socio-Economic Rights Project (SERP) remained focused on health rights in Africa. In August, it hosted a Sexual and Reproductive Health and Rights Colloquium, co-organised with DOI, KELIN (Kenya), ISLA, and the Centre for Human Rights (University of Pretoria). The colloquium addressed critical issues such as access to medicines, obstetric violence, and socio-cultural barriers to health rights in Eswatini, Malawi, Seychelles, and Uganda.

After nearly a decade, SERP's application to the African Commission on Human and Peoples' Rights—filed in 2014 with partners on behalf of five Nigerian women harmed by systemic maternal

health failures—culminated in an important decision. In *Community Law Centre and Others v. Federal Republic of Nigeria*, the Commission found Nigeria in violation of Article 14.2(a) of the Maputo Protocol, citing systemic underfunding, discriminatory practices, and lack of access to services in rural areas. While other claims were not upheld due to evidentiary limitations, the ruling significantly advances accountability for maternal health rights across Africa.

The 2024 elections also presented many opportunities for engagement by the Multilevel Government (MLG) team. Anticipating the rise of coalition governments, the SARChI Chair and MLG Project contributed meaningfully to national dialogue on governance, particularly on coalition dynamics and intergovernmental relations. With support from the National Research Foundation and the Hanns Seidel Foundation, the Chair advanced a conceptual framework for coalition governance, produced policy-relevant outputs, and convened forums on democratic participation and local government reform.



Seminar: Coalition Governance in Western Cape Municipalities: A South African Blueprint, 27 September 2024

The Postgraduate Diploma in Public Law (Local Government) has now matured into a core contributor to the Law Faculty's academic offerings, with 40 graduates in 2024. The fourth African School on Decentralisation (ASD)—now a flagship programme—was jointly hosted by the Centre for Federalism and Governance Studies at Addis Ababa University and MLG, with the SARChI Chair. Held in Cape Town and Stellenbosch, the 2024 School centred on “Decentralisation and Human Rights.” Out of 374 applicants, only 25 could be accommodated—testament to the School's growing reputation.

We extend sincere thanks to our donors, whose generous support made our work possible. I would also like to express my gratitude to the Dean of the Law Faculty, Prof De Ville, for his ongoing support and collegiality. We are indebted to the members of our Advisory Board and its Management Committee for their dedicated service. We also warmly acknowledge Prof Vivienne Lawack, who, during her tenure as Deputy Vice-Chancellor (Academic), was a steadfast supporter of the Institute.

Finally, my heartfelt thanks go to the staff, students, and interns of the Institute. It is your hard work, dedication, and creativity that made 2024 another memorable and impactful year.



4th African School on Decentralisation



Graduation on 20 September 2024 with Prof Kummeling who received an Honorary Doctorate



The Dullah Omar Institute staff at the 14th Dullah Omar Memorial Lecture. From the left: Ms Crystal Nitsckie, Ms Sadioka Najaar, Ms Thabile Chonco-Spambo, Ms Janelle Mangwanda, Ms Laura Wellen and Ms Debbie Gordon

Graduation ceremony of the Postgraduate Diploma in Public Law (Local Government focus), including LLD graduate Xavia Poswa, 12 December 2024





14th Dullah Omar Memorial Lecture
19 April 2024

SOUTH AFRICAN RESEARCH CHAIR IN MULTILEVEL GOVERNMENT, LAW AND DEVELOPMENT (SARCHI) AND MULTILEVEL GOVERNMENT PROJECT (MLG)

PROF JAAP DE VISSER
PROF TINASHE CHIGWATA



Multilevel government is an important component of the success or failure of a peaceful and prosperous South Africa.

First, the political dynamics in the country is thrusting sub-national governments to the fore. The 2021 and 2024 elections marked an acceleration of the trend, which started in the 2016 local government elections, namely that the ruling party is losing support to opposition parties. The African National Congress (ANC) won outright majorities in only two of the eight metropolitan municipalities, with the remainder requiring coalitions, or run by an outright Democratic Alliance (DA) majority. Unlike in 2016, there were very significant losses for the ANC in rural municipalities too. The 2024 national/provincial elections saw a continuation of the steady decline of the ANC, resulting in it losing outright majorities in more provinces, and in the National Assembly.

This scenario tests the resilience of the multilevel government system. Political battles will increasingly be fought also through the multilevel government system. In a deteriorating economic environment, the demands for services also from provinces (education and health) and local government will increase, which, if not met, will lead to social instability. The dismal state of many municipalities can no longer be characterised as 'localised crises', but is rapidly becoming a national emergency. In this context, research and understanding of the functioning of the multilevel government system will be at a premium to enable effective and informed engagement with the power holders in addressing the challenges.

Federalism and decentralisation in Africa are bound to grow in importance as the continent searches for peaceful solutions to enduring conflicts and eluding

equitable socio-economic development. The SARCHI Chair's research agenda, in collaboration with the Multilevel Government Project, is informed by growing interest in multilevel government across the continent. More countries are considering deepening decentralisation. Some of this has to do with constitutional change (e.g. Zambia and Zimbabwe), but in other cases it is reform of decentralisation statutes (Angola, Lesotho and Mozambique). The ambivalence in most African countries towards devolution and federalism persists. The fear for decentralisation-induced disunity is palpable and pollutes discussion on decentralisation to local governments. In the meantime, as one example, African cities continue to grow in size, population and importance, with fundamental consequences for how challenges such as economic development, climate change, population growth, urban sprawl and the management of natural disasters will be addressed. It is critical that the dangers of decentralisation are demystified, and addressed through proper legal frameworks. There are trends and features in decentralisation that are unique to Africa. The many different manifestations of decentralisation on the continent must be studied, compared and analysed here, to support the emergence of a body of scholarship, produced by African scholars on decentralisation in Africa.

KEY OBJECTIVES

The Institute's work on multilevel government is based on the importance of provincial and local governments throughout Africa to realise development, deepen democracy and promote peace. The objectives of the MLG project are four-

fold. First, with respect to South Africa, the aim is to do research on the functioning and future of our system of multi-level government, and where possible and appropriate engage with the governments at the various levels of government. Second, as multilevel government is seen as an important governance tool for peace and development in Africa, the objective is to do research, build a network of scholars, and engage with practitioners and government on the topic. Third, the work on multilevel government must be situated in the global discourse on non-centralism, and, where requested, also assist countries in the Global South with the use and value of systems of multilevel government. Fourth, closely linked to our research endeavours is building through teaching and training a new generation of scholars and practitioners in South Africa, elsewhere in Africa, and internationally.

PROMINENT ACTIVITIES

Postgraduate teaching

The SARChI Chair, in collaboration with the Multilevel Government Project, hosts four post graduate programmes in multilevel government and local government: the African School on Decentralisation as well as the PG Dip, LLM/MPHIL and Doctoral Programmes.

The *African School on Decentralisation* (ASD) is a two-week certificate course for 25 (mostly young) decentralisation practitioners from all over Africa. We hosted the ASD from 14 to 25 October in Cape Town and Stellenbosch. The theme for the 2024 ASD was "Decentralisation and Human Rights", focusing on how decentralisation supports the realisation of civil or political rights, socio-economic rights and third generation rights. The participants graduate with either a certificate of competency or participation.

The *Post Graduate Diploma in Public Law* is a unique programme, aimed at practitioners. It will equip practitioners working in or with local government with knowledge of the South African local government system, and skills to apply this knowledge in practice. The Diploma is multi-disciplinary: it focuses on local government law, but is combined with political science, economics, finance and public administration to ensure a realistic and holistic approach to all aspects of municipal governance. It also looks across South Africa's boundaries and compares our local government system with other systems on the

continent. In 2024, we recorded 40 graduations for this programme.

We continue to administer the masters programme in multilevel government. Three students graduated with an LLM in 2024. Mnotho Thamsanqa Ngcobo's topic was titled "An analysis of the amendments to the regulations issued in terms of the Electricity Regulation Act 4 of 2006 that empower municipalities to generate their own (renewable) electricity and purchase from Independent Power Producers" and supervised by Prof Nico Steytler. Andisiwe Mzingelwa assessed South Africa's Intergovernmental Relations System's response to the COVID-19 pandemic. She was supervised by Prof N Steytler, with Mr C Stevens serving as co-supervisor. Shehnaz Cassim's research topic was titled "Advancing a gendered approach to climate adaptation in the metropolitan cities of Cape Town and eThekweni". She was supervised by Dr Michelle Maziwisa and co-supervised by Prof Tinashe Chigwata. Xavia Poswa graduated with an LLD in public law. He explored the topic "Implementing the Spatial and Land Use Management Act of 2013: an examination of the intersection of the role of traditional leaders and municipalities in spatial planning and land use management" under the supervision of Prof J de Visser.

Academic research

Researchers in the Multilevel Government Project continue to contribute to the generation of new knowledge in multilevel government, governance and constitutionalism. At the peak is Prof Nico Steytler who published three books. His book titled *Constitutional Identity and Constitutionalism in Africa* was co-edited by Charles Fombad and published by Oxford University Press. The second book published the proceedings of the *Mont Fleur Conversations on Constitutionalism* held in 2023. His last book titled *The Forum of Federations Handbook on Local Government in Federal Systems* was published by Palgrave Macmillan. Prof Chigwata published a book chapter titled 'Judicial financial (in)dependence in Zimbabwe: The law, politics, and finances' in Bosire C (ed) *Judicial financial independence in Africa: A study of eleven sub-Saharan countries*, published by Kabarak University Press. Prof Jaap de Visser published a journal article titled 'Financing Local Governments in South Africa', which was published by *Anuario De Derecho Municipa*. Dr Johandri Wright published an article titled 'Mediation and the structural interdict as legal options to resolve service delivery failures in South Africa', which was published by the *Journal of African Law*. Overall,

researchers in the Project published three books, seven book chapters, four journal articles and a major academic report.

Elections, coalitions, governance and the Government of National Unity in South Africa

The SARChI Chair, in collaboration with the Multilevel Government Project, has been active in evidence policy dialogue and engagement on multilevel government and other governance matters for some time. The Chair made a considerable contribution to the understanding of coalition dynamics in multilevel government. In 2024 and with the support of the National Research Foundation and the Hanns Seidel Foundation, we produced a coalition framework, policy briefs and papers and organised public events to inform policy. On 21 February, we hosted a hybrid seminar at the University of the Western Cape under the theme 'A citizen's perspective on the rule of law - Democracy and elections in South Africa'. The seminar brought together an audience of local and international experts, state institutions, civil society, and youth representatives to reimagine democracy and the rule of law from a citizen's perspective. The seminar proceedings were published on 15 March.

On 20 March, we hosted a hybrid conference at the University of the Western Cape under the theme 'National and provincial elections in May: what are the implications for intergovernmental relations?' with the Minister of the Department of Cooperative Governance and Traditional Affairs (CoGTA) as the keynote speaker. The hybrid seminar was followed by a webinar which ran under the theme 'Revisiting coalitions: impact of the Government of National Unity on governance, intergovernmental relations and local government'. The webinar hosted in collaboration with the Catholic Parliamentary Liaison Office and the Hanns Seidel Foundation took place on 30 July. Discussions in the webinar were guided by a policy brief titled "Unpacking the 2024 Government of National Unity in South Africa: Challenges, opportunities and lessons for Stable Coalition Governance" published on the DOI website.

Prof de Visser provided the keynote address at a hybrid seminar on coalitions in local government hosted by The African Centre for the Constructive Resolution of Disputes (ACCORD) and the DOI on 27 September in Cape Town. The address focused on law reform and pragmatic leadership requirements

to improve the functionality of municipal coalition governments. The Chair undertook a significant role in many other events on coalition governments either as a (co)host, keynote speaker or panellist. These events were organised by different organisations such as the South African Cities Network, South African Local Government Association (Northern Cape), City of Johannesburg and Economic Development Partnership.

Transparency, citizen participation and accountability in local government

Municipalities continue to experience significant governance challenges which are hindering the effective discharge of the responsibilities. Our long-standing Project on Transparency, Citizen participation and Accountability was designed to respond to this. With the assistance of the French Embassy in South Africa we assessed compliance with the requirements for municipalities to publish their councillors' financial interest register. The assessment culminated in the publication of a report titled "Registers of councillors' interests: A missed opportunity to enhance accountability and transparency in local government". The report, which was launched during a webinar hosted on 29 April, notes widespread non-compliance with legislative provisions governing declarations and publication of councillors' financial interests.

Local Government Bulletin

Dissemination of knowledge and influencing public debate both domestically and internationally, continued with the publication of four editions of the Local Government Bulletin, South Africa's premier local government newsletter with short articles updating its readership with the latest developments in local government. The four editions a combined 27 articles on various topics. The Bulletin's readership continues to grow and expand.

Local Government and the Changing Urban-Rural Interplay (EU-RISE LoGov)

The Local Government and the Changing Urban-Rural Interplay (EU-RISE LoGov) is an international collaboration and partnership project involving 18 partners from 17 countries and six continents dedicated to urban-rural dynamics in local government. The project involved identification, evaluation and comparison of practices to cope with the impact of the changing urban-rural relations. It had a staff exchange element to enable the sharing of innovative practices to address complex issues

emerging from the urban-rural interplay. We seconded seven researchers to our partners in Italy, Germany, Spain and Switzerland. We also hosted researchers from Switzerland and Italy. The LoGov project concluded with a Final Conference which was hosted by the KDZ Centre for Public Administration Research, from 12-13 September in Vienna, Austria. Prof Nico Steytler provided the keynote address titled "At the crossroads of academia and practice". Prof Jaap de Visser presented on development charges as a new method for local governments to fund bulk infrastructure in partnership with the private sector in South Africa. Prof Tinashe Chigwata's presentation focused on the framework for financing local government in South Africa and how it is being implemented.

