



# ANNUAL REPORT 2022



UNIVERSITY of the  
WESTERN CAPE



**DULLAH OMAR** INSTITUTE  
FOR CONSTITUTIONAL LAW, GOVERNANCE AND HUMAN RIGHTS

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# ORGANISATIONAL OVERVIEW

## ADVISORY BOARD

### PROF JOSÈ FRANTZ

Deputy Vice-Chancellor: University of the Western Cape, represented by

### PROF JULIAN MAY

Director: DST-NRF Centre for Excellence on Food Security (Chair)

### PROF TYRONE PRETORIUS

Rector and Vice-Chancellor: University of the Western Cape

### PROF JACQUES DE VILLE

Dean: Faculty of Law

### PROF JAAP DE VISSER

Director: Dullah Omar Institute

### ADV SIBONILE KHOZA

Advocate at the Cape Bar

### 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

### PROF LEA MWAMBENE

Law Faculty representative

### MS FAIRUZ MULLAGEE

Law Faculty representative

## MANAGEMENT COMMITTEE

### PROF JULIAN MAY

### PROF JACQUES DE VILLE

### PROF JAAP DE VISSER

### PROF LEA MWAMBENE (until 1 July 2021)

### ADV SIBONILE KHOZA

## STAFF

**PROF JAAP DE VISSER** (until Dec 2022)  
Director

### Financial Management:

#### KIRSTY-MARTINE WAKEFIELD

Bookkeeper

#### SADIEKA NAJAAR

Finance Manager

### Information and Communication Management:

#### KEATHÉLIA SAPTO

Coordinator: Communications

### Office Management:

#### DEBBIE GORDON

Coordinator: Institute Operations and Projects

#### MANDY CUPIDO

Receptionist (until 31 August 2022)

### Children's Rights Project:

#### PROF BENYAM MEZMUR

Project Head

#### ASSOC PROF USANG MARIA ASSIM

Senior Researcher  
(Acting Project Head)

#### NIMROD MUHUMUZA

Doctoral Researcher

#### SIDEEN LOUW

Doctoral Researcher

#### CRYSTAL NITSKIE

Administrator

### Africa Criminal Justice Reform:

#### ASSOC PROF LUKAS MUNTINGH

Project Head

#### DR JEAN REDPATH

Senior Researcher

#### KRISTEN PETERSEN

Researcher

#### JANELLE MANGWANDA

Researcher

#### DR TINA LORIZZO

Associate Researcher /  
Adjunct Professor

#### CRYSTAL NITSKIE

Administrator

### Applied Constitutional Studies Laboratory:

#### ASSOC PROF DEREK POWELL

Project Head

#### VALMA HENDRICKS

Administrator

### SARChI Chair and Multilevel Government Project:

#### PROF NICO STEYTLER

South African Research Chair

#### ASSOC PROF TINASHE CHIGWATA

Project Head of Multilevel Government

#### DR MICHELLE MAZIWISA

Postdoctoral Researcher

#### THABILE CHONCO

Doctoral Researcher / NGAP Lecturer

#### DR SHEHAAM JOHNSTONE

Postdoctoral Researcher  
(until 30 April 2022)

#### XAVIA POSWA

Doctoral Researcher

#### HENRY OMBOTO

Doctoral Researcher  
(until 31 December 2022)

#### MELISSA ZISWA

Doctoral Researcher

#### CURTLY STEVENS

Doctoral Researcher

#### JENNICA BEUKES

Doctoral Researcher

#### MANDY CUPIDO

Administrator (until 31 August 2022)

#### LAURA WELLEN

Administrator (from 1 August 2022)