Regional and international scholarly engagement and collaboration

The SARChI Chair, in collaboration with the Multilevel Government Project, continues to participate in international scholarly collaboration and partnerships on decentralisation, federalism, democracy and constitutionalism. On the theme of decentralisation in Africa research collaboration intensified with joint projects with the Local Public Sector Alliance. As co-chair of the Local Public Sector Alliance Working Group on Decentralisation in Sub-Saharan Africa, the Chair convened three webinars on various topics related to decentralisation including (1) crisis and decentralisation, (2) intergovernmental supervision of local governments and (3) crafting an agenda for the Local Public Sector Alliance working group. Prof Tinashe Chigwata presented at one of the webinars focusing on intergovernmental supervision and decentralisation in Africa. On constitutionalism, the Chair co-hosted "Conversations on Constitutionalism" at Mont Fleur, Stellenbosch, from 29 November to 2 December. This gathering of influential constitutional law scholars as well as young academics, reflected on various topics related to democracy, including local democracy, democracy and federalism, democracy for future generations, inclusivity and public participation. Prof Jaap de Visser and Prof Tinashe Chigwata also participated and provided inputs at Zambia's National Decentralisation Conference held in Lusaka from 26-28 March.

At international level, the Chair presented to a delegation from Myanmar which visited South Africa on 9 February in Pretoria. The Chair's presentation focused on South Africa's transition to democracy and how the shaping of the multi-level government

system in the Constitution played a role in building and sustaining peace. The Chair also undertook a research visit to the Centre for Global Challenges (Utrecht University) from April to May where he presented on the "emasculated African city", among other things. Profs de Visser, Steytler and Chigwata teamed up to present a paper on the impact of coalition governance on multilevel government in South Africa at the Annual Conference of the International Association of Centres of Federal Studies hosted in Antwerp (Belgium) from the 17-18 September. Prof Jaap de Visser also presented on 'Metropolitan Governance in South Africa: Cape Town and Gauteng City Region' at the 2nd Rebana Expo 2024, hosted by the Asia-Pacific Metropolitan Planning Caucus in Indonesia on 20 November.



From the top: Prof Jaap de Visser, Prof Cherrel Africa, Prof Henk Kummeling and Mr Michael Hendrickse, Seminar: A citizen's perspective on the rule of law - Democracy and elections in South Africa, 21 February 2024

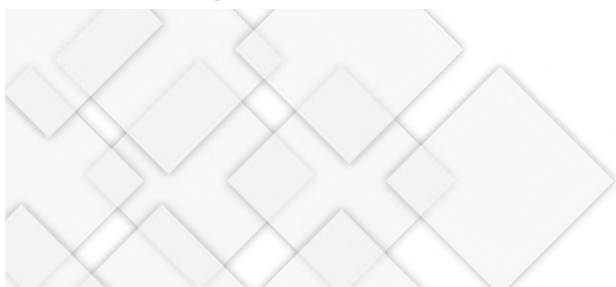
IMPACT

The SARCHI Chair has made a notable impact on scholarship and legislative reforms on *coalition governments*. The impact of the Chair is clearly visible in the 2024 Coalitions Bill, published by the Department of Cooperative Governance and Traditional Affairs. In an earlier opinion piece published in the Local Government Bulletin, the Chair had made six suggestions for law reform, five of which were included in the Bill. Further, the Chair was invited to address a committee of the national Cabinet on coalitions, which presented a unique opportunity to insert the products of the Chair's scholarship into the centre of the national executive and influence the thinking of national leaders.

The Multilevel Government Project was specifically requested by the national Department of Cooperative Governance and Traditional Affairs to contribute to the Review of the White Paper on Local Government, initiated in 2024 by the national government. Prof Jaap de Visser and Prof Tinashe Chigwata participated in the initial conversations on the review process.

The Multilevel Government Project has for a while been pushing for legislative reforms to enhance transparency, citizen participation and accountability in municipal procurement. It is encouraging to see that some of the legislative proposals suggested by the Project have been captured in the new Public Procurement Act (2024). We believe that the new Act is progressive especially around transparent procurement.

The *Local Government Law of South Africa* continues to inform local government practice and the interpretation of the law. This comprehensive loose-leaf textbook is curated by members of the Project, under the leadership of Prof Steytler and the Chair. The book was cited by the Constitutional Court in *City of Cape Town v Independent Outdoor Media (Pty) Ltd and Others* 2024 (1) SA 301 (WCC); 2024 (4) BCLR 483 (CC). This brings the total citations, over the years, by the highest Court to four, while the Supreme Court of Appeal has cited the book three times and the High Court thirteen times.



PUBLICATIONS

Books

- Fombad C.M and Steytler N (eds) *Constitutional Identity and Constitutionalism in Africa* (Oxford University Press, 2024) pp. 352.
- Steytler N (ed) *Mont Fleur Conversations on Constitutionalism* (Dullah Omar Institute, 2024) pp. 128.
- Steytler N (ed) *The Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan, 2024) pp. 607.

Chapters in books

- Chigwata T.C (2024) 'Judicial financial (in)dependence in Zimbabwe: The law, politics, and finances' in Bosire C (ed) *Judicial financial independence in Africa: A study of eleven sub-Saharan countries* (Kabarak University Press) pp. 103-139.
- de Visser J (2024) 'South Africa' in Steytler N (ed) *Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan) pp. 409-440.
- Steytler N (2024) 'A century of South African constitutional identities' in Fombad C.M and Steytler N (eds) *Constitutional Identity and Constitutionalism in Africa* (Oxford University Press) pp. 139-165.
- Steytler N (2024) 'Comparative Conclusions' in Steytler N(ed) *The Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan) pp. 533-587.
- Steytler N (2024) 'Introduction' in Steytler N (ed) *The Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan) pp. 1-11
- Steytler N (2024) 'Constitutional Approaches to Diversity and Non-discrimination in Multi-level States: Indonesian and South African Jurisprudential Perspectives' in de Villiers B, Isra S and Faiz P.M (eds) *Courts and Diversity: Twenty Years of the Constitutional Court of Indonesia* (Brill, Nijhoff) pp. 260-282.
- Steytler N and Fombad C.M (2024) 'Introduction: In Search of Constitutional Identity and Constitutionalism in Africa' in Fombad C.M and Steytler N (eds) *Constitutional Identity and Constitutionalism in Africa* (Oxford University Press) pp. 11 -27.

Journal articles

- de Visser J, 'Financing Local Governments in South Africa' *Anuario De Derecho Municipa* (2024) Vol 17 pp. 169-185.
- Wright J, 'Encouraging whistleblowers of corruption in South Africa: A critical evaluation of money rewards' *Journal of Anti-Corruption Law* Vol. 8 (2024) pp. 140 – 158
- Wright J, 'Minister of Water and Sanitation v Msukaligwa Local Municipality: Is financial incapacity a valid excuse?' *South African Law Journal* (2024) Vol 141 (4) pp. 652-665.
- Wright J, 'Mediation and the structural interdict as legal options to resolve service delivery failures in South Africa' *Journal of African Law* (2024) Vol 68(3) pp. 379 - 393.



Graduation ceremony of Xavia Poswa, From the left: Curtly Stevens, Dr Xavia Poswa and Prof Tinashe Chigwata



From the left: Dr Curtly Stevens, Prof Jaap de Visser, Prof Tinashe Chigwata and Ms Laura Wellen, 4th African School on Decentralisation



From the left: Prof Tinashe Chigwata, Ms Tessa Dooms, Minister Thembi Simelane, Prof Jaap de Visser and Ms Laura Wellen, Conference on National and provincial elections in May 2024: What are the implications for intergovernmental relations? 20 March 2024



Prof Jaap de Visser



Prof Tinashe Chigwata and Prof Nico Steytler



Dr Johandri Wright



Dr Gonzalo Carranza Galaico
(Autonomous University of Madrid)



The 4th African School on Decentralisation visiting the University of the Western Cape



Ms Thabile Chonco-Spambo



Mr Curtly Stevens



Adv Jennica Beukes



Dr Xavia Poswa

“4th African School on Decentralisation Theme: Decentralisation and Human Rights”



CHILDREN'S RIGHTS PROJECT (CRP)

PROF BENYAM DAWIT MEZMUR



As 2024 marked the 35th anniversary of the CRC, the year offered an opportunity to reflect on the progress made as well as the challenges faced in creating an African fit for children. Some of the academic and advocacy work done by members of the CRP focused on this aspect of the context. The CRP has also continued to engage on historically existing child rights issues, with a particular focus on armed conflict and its continuing impact on children. In this regard, the CRP was involved in addressing the subject at the level of one regional economic community (REC), the Common Market for Eastern and Southern Africa (COMESA). COMESA is a twenty-one-member state REC whose objectives include the promotion of peace and security in the region. In this regard, the CRP, together with some other partners worked with COMESA in developing a multi-pronged response to the issue of children affected by armed conflict in the region. We also continued with plans and programmes to contribute to the research, discourse, and advocacy on emerging issues such as children's digital rights, and the impact of climate change on children's rights.

KEY OBJECTIVES

Similar to previous years, the Children's Rights Project (CRP) objectives in 2024 were to work for the implementation as well as monitoring of the implementation of the African Charter on the Rights and Welfare of the Child (ACRWC/African Children's Charter) and the UN Convention on the Rights of the Child (CRC) at both national and regional levels. In 2024, the CRP's key objectives focused on knowledge production and sharing on children's rights and climate change, children's rights and the business sector (with a particular focus on the sustainable development goals), as well as children affected by armed conflict.

PROMINENT ACTIVITIES

Teaching

Prof Mezmur convened the LLM modules International Protection of Human Rights Law (IHR 814) during the first semester and 'Contemporary Human Rights Issues' (IHR 816) during the second semester. The two courses have benefitted from the support of Dr Ande- who is a post-doctoral fellow at the CRP. Invited guest lecturers have also exposed students in the course to various perspectives. For example, an online session on 'Disability and climate change' was arranged for students in November where Prof Michael Steiner of Harvard Law School was the speaker. Once again, the CRP co-convened with the Centre for Human Rights and the Centre for Child Law the Advanced Short Course on Children's Rights in Africa from 17-21 June. Prof Assim gave lectures on the regional normative frameworks of children's rights.

Teaching outside of the University of the Western Cape

Prof Mezmur served as a guest lecturer at the Harvard University (School of Public Health), University of Pennsylvania, Geneva University, Geneva Academy, Ghent University, NOVA School of Law, and Erfurt University. The topics that Prof Mezmur lectured on are varied- for example, he lectured at the Global Institute for Human Rights Programme at the University of Pennsylvania on 'Human rights whistleblowers and factfinders'. (Online, 31 May) while he lectured on the 'Rights of persons deprived of liberty in Africa' at the summer school hosted by Ghent University on 'Human Rights and Persons Deprived of Liberty'. (Online, 20 June)

Prof Mezmur also undertook multiple teaching activities at Harvard University, Columbia University, University of Pennsylvania, and University of Erfurt to name a few. At Harvard he lectured multiple sessions on the rights of children with disabilities, children's rights and digital media, oversight of

implementation of children's rights, as well as on children's rights and climate change. At Erfurt, he lectured on "The Convention on the Rights of the Child" and "Children and armed conflict" in the module "The wellbeing of the child". At Columbia he lectured several sessions on "Children's rights in a globalised world" "the African Human Rights System" and on "Harmful Practices with a focus on Female Genital Mutilation". At Pennsylvania he lectured in the module on "The changing nature of conflicts and the rights of the child in Africa" focusing on "Women in Conflict & Security: Old Challenges and New Debates".

Prof Assim continued her guest lecturing role on the LLM in Sexual and Reproductive Rights in Africa (SRRA) programme by the Centre for Human Rights (18-22 March).

Supervision, examination and moderation

There continue to be a number of postgraduate students being supervised by staff at the CRP. Doctoral Candidate Julie Lugulu submitted her thesis for examination. Prof Mezmur also served as external course moderator for the International Rights of the Child course at the University of Cape Town, and examined a doctoral thesis for the University of Pretoria. Under Prof Assim's supervision one LLM and one LLD student graduated during the year. Prof Assim was also an examiner as well as moderator for theses and courses internally (UWC) and externally at both undergraduate and postgraduate levels. These include Child Law at the University of Pretoria, International Children's Human Rights, North-West University, and International Human Rights Law, University of Venda.

Hosting interns

During the second half of the year, the CRP hosted a Presidential Intern through the Presidential Employment Stimulus programme. Two research interns from the Centre for Human Rights HRDA Programme were also hosted by the CRP – where their research engagements included child rights issues (on climate change and the SDGs). Other interns hosted were from Columbia University, and Michigan State University in the USA.

Conferences, seminars and workshops

The CRP staff hosted, participated in, and made presentations at a number of conferences, seminars and workshops, both physically and virtually.

A number of seminars, workshops and other similar events were (co)hosted by the CRP during the year. In March, the CRP co-organised the Symposium on 'African perspectives on climate change law'. (Harvard Law School, Cambridge, 28 March). In October (9th and 10th) the CRP co-hosted a symposium, with the Office of the High Commissioner for Human Rights (OHCHR), under the theme "Leaving no-one behind: documentation as a gateway to dignity and human rights".

Within the ACCP framework, the CRP hosted a Community Leaders Training Workshop on Children's Rights and Climate Change and Children's Rights and Business (Practices) in November. Another event co-hosted was titled 'Stories for impact: Co-producing knowledge with street young people through multi-media story maps' - by Prof Lorraine van Blerk, University of Dunedin in August.

In September Prof Mezmur hosted an online conversation on the "Human Rights of Migrants" for postgraduate students with Mr Gehad Madi the UN Special Rapporteur and in the same month one on the "Human Rights situation in Myanmar" for postgraduate students with Prof Yanghee Lee who is the former UN Special Rapporteur. While the main target of these Conversation sessions were postgraduate students, staff of the faculty and DOI also participated.



Mr Akot Makur Chuot, Presenting on 'Children's Rights and Climate Change' at a Community Leaders Training workshop, 13 November 2024

The engagements that CRP staff have had span national, regional and international institutions; cover multiple child rights topics; and traverse multiple countries and continents from Africa, to Asia, and to the Americas.

For example, in June 2024, Prof Mezmur presented on 'Evolving capacities of the child' hosted at the UNICEF Innocenti Research Centre. He also made a presentation titled "The rights of the child in North Korea: Some reflections" at a symposium on the Human Rights situation in North Korea hosted by the Human Asia in July in Washington. He was also privileged to be included on the 40th Anniversary Programme of the Human Rights Programme, Harvard Law School in October and spoke on 'The future of children's in the next 40 years'. With a view to further contribute in supporting the child rights agenda in Africa, he spoke at an on-line meeting in November on "Child protection in Africa: Rights, Priorities, and Strategies" at the Networking Meeting of UNICEF Child Protection Officers of Western and Central Africa Office. He also attended and presented in February in Malaysia at the 2024 World Conference on Statelessness on 'Change in the global statelessness landscape'. In March he spoke on "Human rights litigation of climate change at the regional and international levels" at the Harvard Human Rights Journal Symposium 'The environment and human rights'.

Prof Mezmur has also continued on his engagement with the Human Rights Council in Geneva and the African Union. For example, in September in Geneva on 'Loss and damage and children's rights' at a side event of the Human Rights Council organised by Save the Children. He made a further input on "Children in the context of international migration" at a side event of the Human Rights Council in Geneva on organised by the Committee on Migrant Workers and the Committee on Enforced Disappearances. He also participated in the discussions, in July, of the Human Rights Council Informal Working Group on a 4th Optional Protocol to the Convention on the Rights of the Child on the right to education.

Prof Assim also made multiple presentations at various forums. In October in Banjul she presented on "What are the gaps in research, documentation and data collection on Obstetric Violence?" at an ACHPR side event during its 81st Ordinary Session, 'Convening on Joint Advocacy for the Development of Legal Standards on Obstetric Violence in Africa', hosted by Human Rights Watch, Centre for

Reproductive Rights, and the African Population and Health Research Centre. She also gave, in October in Banjul, a presentation on the outcome of the communication, '*Community Law Centre and three others v Nigeria*' to the ACHPR Litigants' Working Group at the ACHPR 81st Ordinary Session. In October she presented on the criminalisation of surrogacy at the International Conference on the Criminalisation of Surrogacy, at the University of Hong Kong.

Dr Ande made an on-line presentation in September on 'The role of participation, non-discrimination, and accountability for the rights of children with disabilities in a changing climate in Africa' at UWC Research Week 2024.

Appointment and memberships

Prof Mezmur was re-elected by the third Committee of the UN General Assembly to serve a fourth term (2025-2029) on the UN Committee on the Rights of the Child. He also joined the 'Steering Group of the evolving capacities of the child' convened by the UNICEF Global Office of Research and Foresight-Innocenti, Italy. Prof Assim was appointed as member of the Advisory Board of the Centre for Child Law, at the University of Pretoria, and as a member of the Interim Governing Board of the Africa Coalition for Academic Freedom.

IMPACT

The March symposium on "African Perspectives on International Climate Change Law" showcased rich insights. The Symposium welcomed roughly 200 virtual and in-person attendees. This was considered very promising, as it ensured a multitude of African interests and voices are built into the evolving field of international climate change law. Some academic endeavours emerged out of this engagement, which also helped to inform the subsequent Symposium held in Cape Town in April 2025.

A number of publications, available on the Human Rights Program Harvard Law School website, have come out of the Symposium:

- "African Perspectives on International Climate Change Law- Challenges and Opportunities for Justice" by Prof Hajer Gueldich
- "Climate Change, Women's Rights and National Action Plans in Africa," by Professor Pedi Obani
- "See you in court: Ramifications of Climate Change Litigation before the African Court on Human and Peoples' Rights" by Dr Yusra Suedi.

From 9 to 10 October CRP co-hosted a symposium, with the Office of the High Commissioner for Human Rights (OHCHR), under the theme “Leaving no-one behind: documentation as a gateway to dignity and human rights”. The Symposium aimed to explore the links between documentation, dignity and human rights in South Africa in order to ensure that no one is left behind. The subject matter is of critical importance for children’s rights and the Sustainable Development Goals in South Africa. It took stock of the linkages between human rights and documentation in the South African domestic context, and how this relates to reporting to international treaty bodies and the United Nations human rights mechanisms, as well as implementation of human rights under South Africa’s international human rights commitments in order to advance the Sustainable Development Goals (SDGs); reflected on the implications of South Africa’s international human rights obligations and commitments under Agenda 2030 in respect of documentation; identified avenues for addressing inequality through the lens of human rights in order to ensure enhanced participation of persons facing various and intersecting forms of discrimination in public processes in South Africa, linked to documentation; and aimed to strengthen rights-based action by state and non-state actors toward the right to equality and non-discrimination and through registration.

During the October Symposium the co-organizers had hoped to have a higher level of engagement from the Ministry of Home Affairs. However, they were disappointed that the Minister of Home Affairs had a change of schedule and was not able to join to deliver the keynote address. Nonetheless, there remains a clear commitment to engage with his office, and sharing the outcomes document of the Symposium.



Prof Usang Maria Assim, Senior Researcher

PUBLICATIONS

Books

- Fokala E, Assim U and Murungi N (eds) *The Social, Economic and Cultural Rights of Children in Africa: Challenges and Reflections from the Perspective of the African Charter on the Rights and Welfare of the Child* (Brill-Nijhoff, 2024) pp. 330.

Chapters in books

- Ande M, (2024) 'Article 25 - Separation from parents' in Sloth-Nielsen J, Fokala E and Odongo G (eds) *The African Charter on the Rights and Welfare of the Child: A Commentary* (Pretoria University Law Press) pp. 366 – 380.
- Assim U.M (2024) 'Article 21: Protection against harmful social and cultural practices' in Sloth-Nielsen J, Fokala E and Odongo G (Eds) *The African Charter on the Rights and Welfare of the Child: A Commentary* (Pretoria University Law Press, South Africa) pp. 301-317.
- Assim U.M (2024) 'Implementation of socio-economic rights under the African Charter on the Rights and Welfare of the Child: Challenges in theory and practice' in Fokala E, Assim U and Murungi N (eds) *The Social, Economic and Cultural Rights of Children in Africa: Challenges and Reflections from the Perspective of the African Charter on the Rights and Welfare of the Child* (Brill-Nijhoff, 2024) pp. 9-44.

Journal articles

- Mezmur B.D, et al, 'Advancing disability-inclusive climate research and action, climate justice, and climate-resilient development' *The Lancet Planetary Health* (2024) Vol 8, Issue 4, pp. e242–e255.

Podcast

- Mezmur B.D, Stereotypes Podcast with the *University of Pennsylvania Journal of Law and Public Affairs*. (Online, 19 April 2024).

SOCIO-ECONOMIC RIGHTS PROJECT (SERP)

GLADYS MIRUGI-MUKUNDI



In 2024 South Africa marked 30 years of democracy by reflecting on its socio-economic progress and challenges. Despite democratic gains, the country continues to face deep-rooted structural problems, including persistent poverty, inequality, and high unemployment, all of which remain racialised and intergenerational. A mismatch between available workforce skills and labour market demands exacerbates these issues.

Major reforms were introduced to strengthen social support systems. The welfare sector saw increases in key grants, including social relief, old age, disability, and child support, and moved closer to implementing a permanent Basic Income Grant. The approval of the National Health Insurance (NHI) in May promised universal healthcare, though concerns persist about its feasibility due to funding and governance constraints.

Basic service delivery remains inconsistent, particularly in marginalised communities facing water shortages, electricity blackouts, and poor housing. To address this, the government rolled out an integrated basic services strategy and launched Breaking New Ground 2.0, which committed to building 150,000 subsidised housing units and enhancing land tenure rights.

Energy reforms continued with Eskom's Debt Relief Bill and the unbundling of power generation and transmission to improve grid stability. Sanitation also improved, with over 50,000 bucket toilets replaced and new community-based pilots introduced.

Food security became a central policy focus. The Draft National Food and Nutrition Security Plan (2024–2029) embraced a multisectoral approach, boosting school nutrition and amending laws to support emerging farmers. The expansion of zero-rated essential food items helped cushion low-income households from inflation.

The Expropriation Act was enacted to correct land injustices from the colonial and apartheid eras, supporting equitable redistribution to small-scale farmers. These reforms underscore the government's attempt to respond to socio-economic pressures, but the demand for inclusive growth, reduced inequality, and stronger social cohesion remains urgent.

KEY OBJECTIVES

SERP's key objectives are to improve socio-economic conditions through applied research, human rights education, and robust advocacy while recognising the intersectionality of socio-economic rights. SERP campaigns for food justice in South Africa, targeting vulnerable communities, and strategically engages with the Government on the International Covenant on Economic, Social, and Cultural Rights.

SERP's overarching goal further encompasses the generation and dissemination of knowledge that influences national policy discussions in South Africa and Africa. The project has produced research evidence to shape debates on crucial issues like food justice, sexual and reproductive rights, and equitable access to justice.

SERP concentrated on three key research and advocacy streams: the Food Policy Project, the Sexual and Reproductive Health and Rights Initiative in East and Southern Africa, and the Access to Justice initiative promoting community-based paralegals. These projects aim to translate socio-economic rights into practice through targeted legal and policy reforms.

PROMINENT ACTIVITIES

Food policy project

Driven by the core question what food justice, the project focused on two core streams, both aimed at addressing the rising burden of diet-related non-communicable diseases in South Africa through a rights-based approach.

The first stream examined how procurement policies can improve access to healthy, nutritious food, by identifying structural barriers to nutritious diets, and proposing legal and policy interventions to promote health equity. The second stream investigated misleading marketing of unhealthy

foods and beverages to children, assessing how consumer protection frameworks can be used to regulate child-directed advertising and highlighting gaps in current laws and enforcement. The research also highlights the non-communicable diseases prevention agenda in South Africa. It explores the potential for making concrete advances using the law, including lessons learned from regional neighbours in Latin America.

The food policy project's overarching goal of the two streams of research is to promote healthier food environments through applied research and targeted advocacy. From the research the key priorities identified for further advocacy include strengthening regulations on child-focused food marketing, aligning with WHO guidance, and leveraging public food procurement as a tool for non-communicable diseases prevention.

Working with civil society and academic partners, the project advocates for integrating nutrition standards into procurement policies for schools, hospitals, and correctional facilities; introducing front-of-package labelling; restricting unhealthy food and beverage marketing to children which utilise various child-oriented strategies; and establishing transparent mechanisms to monitor compliance. Ultimately, the aim is to strengthen nutrition standards in public food procurement systems to ensure healthier food environments across South Africa. These research findings were translated into accessible outputs, including policy briefs, op-eds, comprehensive research reports, several peer-reviewed articles, and webinars designed to inform policy and advocacy efforts.

SERP researchers participated in the annual South Africa Country Strategic Planning Meeting for the Food Policy Program held 6–8 February in Johannesburg. This convening, led by the Healthy Living Alliance (HEALA), brought together key partners in the food policy partners network to assess South Africa's food security landscape and chart a path toward stronger, evidence-based food systems.

The annual meeting served as a strategic platform for reviewing policy gaps, aligning priorities, and shaping actionable interventions to improve food environments and public health. Participants included local partners such as SECTION 27, PRICELESS SA (Wits School of Public Health), Amandla.mobi, Community Media Trust, School of Public Health (University of the Western Cape),

United Nations Children's Fund-South Africa office (UNICEF SA) and global partner international organisations, including Vital Strategies, Global Health Advocacy Incubator (GHA), Bloomberg Philanthropies, and the Global Center for Legal Innovation on Food Environments, O'Neill Institute for National and Global Health Law, at Georgetown University.

Discussions emphasised the need for coordinated research and advocacy aligned with national strategies to address non-communicable diseases, food insecurity, and inequities in access to healthy food. A key focus was advocacy efforts in supporting the Department of Health's Draft Regulations (R3337) on front-of-pack warning labels and stricter controls on food marketing to children based on a nutrient profile model.

The meeting underscored the urgency of unified, justice-oriented policy advocacy and the vital role of research in shaping interventions that protect the health rights of all, particularly the most vulnerable and marginalised. The collaborative momentum generated at the meeting is expected to inform government policy and contribute to a more equitable and sustainable food system in South Africa.

Under the Food Justice Campaign, project partners aimed to collaborate on advocacy efforts in South Africa that hold strong potential for concrete legal advances. Drawing on lessons from regional counterparts in Latin America, the campaign sought to promote the right to food by advancing healthier and more equitable food systems in South Africa. These collective efforts are expected to play a pivotal role in informing government action and shaping food policies that prioritise the health and well-being of all South Africans, particularly those from vulnerable and marginalised communities.

On 5-6 September Prof. Assim and Paula Knipe participated in the Annual Experts Symposium of the Centre for Social Justice at Stellenbosch University. Prof. Assim delivered a presentation titled 'The Intersectional and Interconnected Drivers of Food Insecurity in South Africa: Pragmatic Approaches to Addressing the Barriers and Challenges'. Paula Knipe also presented on 'The Double Burden of Malnutrition Among Women in South Africa: Exploring Rights-Based Approaches to Non-Communicable Diseases.' Both these presentations will be featured in a forthcoming peer-reviewed publication on Social Justice, Hunger and the

Constitution (2025), providing measurable insights and recommendations. In addition, Prof. Assim and Ms. Knipe contributed to drafting the Policy Brief: Social Justice, Hunger, and the Constitution in South Africa. This policy brief addresses the government's constitutional obligations regarding the right to food and its alignment with Sustainable Development Goal 2 (ending hunger).

On 9-10 October Aisosa Jennifer Omoruyi and Paula Knipe represented the Institute at the Schools Food Environment Assembly 2024, co-convened by HEALA alongside partners such as the Treatment Action Campaign, PRICELESS SA, Section 27, and UNICEF SA. Paula Knipe delivered a presentation on 'Public Food Procurement within the National School Nutrition Programme: Who, what, when, where and how?' identifying key challenges and opportunities within the current procurement framework. The Assembly focused on the National School Nutrition Programme, a government initiative established in 1994 to address hunger and malnutrition by providing daily meals to over 9 million learners in under-resourced schools. The Assembly addressed concerns regarding the marketing of unhealthy foods to children in schools and public spaces.

The role and recognition of community-based paralegals

In 2024, SERP continued implementing the third phase of its community-based paralegals research project, funded by the Charles Stewart Mott Foundation and in collaboration with the African Centre of Excellence for Access to Justice. This phase focuses on selected North African countries (Maghreb countries) and assesses the roles, challenges, and good practices of community-based paralegals in advancing access to justice. This builds on the lessons and best practices gathered from previous research cycles and contributes to furthering the recognition and integration of community-based paralegals in legal systems across the African continent.

To date, two research phases have been completed, covering 14 African countries. The first phase, conducted in 2021, focused on Malawi, South Africa, Rwanda, Kenya, Sierra Leone, Ghana, Nigeria, Uganda, Tanzania, Zambia, and Mozambique. The second phase, conducted in 2023, focused on Francophone Africa, specifically Senegal, Côte d'Ivoire, and Burundi.

The community-based paralegals project seeks to enhance the visibility and effectiveness of community-based paralegals as crucial legal actors who offer legal advice and support at the community level. Research conducted in the North African (Maghreb) countries forms part of a broader study designed to evaluate the legal recognition of community-based paralegals across Africa. This initiative aims to deepen the understanding of the vital role community-based paralegals play in facilitating access to justice and promoting human rights, thereby contributing to the creation of stronger, more resilient communities. The research emphasises the importance of generating and sharing knowledge about community-based paralegals and their contributions. Additionally, it bolsters advocacy efforts to garner recognition for community-based paralegals from policymakers, legal frameworks, and the public. The outcomes demonstrate that community-based paralegals are essential allies in developing inclusive and adaptive justice systems.

From 11 to 29 November SERP conducted a two-week online course focusing on community-based paralegals via the University of the Western Cape's i-Kamva platform, led by Prof. Robert Nanima from the Faculty of Law. This self-paced course featured organised chapters, weekly readings, and assessments to facilitate flexible learning. The course attracted over 900 applicants from across Africa, including individuals from civil society organisations, academia, various branches of the judiciary, law enforcement, prosecutors and investigators.

To boost completion rates, the online course was condensed to two weeks, resulting in 350 participants earning certificates of attendance. This shorter format enhanced completion rates and underscored the increasing demand for specialised capacity-building initiatives in this sector. The substantial turnout of participants highlights the critical and growing need for legal empowerment and capacity-building among those striving to improve access to justice.

Advancing innovative approaches to cancer care

In May SERP published a report entitled "Desktop Review of Six Dedicated International Cancer Acts and South African Legislation and Policy Regarding

Cancer: A Summary Report." This report, co-authored by Professor Ebenezer Durojaye, Paula Knipe, and Dr. Aisosa Jennifer Omoruyi, highlights the conclusion of intense research that commenced in 2021. The study formed part of a collaborative effort involving the Cancer Alliance, CANSA, the Institute of Cancer Policy at King's College London, and the Department of Family Medicine at the University of the Witwatersrand.

The research scrutinised cancer legislation across six countries (UK, USA, Japan, Kenya, the Philippines, and Chile) all of which possess dedicated Cancer Acts. It evaluated both global and regional guidelines in conjunction with South Africa's current legal and policy framework. The research aimed to ascertain whether the implementation of dedicated cancer legislation could improve cancer care in South Africa. As part of a mixed-methods approach, the desktop review was supplemented by interviews with cancer patients, survivors, healthcare practitioners, legal experts, public health officials, and scholars, thus offering a range of diverse and well-informed perspectives.

Sexual and reproductive health and rights in East and Southern Africa

Sexual and reproductive health and rights remained a key focus in Africa's human rights agenda. With support from AmplifyChange, SERP worked alongside Kenya Legal and Ethical Issues Network on HIV and AIDS (KELIN) and the Initiative for Strategic Litigation (ISLA) through a long-standing coalition formed in 2016, under the project *"Closing the Gap: Advancing Sexual and Reproductive Health and Rights in Africa through Research, Advocacy, and Litigation"*, the coalition aimed to advance sexual and reproductive health and rights through strategic litigation, policy advocacy, and legal reform.

In 2024, SERP advanced regional dialogue and legal accountability on sexual and reproductive health and rights through key engagements and the production of knowledge products. These included a regional colloquium in August and a side event during the African Commission's 77th Ordinary Session in October. Both events helped shape discussions on sexual and reproductive health and rights policy reform and legal obligations, with a central focus on the ACHPR Communication 564/2015 - an important milestone in reproductive rights advocacy in Africa.

In terms of knowledge production, SERP also produced research that deepened understanding of sexual and reproductive health and rights challenges in Southern Africa. Researchers conducted studies in Eswatini, Malawi, and Seychelles to examine how national laws and policies shape young people's access to sexual and reproductive health and rights services. The findings were published in three country-specific reports, supported by three booklets and three policy briefs, contributing to the production of knowledge on regional advocacy efforts.

In August SERP brought together key stakeholders in a regional colloquium to examine how regional human rights bodies can support the advancement of sexual and reproductive health and rights. Co-hosted by the Institute, KELIN, ISLA, and the Centre for Human Rights at the University of Pretoria, the event tackled pressing contemporary SHRH issues in Africa, including obstetric violence, adolescent sexual and reproductive health and rights health, maternal mortality, access to essential medicines, and the cultural practices, religious beliefs, and entrenched gender norms that continue to limit access to comprehensive sexual and reproductive health and rights education and sexual and reproductive health and rights services. By the end of the colloquium, a stronger consensus emerged on the need for continuous engagement with regional human rights institutions to advance policy change and ensure accountability on sexual and reproductive health and rights.



From the left: Mr Robert Shaita Athewa (Network of African National Human Rights Institutions), Ms Gladys Mirugi-Mukundi (DOI), Nyokabi Njogu (KELIN), Prof Robert Nanima (UWC), Ms Ngina Muyanga (KELIN), Sexual and Reproductive Health and Rights Regional Colloquium, 23-24 August 2024

In October Gladys Mirugi-Mukundi presented a paper titled 'Kenya: Criminalising of Surrogacy' at the International Conference on the Criminalisation of Surrogacy hosted at the Centre for Medical Ethics and Law (CMEL) at the University of Hong Kong. The conference is part of a broader project that examines the existing rules criminalising actions relating to surrogacy in more than 25 jurisdictions from five continents.

Building on this dialogue from the August regional colloquium, a roundtable titled *“Obstetric Violence: Leveraging Regional Mechanisms for Litigation and Strategic Advocacy”* was held on 14 October 2024 as a side event during the Ordinary Session of the African Commission on Human and Peoples’ Rights. This roundtable co-convened by Human Rights Watch, Centre for Reproductive Rights, and the African Population and Health Research Centre offered a platform to discuss how regional mechanisms can be used to address systemic sexual and reproductive health and rights violations. Prof. Assim presented on “What are the gaps in research, documentation and data collection on Obstetric Violence?”. The Institute with its partners KELIN, ISLA, co-hosted a second -side event under the umbrella of the ACHPR Litigants’ Working Group at the ACHPR 81st Ordinary Session where Prof. Assim presented *“The Outcome of ACHPR Communication 564/2015: Communication Community Law Centre and Others V. Federal Republic of Nigeria.”* A key focus of the October event was the outcome of ACHPR Communication 564/2015. The discussion highlighted the decision’s significance for legal accountability and underscored the role of strategic litigation in shaping state obligations and advancing reproductive justice across the continent.

ACHPR Communication 564/2015 marks a significant step in the fight against maternal mortality in Africa. The Communication was filed in 2014 by the Dullah Omar Institute (then the Community Law Centre) at the University of the Western Cape and Alliance Africa, a Nigerian NGO. In 2015, two additional groups—the Centre for Reproductive Rights, a global human rights organisation and the Women Advocacy and Documentation Research Centre, a Nigerian NGO, joined as complainants. Although the African Commission adopted the decision in 2023, it was only shared with the parties in August 2024 and remained unpublished on the African Commission’s website as at November 2024. This outcome emerges amid global concerns about stagnation—and even regression—in gender equality and reproductive rights.

A well-deserved accolade, commendation, and applause go to the team of researchers led by Prof. Ebenezer Durojaye (now at the Centre for Human Rights at the University of Pretoria) for their persistent efforts engaging the African Commission on Human and Peoples’ Rights (ACHPR). By way ACHPR Communication 564/2015 their advocacy pushed for policy change to address Africa’s high maternal death rates, which remain the highest globally.

Advocacy campaigns

SERP continued its pivotal role as the secretariat of the South African Civil Society Campaign on the International Covenant on Economic, Social, and Cultural Rights (CSO-ICESCR Campaign). SERP facilitated monthly meetings with civil society campaign partners, focusing on strategic engagement with the government to devise effective strategies for South Africa’s periodic report to the Committee on Economic, Social and Cultural Rights.



Sexual and Reproductive Health and Rights Regional Colloquium, Pretoria, 23-24 August 2024

Community leaders' workshops

On 13 November SERP, in collaboration with the DOI Children's Rights Project, hosted a community leaders' workshop as part of the African Children's Charter Project (ACCP). This event brought together community leaders to discuss how climate change and business practices affect children's rights and the overall welfare of the community, particularly their socio-economic conditions. The workshop included interactive discussions, group activities, and experience sharing, allowing participants to exchange practical strategies for driving meaningful change in these critical areas.

Now in their sixth year, these community leaders' workshops emphasise civic education, human rights awareness, and strategies for holding government accountable at the grassroots level. They aim to build capacity and empower community leaders and representatives with the knowledge needed to engage effectively with their local government councillors. Participants reflect on their socio-economic challenges and learn how to assert their rights regarding socio-economic entitlements.



Community Leaders Training Workshop, 13 November 2024



ESR Review

The ESR Review stands as SERP's flagship publication. For over two decades, it has been showcasing thought-provoking articles on socio-economic rights contributed by activists and researchers. In 2024, four editions of the ESR Review were published, featuring articles on diverse socio-economic rights issues and updates at national, regional, and international levels.

IMPACT

ACHPR Communication 564/2015 marked a pivotal moment in the SERP team's development of expertise and policy influence in the area of reproductive justice and socio-economic rights in Africa. Although the ruling fell short in affirming the full scope of state obligations under the African Charter and the African Women's Protocol, the case itself represents the culmination of nearly a decade of dedicated research, advocacy, and strategic engagement with regional human rights mechanisms. The research and advocacy teams led by Prof. Ebenezer Durojaye (now at University of Pretoria), played a central role in shaping the legal framing of maternal mortality as a human rights violation, pushing the boundaries of how reproductive health is understood and litigated within African human rights jurisprudence. The case demonstrated the team's ability to integrate legal scholarship with practical advocacy, contributing to

regional discourse and setting a foundation for future legal and policy reforms. Importantly, it brought renewed visibility to the systemic failures contributing to high maternal death rates and underscored the need for enforceable standards in reproductive health. SERP's involvement not only influenced how civil society and legal institutions approach similar cases but also affirmed the project's standing as a thought leader in socio-economic rights, gender justice, and public health law in Africa.

The publication of "Desktop Review of Six Dedicated International Cancer Acts and South African Legislation and Policy Regarding Cancer: A Summary Report" has played a crucial role in highlighting the necessity for legislative measures and transforming the dialogue surrounding cancer care in South Africa. By framing cancer care as a human rights concern, the SERP researchers have established

themselves as active participants in fostering public policy dialogues, influential discussions, and advancing informed advocacy efforts that expedite the demand for legislative actions ensuring health rights for all South Africans. Through this intricate multi-country study on cancer legislation, the SERP team has showcased its increased capability in carrying out comparative legal analysis, utilising mixed-methods research, and collaborating with diverse stakeholders. This project has deepened SERP's comprehension of the link between law and public health, establishing the team as a credible participant in policy discussions regarding cancer governance in South Africa. By leveraging international best practices and adapting them to South Africa's legal context, the research can inform legislative changes and shape advocacy efforts aimed at enacting a dedicated Cancer Act. Its impact on policy is already evident in the strategic alliances formed with essential national and international organisations, making the report a valuable resource for government entities, civil society, and academics working towards promoting equitable cancer care through legal and policy reform.

Participating in the Annual Experts Symposium at Stellenbosch University (5-6 September) was a privilege and a significant moment for SERP researchers. This esteemed event gathers key voices from various sectors, including the movers and shakers in the food industry, influential stakeholders, policymakers, and legislators. It focuses on the right to food in the context of social justice, considering South Africa's historical challenges with poverty and human rights. This annual experts' event highlights the connections between law, public policy, economics, and grassroots activism, fostering a vibrant environment for sharing ideas, research, and updated strategies. The SERP team's engagement underscores the expertise cultivated through the Socio-Economic Rights Project, significantly boosting the team's visibility and academic recognition concerning the right to food and food justice over time.

The community leaders' workshops address the realities of socio-economic conditions and advocate for socio-economic rights as essential to participatory democracy demonstrates that the SERP team has developed tools of engagement as well as networks in the community. These sessions have considerably improved community leaders' leadership and advocacy capabilities, creating a significant impact that aligns with the University's overarching principles of engaged scholarship, social

responsiveness, and transformation, while strengthening participatory democracy. These interactions illustrate UWC's commitment to leveraging academic knowledge to confront real-world issues, using research and legal frameworks to effectively support rights-based community advocacy.

PUBLICATIONS

Chapters in books

- Omoruyi A.J (2024) 'An intersectional perspective on inequalities in access to COVID-19 vaccines in Africa: The case of migrants' in Durojaye E and Mahadew R (eds) COVID-19 and the right to health in Africa (Routledge) pp. 121-141.

Journal articles

- Durojaye E, Omoruyi A.J, Knipe P, 'A rights-based approach to eliminating cervical cancer in Africa' Journal of Global Health Law (2024) Vol 1 (1) pp. 50-70.



Prof Christopher Mbazira presenting on 'Adjudicating Poverty and the Approach of the Courts in Uganda' at The Socio-Economic Rights Brown Bag Seminar, 31 July 2024



From the left: Mr Akot Makur Chuot (LLM HRDA), Prof Robert Nanima, Ms Gladys Mirugi-Mukundi, Prof Usang Maria Assim and Mr Nicholas Cheruiyot (LLM HRDA)

**Community Leaders Training Workshop
focusing on the Relationship between
Children's Rights and Business &
Children's Rights and Climate Change:
Impact on Communities**



AFRICA CRIMINAL JUSTICE REFORM (ACJR)

PROF LUKAS MUNTINGH



Domestically years of neglect, underfunding, loss of skills, poor management and a lack of strategic direction has placed the criminal justice system in a precarious state. Criminal prosecutions remain well below levels from 10 years ago while the number of reported murders has increased by 78% from 2011/12 to 2023/24. While the police executed some 1.3 million arrests annually, it is only some 10% that result in convictions. In the wake of the Zondo Commission there has not emerged a bold strategic approach to deal with key institutional failures that made possible the state capture project. In this regard particular attention must be given to the position of the National Prosecuting Authority and legislative shortcomings undermining its independence. These were already acknowledged by the Presidency in 2022. In respect of state-owned entities there has similarly not emerged an inclusive approach to deal with the structural and systemic weaknesses that enabled the plundering of the state coffers. Following the May 2024 elections there has been some renewed energy around criminal justice reform, but progress has been slow and the challenges persistent.

Our work in the region, focusing on the decriminalisation of poverty and status, took us to Burundi, Côte d'Ivoire, Ghana, Kenya and Mozambique. This focus has continued to enjoy support from a growing network of individuals, organisations and state institutions. We paid particular attention to women working in public spaces in the informal sector and this has demonstrated with firmness the importance of local government policy-making in supporting economic development and employment. Moreover, the importance of alternatives to resorting to the criminal justice system to deal with socio-economic challenges was affirmed and we will continue to support this line of advocacy.

KEY OBJECTIVES

Research has shown that regardless of context, people who are perceived to have less power are particularly at risk of arrest without a warrant. The problem is enabled by a myriad of laws, municipal by-laws and petty offences, and notions of social order rooted in the colonial era. ACJR is working towards two broad outcomes:

- Protecting the right to liberty by advancing democratic policing through improved protection of the right to liberty and due process through strengthening compliance with the legal requirements for arrest without a warrant through rights education and monitoring by partnering with civic actors, the media, judiciary, government and national human rights institutions (NHRI).
- Reducing discriminatory law enforcement by advancing democratic policing through supporting policy and practice changes reducing discriminatory law enforcement (i.e., targeting the poor and other marginalised groups) by demonstrating the cost to the economy of excessive and avoidable arrest and detention, and presenting feasible alternatives, with reference to the declassification and decriminalisation of petty offences.

The target countries in 2024 were Burundi, Côte d'Ivoire, Ghana, Kenya, Mozambique and South Africa as well as regional engagements with existing networks and the African Commission on Human and People's Rights. Key outputs are: fact sheets, peer reviewed articles, research reports, op-eds, webinars, expert inputs, workshops and workshop reports, website material and policy engagements.

PROMINENT ACTIVITIES

During the year ACJR produced one book chapter; seven research reports; one fact sheet; had 13 media engagements; published four opinion pieces; made 16 presentations at various fora; hosted 13 webinars/workshops, and made three submissions; expertise drawn on in nine interviews and in two court cases.

Research

We were commissioned by UNODC to conduct a study on women in prison in South Africa and Mozambique which resulted in an extensive literature review as well as primary research in Cabo del Gado. The project produced blueprints for both countries to guide compliance with the Bangkok Rules (United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders). Women typically constitute 2-4% of national prison populations and in general find themselves and their needs marginalised in a system that caters predominantly for men.

In 2024 we started the initial phases of an 18-month research project on select criminal, security and exceptional laws in Francophone and Lusophone Africa, selecting Burundi, Cote d'Ivoire and Mozambique. Data collection included a series of five focus group discussions in each of the capitals supported by ten semi-structured interviews with representatives from legislature, civil society, journalists, policy makers, impacted groups and other stakeholders. The objective was to gather information on the legal framework and the enforcement of select criminal, security and exceptional laws at the national and sub-national levels and highlight their impact on particular groups. The project will conclude in 2025, and it is foreseen that the release of the findings will draw attention to previously unknown problematic issues in law and practice in Francophone and Lusophone African countries. It is envisaged that once completed, the research will bring to the surface seldom heard of, deliberately ignored and/or purposefully obscured voices and perspectives and will lay the foundation for evidence-based advocacy with the potential to address law, policy and practice reform.

National Prosecuting Authority

In late 2023 we made a focussed submission on the NPA Amendment Bill, paying particular attention to the independence and accountability of the NPA, greater transparency, the effective and transparent

hiring of ad hoc specialists, and the security of tenure or senior NPA staff. The Bill focussed largely on establishing the Investigating Directorate Against Corruption (IDAC) as a permanent feature in the NPA Act and also establishing an IDAC-associated complaints mechanism. The bill was adopted and came into effect in August 2024 and, as was expected to some degree, adopted a very narrow approach in addressing the challenges facing the NPA. The core issues of financial independence, accountability and transparency were not addressed. These remain fundamental weaknesses in the architecture of the NPA and were indeed acknowledged as such by the Presidency in 2022. The issue of independence was unpacked in a research report by Jean Redpath in which she concluded: "The evidence strongly suggests that the national legislation in South Africa has failed to ensure the NPA operates without fear, favour or prejudice. This has had serious consequences for the country. Legislative reform is required, which, in the medium to long-term, will lead to greater independence and more effective prosecution of corruption.". The need for more comprehensive legislative reform was also addressed by Jean Redpath in an opinion piece published in the *Daily Maverick* and the current problematic framework for hiring specialist skills by the NPA was covered by Lukas Muntingh in the same newspaper with reference to the former Minister of Justice, Thembi Simelane.

In a general sense there appears to be a more constructive and engaging response from the government following the general election results and the ensuing Government of National Unity. There is indeed pressure on both sides of the spectrum, even if for selfish reasons, to demonstrate that they can perform in the new political dispensation. Following the elections, the portfolio committees of the National Assembly were subject to some reconfigurations. In this regard it is noted that the Correctional Services portfolio has now been removed from the Justice portfolio and this will hopefully lighten the latter's workload and enable more in-depth engagement on the performance of the NPA.

Decriminalisation of poverty and status

We were awarded funding by the Campaign to Decriminalise Poverty and Status to conduct a research project focusing on sub-national governance and the plight of women working in public spaces in Ghana, Kenya and South Africa. Stakeholder consultations were held in Accra, Johannesburg and Nairobi with partner organisations being the Commonwealth Human Rights Initiative (Africa office, Accra); International Commission of Jurists-Kenya, African Reclaimers Organisation (ARO) and Informal Sector and Co-operative Alliance (ISECA). The three-country project focused on promoting the decriminalisation of poverty and status, particularly relating to marginalised women who rely on the informal economy for survival due to high levels of inequality, unemployment and limited access to education. The project highlighted the economic and developmental responsibilities of local governments to incentivise and support especially women working in public spaces in line with international norms relating to decent work and economic growth. The project drew attention to the discriminatory manner in which law enforcement officials treat people on the basis of their perceived status and poverty. A key observation was the limited understanding that informal public space workers have of the policy-making processes, and the unwillingness and failure of subnational authorities to include them in such processes. Three factsheets and an infographic were produced which serve as advocacy tools to acknowledge women working in public spaces as workers with rights who contribute to sustainable economic growth. It is argued that local governments have the responsibility to provide the necessary basic services and infrastructure (such as storage and ablution facilities, adequate street lighting) to facilitate work in public spaces, and also to empower and support women public space workers. The final project outcomes were launched at an online webinar in November.



Networking opportunities exist to promote previous work as well as activities related to the Campaign to Decriminalise Poverty and Status. We engaged in a number of fora and other opportunities to promote the campaign, or support, the campaign in the past year. Of particular interest is the focus that we have placed on the role of local government in this project as well as in our other work. This has opened the dialogue with a number of new actors in the field. This refers to amongst others the people working in the informal sector and how they are subjected to law enforcement and discriminatory practices.

Advocacy and submissions

A number of submissions were made domestically and regionally. These reflected the project's willingness to engage with policy development processes and contribute to an evidence-based discourse. These dealt with the:

- Independent Police Investigative Directorate Bill (B21B – 23);
- Department of Co-operative Governance's Standard Draft By-laws for Township Economies issued in terms of the Local Government: Municipal Systems Act, 2002 (Act 32 of 200);
- Statement, on behalf of the Campaign to Decriminalise Poverty and Status, to the 79th Ordinary Session of the African Commission on Human and Peoples' Rights;
- Written and verbal input on the review of the Criminal Procedure Act to the SALRC (Sub-committee on review of the Criminal Procedure Act) concerning alternative dispute resolution and arrest without a warrant;
- Provincial oversight of local law enforcement for the MEC of Community Safety toward amendments to the Western Cape Community Safety Act; and
- Analysis of prison population statistics to the Judicial Inspectorate for Correctional Services.

In hindsight it is evident that the latter part of 2023 and 2024 were not facilitative of substantial law reform in South Africa. In the run-up to the election, it was clear that substantial reform initiatives will not be undertaken and therefore the minor amendments that emerged especially from the IPID and NPA draft legislation. It is also the case that some amendments, especially the IPID Act, have not been promulgated. The Government of National Unity emerging from the 2024 elections created on the one hand opportunities for change and, on the other hand, stifled robust strategic leadership.

In the course of the year project staff published three opinion pieces, did ten radio/television interviews and three print-media interviews. These covered a diverse range of topics, such as crime trends, the elections, amendments to the NPA Act and contraband found in prisons.

Mozambique

The DOI has a close working relationship with its Mozambican partner, REFORMAR – Research for Mozambique, and 2024 marked its tenth year of operation, highlighting its ongoing commitment to advancing human rights within Mozambique’s criminal justice system. As a research-based organisation, REFORMAR works to influence the reform of laws, policies, and practices through evidence-based studies and targeted advocacy.

The organisation has made significant progress in knowledge production through relevant research initiatives. One of its most notable studies was the book *Community Courts and Post-Colonial Legal Pluralism*, which examined the role of community courts in access to justice. Another substantial publication was *An Assessment of Women in Conflict with the Law*, which addressed the situation of women in the prison system, proposing alternatives to imprisonment and structural reforms to meet gender-specific needs.

Additionally, REFORMAR completed a project on the assessment of sentencing decisions by judges in Mozambique, which identified challenges such as prison overcrowding and suggested alternatives for better management of the prison system. The organisation also published *A Portrait of Children and Minors Deprived of their Liberty*, a comprehensive study on the conditions of children deprived of their liberty with recommendations for their protection and reintegration.

In the field of capacity development, REFORMAR expanded its impact by promoting seminars on child-friendly justice, as well as English courses, music therapy, and tailoring for young inmates at the Boane Special Juvenile Rehabilitation Prison. It also strengthened legal training through the implementation of Penology modules for trainees at the Mozambican Bar Association and other academic institutions, contributing to the qualification of professionals in the sector.

In advocacy, the organisation maintained its commitment to defending human rights and

criminal justice reform. In 2024, REFORMAR paid tribute to Dr Alice Mabota, one of Mozambique’s most prominent human rights defenders. Additionally, it closely followed Ruling 14/CC/2023, which analysed the constitutionality of provisions in the Penal Code, reinforcing the need to align legislation with the UN Standard Minimum Rules for the Treatment of Prisoners (2015) and promote better conditions for persons deprived of their liberty.

These achievements were made possible thanks to the dedication of REFORMAR’s team and collaboration with national and international partners, including the Centre for Legal and Judicial Training (CFJJ), the Office of the Attorney General (PGR), the National Prison Service (SERNAP), and the Institute for Legal Aid and Assistance (IPAJ). The organisation also strengthened its global network with entities such as Southern Africa Litigation Centre (SALC), International Drug Policy Consortium (IDPC), AGAPE, PASSI, and the National Harm Reduction Network (UNIDOS).

Looking ahead, REFORMAR reaffirms its commitment to innovation, research, and policy advocacy to ensure a more humane, just, and effective justice system in Mozambique.

IMPACT

National Prosecuting Authority

While the Constitution requires that the prosecution service must perform its functions without fear, favour or prejudice, it is increasingly evident that the National Prosecuting Authority Act does not enable this. In this regard particular attention is drawn to the appointment and dismissal procedures of the National Director of Public Prosecutions; the administrative and financial independence of the NPA as it is a programme within the Department of Justice; and the accountability of the NPA. These are issues that we have identified and drew attention to for a number of years now. We were not alone in this regard and a number of civil society organisations have also expressed their concern about these three core challenges. In the past year it has emerged from the NPA as well as at ministerial level that the appointment process and the independence of the NPA are acknowledged as challenges and earmarked for reform. Throughout we have maintained a constructive relationship with the NPA and did not hesitate to identify challenges that we believed would place constitutionalism at

risk. The growing consensus around these three issues are therefore important, although small, steps in the right direction. Our efforts at influencing reform during 2024 with the NPA Amendment Bill was perhaps not as successful as we wanted it to be, but the main issues were nonetheless placed on the agenda.

Sub-national governance and the plight of women working in public spaces

In a context where the plight for survival of marginalised people is often overlooked and ignored, the research project on women working in public spaces had an important role in shedding light on the lived experience of women public space workers in east, west and southern Africa. The hosting of two workshops in each city, offered opportunities for public space workers such as traders, hawkers, waste pickers and foreign national workers to share information regarding the challenges they encounter in their working conditions, as well as engagements with law enforcement officials and subnational authorities. The key issue here is that law enforcement and criminalisation are frequently conceptualised as national functions aimed at dealing with serious crime threats. This project correctly identified subnational government as an area in need of reform to address the propensity of local government to criminalise in order to deal with socio-economic challenges. The project therefore opens up a new terrain of democratic engagement focusing on local government and the informal economy.

The project played an instrumental role in influencing debate in each of the three jurisdictions as representatives from subnational government, legislature and law enforcement officials also participated in the workshops. This provided the opportunity not only to hear about the challenges, but also to offer solutions to better cater for and support women working in public spaces to earn a dignified life. The dissemination of knowledge through the online webinar project launch attracted over 70 participants across the world, particularly in Africa and attendees included representatives from national and subnational government, academics and civil society organisations. It is envisaged that by tackling social norms, advocating for the decriminalisation of poverty and status and promoting the interests of women working in public spaces, this will in the medium to long term promote a healthy regulatory environment governing economic activity in public spaces.

UN expert acknowledges ACJR report

The Special Rapporteur on extreme poverty and human rights acknowledged the work done by ACJR in his report to the UN General Assembly "Breaking the cycle: ending the criminalization of homelessness and poverty". This was preceded by ACJR's Janelle Mangwanda's participation in a high-level UN expert meeting and to provide inputs on decriminalization of homelessness and extreme poverty to finalise the report by the UN Special Rapporteur on the right to adequate housing and the UN Special Rapporteur on extreme poverty and human rights. The final report cited the 2015 ACJR research report "Punished for being poor: Evidence and arguments for the decriminalisation and declassification of petty offence" four times. The invitation to participate in the high-level expert meeting and the citation in the Special Rapporteur of previous research, almost a decade since its release report affirms that ACJR maintains its relevance, evidence-based research, academic rigour and advocacy to support criminal justice reform in Africa and beyond.



Ms Janelle Mangwanda, Awareness Raising and Training workshop, 28 June 2024

PUBLICATIONS

Books

- Lorizzo T and Sigauque L, Um retrato das crianças e menores privados de liberdade no Estabelecimento Penitenciário de Recuperação Juvenil de Boane (Matteo Angius & Gala Gala Livros, 2024) pp. 95.
- Lorizzo T, Community Courts and Postcolonial Legal Pluralism: Criminal Justice in Mozambique (Routledge, 2024) pp. 162.

Chapters in books

- Muntingh L (2024) 'Article 30 - Children of imprisoned mothers' in Sloth-Nielsen J, Fokala E and Odongo G (eds) The African Charter on the Rights and Welfare of the Child: A Commentary (Pretoria University Law Press) pp. 435 – 452.

Journal articles

- Lorizzo T, 'Judges' incarceration decisions in Mozambique: The need to decolonise the punitive approach to criminal justice' REALIS (2023) Vol 13(3) pp. 1-25.
- Muntingh L, 'The End of Public/Private Partnership Prisons in the Department of Correctional Services of South Africa' The Prison Journal (2024) Vol. 104 (3), pp. 390-406.



Symposium: Leaving no-one behind - Documentation as a gateway to dignity and human rights, 9-10 October 2024



Ms Janelle Mangwanda
Researcher



Ms Crystal Nitsckie
Project Administrator



Dr Jean Redpath
Senior Researcher



Diagnosis

1. Fiscal demands of macrofiscal equilibrium
 - Constitutional distrusts
 - Poor design of the instruments
 - Practical difficulties
2. Emergency Subsidary system in development
 - Limits of "solidarity" and financial equalisation
 - 2 different financial systems: General system + Basque Country and Navarra
3. ESI: Risk management and responsibility
 - Decision-making process (recognition of the risk)

Dr Gonzalo Carranza Galaico from Autonomous University of Madrid lecturing Master's students

INCOME AND EXPENDITURE STATEMENT

	2024	2023
INCOME	R	R
Funders	14 163 920	17 187 399
University of the Western Cape		
2 x Professorial posts - R 2 254 000		
Faculty of Law-SARChI- R1 551 300		
Faculty of Law-Salaries -R581 000		
Premises, Utilities & IT		
TOTAL INCOME		
EXPENDITURE		
Salaries	9 317 962	10 285 766
Stationery	25 746	6 603
Photocopying	14 424	14 109
Postage & Distribution	24 608	12 578
Telephone	18 810	35 174
Travel & Accommodation	1 185 541	1 707 971
Printing & Publications	91 831	126 244
Subscriptions & Books	82 953	70 877
Audit Fees	-	-
Workshops / Meetings	69 571	91 710
Consultation Fees	1 641 311	834 434
Sundry Expense	10 398	25 281
Post-Graduate Bursaries	1 425 836	1 344 430
Conferences & Seminars	712 813	527 466
Research	67 327	75 714
Website & Social Media	38 543	50 287
Catering for Meetings & Socials	86 995	60 652
Computer Equipment (incl Maintenance)	139 732	138 983
Funders returned to donors	-	35 321
Bank Charges	6 371	-
UWC Overheads	161 723	-
TOTAL EXPENDITURE	15 122 495	15 443 599
CLOSING BALANCE FOR YEAR	-958 575	1 743 800
Surplus carried forward from previous year	15 911 155	12 660 640
Prior Year Adjustment	2 332 011	1 506 715
NET CLOSING BALANCE 31-12-2024	17 284 591	15 911 155



Approved by: J Cloete
Coordinator: Grants & Contracts
28 April 2025

THE INSTITUTE'S OUTPUTS

PUBLICATIONS

Books

Fokala E, Assim U and Murungi N (eds) *The Social, Economic and Cultural Rights of Children in Africa: Challenges and Reflections from the Perspective of the African Charter on the Rights and Welfare of the Child* (Brill-Nijhoff, 2024) pp. 330.

Fombad C.M and Steytler N (eds) *Constitutional Identity and Constitutionalism in Africa* (Oxford University Press, 2024) pp. 352.

Lorizzo T and Sigauque L *Um retrato das crianças e menores privados de liberdade no Estabelecimento Penitenciário de Recuperação Juvenil de Boane* (Matteo Angius & Gala Gala Livros, 2024) pp. 95.

Lorizzo T *Community Courts and Postcolonial Legal Pluralism: Criminal Justice in Mozambique* (Routledge, 2024) pp. 162.

Steytler N (ed) *Mont Fleur Conversations on Constitutionalism* (Dullah Omar Institute, 2024) pp. 128.

Steytler N (ed) *The Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan, 2024) pp. 607.

Chapters in books

Ande M (2024) 'Article 25 - Separation from parents' in Sloth-Nielsen J, Fokala E and Odongo G (eds) *The African Charter on the Rights and Welfare of the Child: A Commentary* (Pretoria University Law Press) pp. 366 – 380.

Assim U.M (2024) 'Article 21: Protection against harmful social and cultural practices' in Sloth-Nielsen J, Fokala E and Odongo G (Eds) *The African Charter on the Rights and Welfare of the Child: A Commentary* (Pretoria University Law Press, South Africa) pp. 301-317.

Assim U.M (2024) 'Implementation of socio-economic rights under the African Charter on the Rights and Welfare of the Child: Challenges in theory and practice' in Fokala E, Assim U and Murungi N (eds) *The Social, Economic and Cultural Rights of Children in Africa: Challenges and Reflections from the Perspective of the African Charter on the Rights and Welfare of the Child* (Brill-Nijhoff, 2024) pp. 9 - 44.

Chigwata T.C (2024) 'Judicial financial (in)dependence in Zimbabwe: The law, politics, and finances' in Bosire C (ed) *Judicial financial independence in Africa: A study of eleven sub-Saharan countries* (Kabarak University Press) pp. 103-139.

de Visser J (2024) 'South Africa' in Steytler N (ed) *Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan) pp. 409-440.

Muntingh L (2024) 'Article 30 - Children of imprisoned mothers' in Sloth-Nielsen J, Fokala E and Odongo G (eds) *The African Charter on the Rights and Welfare of the Child: A Commentary* (Pretoria University Law Press) pp. 435 – 452.

Omoruyi A.J (2024) 'An intersectional perspective on inequalities in access to COVID-19 vaccines in Africa: The case of migrants' in Durojaye E and Mahadew R (eds) *COVID-19 and the right to health in Africa* (Routledge) pp. 121-141.

Steytler N (2024) 'A century of South African constitutional identities' in Fombad C.M and Steytler N (eds) *Constitutional Identity and Constitutionalism in Africa* (Oxford University Press) pp. 139-165.

Steytler N (2024) 'Comparative Conclusions' in Steytler N (ed) *The Forum of Federations Handbook on Local Government in Federal Systems* (Palgrave Macmillan) pp. 533-587.

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Steytler N (2024) 'Constitutional Approaches to Diversity and Non-discrimination in Multi-level States: Indonesian and South African Jurisprudential Perspectives' in de Villiers B, Isra S and Faiz P.M (eds) *Courts and Diversity: Twenty Years of the Constitutional Court of Indonesia* (Brill, Nijhoff) pp. 260-282.

Steytler N and Fombad C.M (2024) 'Introduction: In Search of Constitutional Identity and Constitutionalism in Africa' in Fombad C.M and Steytler N (eds) *Constitutional Identity and Constitutionalism in Africa* (Oxford University Press) pp. 11 - 27.

Journal articles

de Visser J, 'Financing Local Governments in South Africa' *Anuario De Derecho Municipal* (2024) Vol 17 pp. 169-185.

Durojaye E, Omoruyi A.J, Knipe P, 'A rights-based approach to eliminating cervical cancer in Africa' *Journal of Global Health Law* (2024) Vol 1 (1) pp. 50-70.

Lorizzo T, 'Judges' incarceration decisions in Mozambique: The need to decolonise the punitive approach to criminal justice' *REALIS* (2023) Vol 13 (3) pp. 1-25.

Mezmur B.D, et al, 'Advancing disability-inclusive climate research and action, climate justice, and climate-resilient development' *The Lancet Planetary Health* (2024) Vol 8, Issue 4, pp. e242-e255.

Muntingh L, 'The End of Public/Private Partnership Prisons in the Department of Correctional Services of South Africa' *The Prison Journal* (2024) Vol. 104 (3), p. 390-406.

Wright J, 'Encouraging whistle-blowers of corruption in South Africa: A critical evaluation of money rewards' *Journal of Anti-Corruption Law* (2024) Vol. 8pp. 140 – 158

Wright J, 'Minister of Water and Sanitation v Msukaligwa Local Municipality: Is financial incapacity a valid excuse?' *South African Law Journal* (2024) Vol 141 (4) pp. 652-665.

Wright J, 'Mediation and the structural interdict as legal options to resolve service delivery failures in South Africa' *Journal of African Law* (2024) Vol 68(3) pp. 379 - 393.

Newsletters

Local Government Bulletin, Volume 19, Issue 1, March 2024.

Local Government Bulletin, Volume 19, Issue 2, June 2024

Local Government Bulletin, Volume 19, Issue 3, September 2024.

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ESR Review 1 of 2024.

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ESR Review 4 of 2024.

RESEARCH REPORTS

Africa Criminal Justice Reform (ACJR)

Lorizzo T and Muntingh L, 'Women in conflict with the law for two SADC countries' Report commissioned by the United Nations Office on Drugs and Crime (UNODC). (2024)

Redpath J, 'Analysis of Leap Impact and Policy Implications' (2024)

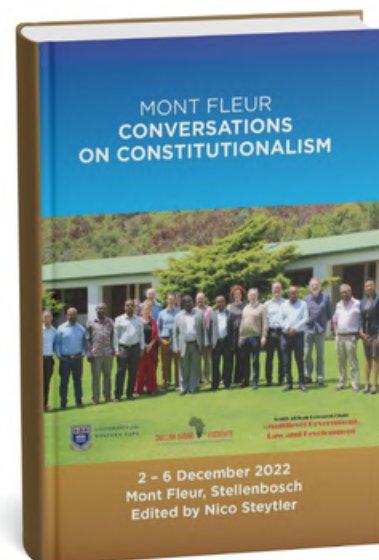
Redpath J, Editor for Democratic Governance and Rights Unit (DGRU) Report 'Isidima - Magistrates' Court User Survey Report 2023'. (2024)

Redpath J, Editor for Democratic Governance and Rights Unit (DGRU) Report 'Under Pressure: The Magistracy after COVID-19'. (2024)

Redpath J, 'Policy Brief: Prosecutorial Independence and the Prosecution of Corruption'. (2024)

REFORMAR, 2023 Annual Report. (2024)

REFORMAR, 'Women in Conflict with the Law in Mozambique' Report commissioned by the United Nations Office on Drugs and Crime (UNODC). (2024)



SARCHI and Multilevel Government Project (MLG)

Stevens C, Wright J, Chigwata T.C and de Visser J, 'Registers of councillors' interests: A missed opportunity to enhance accountability and transparency in local government'. (2024)

Wright J and Stevens C, 'A citizen's perspective on the rule of law: Democracy and elections in South Africa' report of the seminar. (2024)

Socio-Economic Rights Project (SERP)

Kangaude G, Research Report on laws and policies relating to the Sexual and Reproductive Health and Rights of young people (Eswatini, Malawi) (2024).

Meyer S, Harries J, Torode J, Durojaye E, Knipe P, Omoruyi A.J, 'Summary Report: Desktop review of six dedicated international cancer acts and South African legislation and policy regarding cancer'. (2024)

Meyer S, Harries J, Torode J, Durojaye E, Knipe P, Omoruyi A.J, 'Closing the gaps in cancer prevention and control: is a national cancer act the solution for South Africa? Policy Brief'. (2024)

Mirugi-Mukundi G and Omoruyi A.J, Research Report on Obstetric Violence in Africa.

Nkomo S, Research report on laws and policies relating to the Sexual and Reproductive Health and Rights of young people (Seychelles) (2024).

SERP, Event Report of the Inception Workshop on Preliminary Research Findings (A.F.F). (2024)

SERP, Event Report on the Sexual and Reproductive Health and Rights Regional Colloquium (A.F.F). (Pretoria, South Africa, 23-24 August 2024)

SUBMISSIONS

Assim U.M, Progress and 2025 Plans for Joint DOI-ACERWC activities for 2025 at the 44th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child. (2 October 2024)

Assim U.M, Submission to the African Union Secretariat on Obstetric Violence in Africa for consideration and inclusion in the African Union Convention on Ending Violence Against Women and Girls (AUCEVAWG). (13 November 2024)

Mangwanda J, Submission on behalf of the Campaign to Decriminalise Poverty and Status to the 79th Ordinary Session of the African Commission on Human and Peoples' Rights. (14 May 2024)

Mirugi-Mukundi G, Submission in response to questionnaire on surrogacy research at preparatory meeting for the conference on 'Criminalising Surrogacy'. (11 June 2024)

Muntingh L, Mangwanda J and Chigwata T, Submission by the Dullah Omar Institute to the Department of Co-operative Governance on the Standard Draft By-laws for Township Economies issued in terms of the Local Government: Municipal Systems Act, 2002 (Act 32 of 200). (30 June 2024)

Muntingh L, Submission by Africa Criminal Justice Reform (ACJR) to the NCOP Select Committee on Security and Justice on the Independent Police Investigative Directorate Bill (B21B – 23). (1 February 2024)

WORKSHOPS, SEMINARS AND WEBINARS

SARCHI, Hosted a seminar on 'A citizen's perspective on the rule of law - Democracy and elections in South Africa'. (University of the Western Cape, 21 February 2024)

SARCHI, Hosted and presented a hybrid conference under the theme 'National and provincial elections in May 2024: what are the implications for intergovernmental relations?' with the Minister of the Department of Cooperative Governance and Traditional Affairs (CoGTA) as the key note speaker. (New Science Building, UWC, 20 March 2024)

CRP, Co-organised the Symposium on 'African perspectives on climate change law'. (Harvard Law School, Cambridge, 28 March 2024)

MLG, Hosted the webinar on the Report Launch & Dialogue: Registers of councillors' interests: A missed opportunity to enhance accountability and transparency in local government. (Online, 30 April 2024)

SARCHI, Co-hosted webinar on 'Metro Engagement on the Local Government: Municipal Structures Amendment Bill' with SACN. Co-chaired the discussion session with Danga Mughoogho. (Online, 25 June 2024)

ACJR, Co-hosted with the African Commission on Human and Peoples' Rights (ACHPR) and the Association for the Prevention of Torture (APT) a training workshop: Dissemination of the Abidjan Rules, within the framework of the Special Mechanism of the Committee for the Prevention of Torture in Africa (CPTA). (UWC, 28 June 2024)

ACJR, Hosted a workshop on 'Sub-national governance and the plight of women working in public spaces: Challenges and principles to improve policy and law-making' (together with ICJ-Kenya and CHRI Africa). (Accra, Ghana, 16-17 July 2024)

ACJR, Hosted a workshop on 'Sub-national governance and the plight of women working in public spaces: Challenges and principles to improve policy and law-making' (together with ICJ-Kenya and CHRI Africa). (Johannesburg, 23-24 July 2024)

SARCHI, Hosted a webinar under the theme 'Revisiting coalitions: impact of the Government of National Unity on governance, intergovernmental relations and local government' (in collaboration with the Catholic Parliamentary Liaison Office and the Hanns Seidel Foundation). (Online, 30 July 2024)

ACJR, Hosted a workshop on 'Sub-national governance and the plight of women working in public spaces: Challenges and principles to improve policy and law-making' (together with ICJ-Kenya and CHRI Africa). (Nairobi, Kenya, 30-31 July 2024)

SERP, Hosted a Lunch Time Brown Bag Seminar on Adjudicating Poverty and the Approach of the Courts in Uganda, presented by Prof Christopher Mbazira. (UWC, 31 July 2024)

ACJR, Co-hosted a webinar on 'Not my Riot - SAPS, local government and crowd management' Reflecting on the proposed revised national policing standards for Municipal Police Services on crowd management during gatherings and demonstrations. (with APCOF) Presentations from A Gossar (APCOF), J Redpath (ACJR), A Faull (CoCT) and R Spies (Ekurhuleni Metro). (Online, 1 August 2024)

DOI, Hosted a seminar titled 'Harris (?) versus Trump: Is more drama to follow?' with Prof Rod Uphoff of Missouri focusing on the upcoming US presidential election between Donald Trump and Kamala Harris. (with the Faculty of Law) (Hybrid (UWC), 6 August 2024)

CRP, 'Stories for impact: Co-producing knowledge with street young people through multi-media story maps' - by Prof Lorraine van Blerk, University of Dundee, UK - CRP with the Department of Criminal Justice, Law Faculty, UWC. (UWC, 19 August 2024)

ACJR, Hosted a series of semi-structured interviews and focus group discussions on Comparative study and findings on the impact of criminal, security and other exceptional laws and policies in select Francophone and Lusophone countries, Burundi, Cote d'Ivoire and Mozambique (together with partners, Burundi Bridges to Justice). (Bujumbura, 19 - 21 August 2024)

SERP, Hosted an Inception Workshop on Preliminary Research on Sexual and Reproductive Health and Rights (SRHR) of young people in select countries. (Pretoria, 23 August 2024)

SERP, Hosted a Regional Colloquium on the Role of Regional, Sub-Regional & National Human Rights Bodies in Advancing Sexual and Reproductive Health Rights (SRHR) in Africa. (Pretoria, 23 - 24 August 2024)

ACJR, Hosted a series of semi-structured interviews and focus group discussions on Comparative study and findings on the impact of criminal, security and other exceptional laws and policies in select Francophone and Lusophone countries, Burundi, Cote d'Ivoire and Mozambique (together with partners, ACAT-Cote D'ivoire). (Abidjan, 2 - 6 September 2024)

CRP, Hosted a Conversation Session on the Human Rights situation in Myanmar for postgraduate students with Prof Yanghee Lee who is the former UN Special Rapporteur. (Online, 3 September 2024)

REFORMAR, Hosted a focus group discussion (with the Legal Training Centre) on Comparative study and findings on the impact of criminal, security and other exceptional laws and policies in select Francophone and Lusophone countries (Burundi, Cote d'Ivoire, Mozambique). (Maputo, 6 September 2024)

REFORMAR, Hosted a focus group discussion (with the Xipamanine Market) on Comparative study and findings on the impact of criminal, security and other exceptional laws and policies in select Francophone and Lusophone countries, Burundi, Cote d'Ivoire and Mozambique. (Maputo, 9 September 2024)

CRP, Hosted a Conversation session on the Human Rights of Migrants for postgraduate students with Mr Gehad Madi the UN Special Rapporteur (Online, 17 September 2024)

REFORMAR, Hosted a focus group discussion (with University Eduardo Mondlane) on Comparative study and findings on the impact of criminal, security and other exceptional laws and policies in select Francophone and Lusophone countries, Burundi, Cote d'Ivoire and Mozambique. (Maputo, 24 September 2024)

CRP, Co-hosted (with OHCHR) a Symposium 'Leaving no-one behind: Documentation as a gateway to dignity and human rights'. (School of Public Health, UWC, 9 - 10 October 2024)

CRP, Co-hosted (with KELIN and ISLA) a Roundtable on Obstetric Violence: Leveraging Regional Mechanisms for Litigation and Strategic Advocacy (ACHPR side event: Bridging the Gap Coalition). (Jawara International Conference Centre, 14 October 2024)

CRP, Community Leaders Training Workshop on Children's Rights and Climate Change; Children's Rights and Business (Practices). (Chemical Sciences Building, UWC, 13 November 2024)

ACJR, Co-hosted a webinar with Commonwealth Human Rights Initiative Africa and Kenyan Section of International Commission of Jurists titled 'Sub-national governance and the plight of women working in public spaces: Challenges and principles to improve policy making'. (Online, 26 November 2024)

SARCHI, Co-hosted Conversations on Democracy. (Mont Fleur, Stellenbosch, 29 November - 2 December 2024)

ACJR, Hosted a webinar 'Cross-country determinants of independence of prosecution' with M Schönteich responding. (Online, 2 December 2024)

CONFERENCE PAPERS PRESENTED

Muntingh L, 'Prisoners' right to vote' Presented at South African Institute for Advanced Constitutional, Public, Human Rights and International Law (SAIFAC) 3rd Annual Conference. (Johannesburg, 10 June 2024)

Stevens C, 'Overregulation of Local Government in South Africa: Myth or Reality?' Presented at the University of Barcelona, Summer School. (Barcelona, Spain, 1 July 2024)

Wright J, 'The evolution of corruption in climate finance and anti-corruption law: A South African story' Presented at the 25th Global Conference of Environmental Taxation hosted by University of Stellenbosch. (Stellenbosch, 19 September 2024)

PRESENTATIONS

Ande M.K, 'The role of participation, non-discrimination, and accountability for the rights of children with disabilities in a changing climate in Africa' Presented at the University of the Western Cape Research Week 2024. (Online, 18 September 2024)

Assim U.M, 'Advocating for the Rights of Children' Presented at the Catholic Parliamentary Liaison Office (CPLO) Webinar. (Online, 11 June 2024)

Assim U.M, 'Autocratic Legalism through Anti-Corruption Strategies and Agencies: A Case Study of Nigeria' Presented at the Economic Crime and Corruption Conference - Combating Crime in the Public Sector, (with Adeyemo DD) hosted by the Department of Criminal Justice and Procedure. (School of Public Health, University of the Western Cape, 25 October 2024)

Assim U.M, Chairing and facilitation at a Symposium 'Leaving no-one behind: Documentation as a gateway to dignity and human rights' Co-hosted by CRP and OHCHR. (School of Public Health, University of the Western Cape, 9 - 10 October 2024)

Assim U.M, 'Community Law Centre and three others v Nigeria' Presented at the ACHPR 81st Ordinary Session: 'Litigants' Group Side Event. (Jawara International Conference Centre, Banjul, 15 October 2024)

Assim U.M, 'Jurisprudence on Obstetric Violence - the Community Law Centre and three others v. Nigeria and Implications' Presented at the ACHPR 81st Ordinary Session (Side Event: Bridging the Gap Coalition Presentation). (Jawara International Conference Centre, Banjul, 14 October 2024)

Assim U.M, 'Reflection: Nurturing spaces for deepening African urban practice' Panellist, ICLEI Rise Africa Festival, - focus on children and the building of sustainable futures in African cities. (Hybrid, 22-25 May 2024)

Assim U.M, 'Social Justice, Hunger, and the Constitution' Presented at Annual Expert Symposium, hosted by the Centre for Social Justice, Faculty of Law, University of Stellenbosch. (Stellenbosch, 5 September 2024)

Assim U.M, 'The Nigerian Context' Presented at the International Conference on the Criminalisation of Surrogacy. (The University of Hong Kong, 21 - 22 October 2024)

Assim U.M, 'What are the gaps in research, documentation and data collection on Obstetric Violence?' Presented at ACHPR side event, 81st Ordinary Session, Convening on Joint Advocacy for the Development of Legal Standards and Obstetric Violence in Africa, hosted by the Human Rights Watch, Centre for Reproductive Rights, African Population and Health Research Centre. (Tamala Beach Resort, Banjul, 15 October 2024)

Chigwata T.C and de Visser J, 'Financing local government in South Africa' Presented at the Final LoGov Conference. Hotel Boltzman, Vienna. (Austria, 12-13 September 2024)

Chigwata T.C, 'Federalism, digitalization and subnational (in)capacity in South Africa' Presented at the III Brazilian Congress of Federalism and the VI Constate's Annual Conference, hosted by the Constate of the Catholic University of Pernambuco. (Recife, 25-26 November 2024)

Chigwata T.C, Provided a commentary to a paper on federalism and democracy 'Conversations: Democracy and development – government by the people, for the people' organised by the South African Research Chair in Multilevel Government, Law and Development. (Mont Fleur, Stellenbosch, 29 November - 2 December 2024)

Chigwata T.C, 'Subnational fiscal autonomy in South Africa' Presented at a seminar hosted by the University of Sao Paulo under the theme 'Federalism, governance and subnational financial autonomy'. (Sao Paulo, 22 November 2024)

Chonco-Spambo T, 'Developing normative framework for differentiated powers and functions for municipalities in South Africa' Presented at Ludwig-Maximilian-University In-house seminar. (Munich, 1 August 2024)

de Visser J, 'Coalitions: Conventions, law reform & administrative continuity' Presented at UNDP – SALGA – FES Seminar on Coalition Governance Centurion. (28-29 February 2024)

de Visser J, 'Shaping City Powers: Judicial intervention 1999-2023' Presented at Urban Law Day. (Stellenbosch University, 26 January 2024)

de Visser J, 'Coalition Governments in Local Government' Presented at SALGA Intergovernmental and Strategic Relations Working Group meeting. (Kimberly, 12 August 2024)

de Visser J, 'Coalitions in Local Government' Presented at Economic Development Partnership Thoughtlab on Coalitions. (Cape Town International Convention Centre, Cape Town, 29 August 2024)

de Visser J, 'Coalitions in the Western Cape: prospects and challenges' Presented at Strategic Planning session of Western Cape Department of Local Government. (Cape Town, 1 October 2024)

de Visser J, 'Deepening Democracy' Keynote presented at Western Cape Provincial Parliament Strategic Planning and Stakeholder Engagement Session. (Cape Town, 3 September 2024)

de Visser J, Key Note Address at DOI and the African Centre for the Constructive Resolution of Disputes (ACCORD) hybrid seminar on Coalition Governance in Western Cape Municipalities: A South African Blueprint? (Cape Town, 27 September 2024)

de Visser J, 'Local Government' Presented at Auwal Socio-Economic Research Institute Fellowship Training Programme. (Online, 6 March 2024)

de Visser J, 'Metropolitan Governance in South Africa: Cape Town and Gauteng City Region' Presented to 2nd Rebana Expo 2024. Asia-Pacific Metropolitan Planning Caucus. (Kuningan, Indonesia, 20 November 2024)

de Visser J, 'Perspectives of Local Government Legislative Environment on Coalitions' Presented at City of Johannesburg International Relations Roundtable: Coalitions and City Governance. (Online, 7 August 2024)

de Visser J, 'Revisiting coalitions: impact of the Government of National Unity on governance, IGR and local government' Presented at MLG webinar on Revisiting coalitions: impact of the Government of National Unity on governance, intergovernmental relations and local government. (Online, 30 July 2024)

de Visser J, 'Role and functioning of the Western Cape Parliament' Keynote at Western Cape Provincial Parliament Strategic Meeting. (Cape Town, 15 August 2024)

de Visser J, 'Structure of the State' Presented at Auwal Socio-Economic Research Institute Fellowship Training Programme. (Online, 6 March 2024)

de Visser J, 'The role of Research in Devolution' Presented at Zambia's 4th National Decentralisation Conference. (Lusaka, 26-28 March 2024)

Knipe P, 'Assessing state obligations by exploring public food procurement as a tool for diet-related non-communicable disease prevention in South Africa' Presented at the South Africa Food Policy Programme Country Strategic Planning Meeting, hosted by Healthy Living Alliance (HEALA) and Global Health Advocacy Incubator (GHAi). (Seven Villa Hotel and Spa, Sandton, Johannesburg, 6-8 February 2024)

Knipe P, 'Human rights challenges within the procurement framework' Presented at the local legal partners meeting within the Food Policy Program. (Online, 20 September 2024)

Knipe P, 'Public food procurement within the National School Nutrition Programme: Who, what, when, where and how?' Presented at the National Schools Food Environments Assembly, hosted by Healthy Living Alliance (HEALA) and partners. (Johannesburg, 9-10 October 2024)

Knipe P, 'The double burden of malnutrition among women in South Africa: exploring rights-based approaches to non-communicable diseases' Presented at the Expert Symposium on Social Justice, Hunger and the Constitution, hosted by the Centre for Social Justice at Stellenbosch University. (Franschhoek, 5 September 2024)

Mangwanda J, 'Criminal justice, human rights and COVID-19: The response of five African countries - Lessons from the past and opportunities for the future' Presented a conference paper at the 'African Regional Conference on Law Enforcement and Public Health'. (University of Pretoria, 1-4 December 2024)

Mangwanda J, 'Sub-national governance and the plight of women working in public spaces in South Africa' Presented at webinar on 'Sub-national governance and the plight of women working in public spaces: Challenges and principles to improve policy making', co-hosted by DOI, CHRI Africa and ICJ-Kenya. (Online, 26 November 2024)

Mangwanda J, 'The plight of migrants working in public spaces' Presented at the 'Leave no-one behind: Documentation as a gateway to dignity' Symposium co-hosted by the Office of the United Nations High Commissioner for Human Rights and the Dullah Omar Institute. (University of the Western Cape, 9-10 October 2024)

Mangwanda J, 'Welcoming remarks' Presented at a joint event by the Dullah Omar Institute, the African Commission on Human and Peoples' Rights and Association of for the Prevention of Torture on 'Awareness and training workshop for the dissemination of the Rules on the establishment and operation of the Alert and Reporting Mechanism to the African Commission on Human and Peoples' Rights on situations of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (The Abidjan Rules). (University of the Western Cape, 28 June 2024)

Mangwanda J, 'What roles can civil society effectively play in National Preventive Mechanisms?' Presented at the National Preventative Mechanism Forum - Civil Society Forum Convening. (Johannesburg, 25 November 2024)

Mezmur B.D, 'Change in the global statelessness landscape' Presented at the 2024 World Conference on Statelessness. (Malaysia, 28 February 2024)

Mezmur B.D, 'Child protection in Africa: Rights, Priorities, and Strategies' Presented at the Networking Meeting of Child Protection Officers of Western and central Africa Office, UNICEF WCAO. (Online, 21 November 2024)

Mezmur B.D, 'Children in the context of international migration' Presented at a side event of the Human Rights Council in Geneva on organized by the Committee on Migrant Workers and the Committee on Enforced Disappearances. (Geneva, 19 September 2024)

Mezmur B.D, 'Human rights litigation of climate change at the regional and international levels' Presented at the Harvard Human Rights Journal Symposium 'The environment and human rights'. (Harvard Law School, Cambridge, 27 March 2024)

Mezmur B.D, 'Loss and damage and children's rights' Presented at a side event of the Human Rights Council organized by Save the Children et al. (Geneva, 16 September 2024)

Mezmur B.D, Served as a responder to three draft papers at the Conversations: Democracy and development – government for the people convening by the South African Research Chair in Multilevel Government, Law and Development. (Mont Fleur, Stellenbosch, 1 December 2024)

Mezmur B.D, Served as an expert at a meeting on 'Evolving capacities of the child' hosted at the UNICEF Innocenti Research Centre. (18-19 June 2024)

Mezmur B.D, 'Strategies to sustain and foster change on childhood statelessness' Presented at the Advanced Course on Childhood Statelessness and the Right to Nationality 2024, hosted by the Institute on Statelessness and Inclusion. (Online, 7 November 2024)

Mezmur B.D, 'The dignity of the child in the digital world' Presented at the 6th Forum of the Global Network of Religions for Children. (Abu Dhabi, 19 November 2024)

Mezmur B.D, 'The future of children's in the next 40 years' Presented at the 40th Anniversary of the Harvard Human Rights Program, Harvard Law School. (United States of America, 17 October 2024)

Mezmur B.D, 'The right to education of children that are stateless' Presented at the 2024 World Conference on Statelessness. (Malaysia, 27 February 2024)

Mezmur B.D, 'The right to education with a focus on the pre-primary and secondary levels' Presented at the 'Briefing for African states on strengthening the right to free education: From pre-primary to secondary'. (Geneva, 8 May 2024)

Mezmur B.D, 'The rights of the child in North Korea: Some reflections' Presented at a symposium on the Human Rights situation in North Korea hosted by the Human Asia. (Washington, 23-24 July 2024)

Mirugi-Mukundi G, 'Kenya: Criminalising Surrogacy' Presented at the 'Criminalising Surrogacy' conference at the University of Hong Kong. (Hong Kong, 21-22 October 2024)

Muntingh L, 'Africa's prisons' Presented at the Africa Regional Judges Forum. (Johannesburg, 28 June 2024)

Muntingh L, 'Parole system' Presented at a meeting hosted by the Department of Monitoring and Evaluation and Department of Correctional Services. (Online, 20 November 2024)

Muntingh L, 'Private prisons' Presented at a workshop on Private Sector Monitoring hosted by APCOF and the University of Notre Dame US. (Cape Town, 22 April 2024)

Muntingh L, 'Research Ethics' Presented at a Regional Ethics Workshop hosted by University of Cape Town. (University of Cape Town, 21 May 2024)

Muntingh L, 'What works in preventing torture' Presented at the Africa Regional Judges Forum. (Johannesburg, 28 June 2024)

Redpath J, 'Comment on two reports edited for DGRU/ Magistrates Matter' Presented at hybrid event 'Launch of two survey reports on the Magistrates Courts', attended by the Deputy Minister and the Chair of the Magistrates' Commission. (Law Faculty, University of Cape Town, 31 January 2024)

Redpath J, 'Legal Informal Trading: The Case of Cape Town' Presented at OHCHR Symposium. (University of the Western Cape, 9 October 2024)

Redpath J, 'Measuring the Criminal Justice System The whole is less than the sum of its parts' Presented to the Office of the Auditor General. (Online, 29 February 2024)

Redpath J, 'Menslike hulpbronne op polisieostasievlaak in die SAPD: Hoe kan skaars menslike hulpbronne billik en rasioneel in die Wes-Kaap toegewys word?' Presented at Kaapse Forum event. (Stellenbosch Business School, 30 November 2024)

Redpath J, 'Prosecutorial Independence and the Prosecution of Corruption' Presented at a webinar on 'Cross-country determinants of independence of prosecution' hosted by ACJR. (Online, 2 December 2024)

Redpath J, 'What does the latest reported crime data tell us' Presented at DOI Brown Bag Seminar. (University of the Western Cape, 2 October 2024)

Stevens C and Wright J, 'Declaring Councillors' Interests: A Missed Opportunity to Enhance Transparency' Presented at 'Report Launch & Dialogue: Registers of councillors' interests: A missed opportunity to enhance accountability and transparency in local government' (Online, 30 April 2024)

Stevens C, 'Over(regulation) of Municipalities in South AFRICA: Myth or Reality?' Presented at the 10th Annual International Urban Law Conference hosted by Fordham University, Fordham University, London. (London, 18-20 July 2024)

Stevens C, 'Overregulation of Local Government in South Africa: Myth or Reality?' Presented at an internal seminar at the Autonomous University of Madrid. (Madrid, Spain, 12 July 2024)

Stevens C, 'Unravelling the Impact of Overregulation in South Africa's Local Government Sector: A Critical Analysis' Presented at DOI Brown Bag Seminar. (University of the Western Cape, 28 August 2024)

Steytler N and Chigwata T.C, 'The impact of the 2024 elections on multilevel government in South Africa' Presented at the Institute of Comparative Federalism, EURAC Research Centre. (Bolzano, Italy, 23 July 2024)

Steytler N, 'The life, labours and legacy of Professor Charles Manga Fombad' Presented at the Comparative Constitutionalism in Africa: A Conference Celebrating the Scholarship of Prof Charles Manga Fombad, University of Pretoria. (Online, 21 October 2024)

Steytler N, de Visser J, Chigwata T.C, 'The impact of the 2024 elections on multilevel government in South Africa' Presented at IACFS Conference, Antwerp. Theater Hotel, Belgium. (Belgium, 17 September 2024)

Steytler N, 'Local government: At the crossroads of academia and practice' Keynote address Presented at Final Conference of the LoGov Project, 'LoGov – Local Government and the Changing Urban-Urban Interplay', hosted by KDZ Centre for Public Administration Research, Vienna, and Institute of Comparative Federalism, EURAC Research Bolzano. Hotel Boltzman, Vienna, Austria. (Austria, 12 September 2024)

Steytler N, 'The role of subnational governments as the 'cornerstone of democracy' ' Presented at a conference on 'Is federalism still a viable governance tool in times of crisis?' hosted by the Institute of Federalism in Fribourg, University of Fribourg, Switzerland. (Switzerland, 23 August 2024)

Steytler N, 'South Africa's Government of National Unity: Power sharing in a fractured democracy' Presented at International Colloquium on 'Federal Coalition Governments and Subnational Democracy: India, Argentina, and South Africa', hosted by the Institute of Comparative Federalism, EURAC Research Bolzano, Italy. (Italy, 10 September 2024)

Wright J and Fambasayi R, 'Governing for the progressive realisation of the right to water: A plight of children in South Africa' Presented at the 10th International Comparative Urban Law Conference, hosted by Fordham University, Fordham University, London. (London, 18-20 July 2024)

Wright J, Chair of Urban Law Day Conference 'The role of the judiciary in pushing the legal frontiers for city-level transition and sustainability', session on service delivery, accountability and judicial involvement in urban law. (Stellenbosch University, 26 January 2024)

Wright J, Engagement with municipalities on the Water Justice Tracker Project, Nelspruit. (Mpumalanga, 6 August 2024)

Wright J, Engagement with municipalities on the Water Justice Tracker Project, Polokwane. (Limpopo, 11 June 2024)

Wright J, Engagement with municipalities on the Water Justice Tracker Project, Durban. (KwaZulu-Natal, 21 August 2024)

Wright J, 'Leveraging SDG16 for improved access to water' Presented at the webinar for the DVC Research and Innovation of the University of the Western Cape. (Online, 30 October 2024)

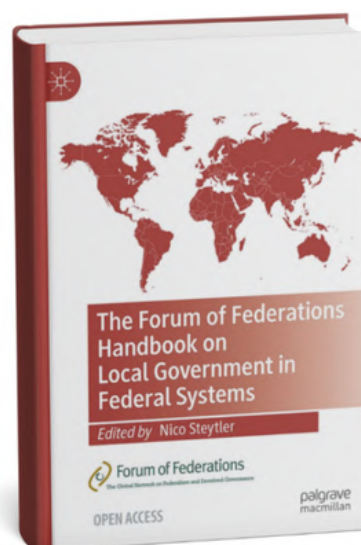
Wright J, 'Living up to the aspiration of SDG16 in South Africa climate governance' Presented at the book workshop for the book project 'SDG Governance'. (Online, 5 April 2024)

Wright J, Meeting with Deputy Minister of Finance with HSF. (Cape Town, 16 August 2024)

Wright J, 'Strengthening Municipal Accountability: Academia's Contribution' Presented at the webinar on 'Strengthening Accountability in Municipalities: A Call to Action' hosted by the Municipal Edge and Future Cities Africa. (Online, 10 October 2024)

Wright J, 'The struggle to realise SDG16 in South Africa and its implications for climate change governance' Presented at the book workshop for the book project 'SDG Governance'. (Online, 21 June 2024)

Wright J, 'Water and Climate Change Governance: Getting SDG 16 Right in South Africa' Presented at the GlobalGoals24 Conference hosted by Utrecht University, Utrecht University. (Utrecht, 29 August 2024)



Exploring policy and peaks!
The 4th African School on Decentralisation took a break from the classroom to soak in the stunning views on a scenic hike through the Stellenbosch mountains.



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