### Socio-Economic Rights Project:

#### PROF EBENEZER DUROJAYE

Project Head

#### GLADYS MIRUGI-MUKUNDI

Researcher

#### PAULA KNIPE

Doctoral Researcher

#### DR AISOSA JENNIFER OMORUYI

Postdoctoral Researcher

#### KEATHÉLIA SAPTO

Administrator

**Womxn and Democracy Initiative:**

**SAMANTHA WATERHOUSE**  
Project Head

**VIVIENNE MENTOR-LALU**  
Deputy Project Head

**MOTLATSI KOMOTE**  
Research and Advocacy Officer

**LAURA WELLEN**  
Administrator (Until 31 July 2022)

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**ADJUNCT AND EXTRAORDINARY STAFF AND RESEARCH FELLOWS:**

**ASSOC PROF CHRISTOPHER MBAZIRA**  
Makerere University

**PROF HENK KUMMELING**  
Utrecht University

**PROF XAVIER PHILIPPE**  
University of Paris I (Panthéon-Sorbonne)

**ADJUNCT PROF STEPHEN BERRISFORD**  
African Centre for Cities (UCT) / Pegasys Consulting

**ADJUNCT PROF TINA LORIZZO**  
REFORMAR (Mozambique)

**ASSOC PROF ZEMELAK AYELE**  
Addis Ababa University

**Research Fellows**

**DR JACQUI GALLINETTI**  
Plan International

**PROF JAMIL MUJUZI**  
Faculty of Law, UWC

**PROF JULIA SLOTH-NIELSEN**  
Huddersfield Business School,  
University of Huddersfield

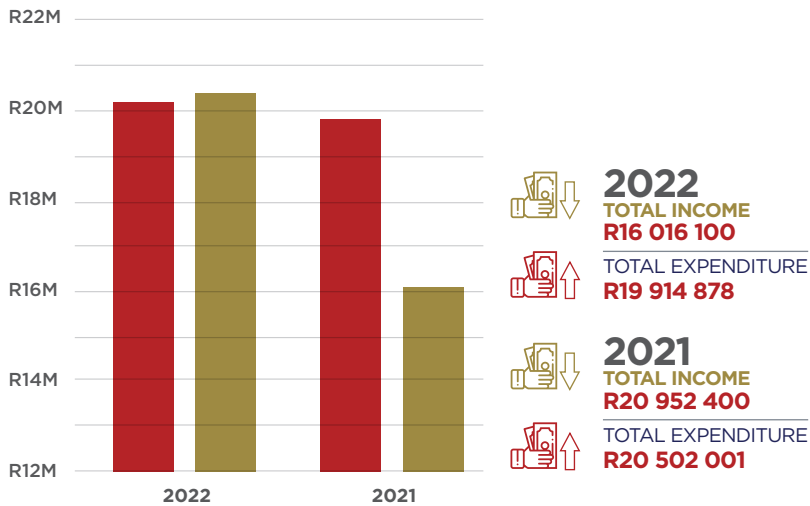
**DR NKATHA MURUNGI**  
Centre for Human Rights

**DR ROBERT DOYA NANIMA**  
Faculty of Law, UWC

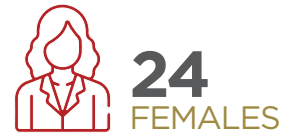
**PROF YONATAN FESSHA**  
Faculty of Law, UWC

# THE INSTITUTE AT A GLANCE

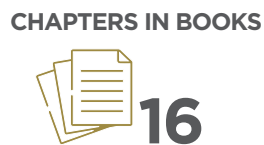
## FINANCES



## STAFF PROFILES



## ACADEMIC OUTPUTS BY INSTITUTE STAFF



## OTHER OUTPUTS

RESEARCH  
REPORTS



SUBMISSIONS



WORKSHOPS  
& SEMINARS



CONFERENCES



CONFERENCE  
PAPERS



## MEDIA

WEBSITE  
VISITS



TV &  
RADIO



PRINT &  
ONLINE



FACEBOOK  
LIKES



TWITTER  
FOLLOWERS



EMAIL  
SUBSCRIBERS

6252

## PHDS AND MASTERS' DEGREES AWARDED

### LLD

- EBI ACHIGBE OKENG EBI**  
 Co-Supervisor: Prof Ebenezer Durojaye  
 Title: Post-1996 service delivery in South Africa: Constitutional and social contract perspectives

### MASTERS' DEGREES

- BUCHULE TANALE**  
 Supervisor: Prof Tinashe Carlton Chigwata;  
 Co-Supervisor: Prof Nico Steytler  
 Title: An analysis of the expanded mandate of local government under COVID-19.



PhD

**Henry Paul Gichana Omboto**  
**Supervisors:** Prof Nico Steytler  
**Title:** Intergovernmental fiscal systems and self-rule: A Kenyan case study



PhD

**Tina Lorizzo**  
**Title:** Non-state forms of conflict resolution: opportunities for improving criminal justice. The case study of community courts in Mozambique

# Director's Report

LUKAS MUNTINGH



For the Dullah Omar Institute 2022 was again a year of several noticeable achievements as well as challenges. In the wake of COVID-19 and its many unanticipated and unexpected results we continue to face uncertainty. The findings and recommendations of the Zondo Commission have again confirmed the vigilance that we must apply to ensure a transparent and accountable state at all levels. Our roots in constitutionalism, governance and human rights have ensured that our work has remained valued and sought after.

This is my first report as Director of the Institute and I will be remiss in not recognising and expressing my deep appreciation to my predecessor, Prof. Jaap de Visser, who occupied this position for ten years. It is particularly the last five years which posed substantial challenges for the Institute internally, but also emanating from our environment. He remained steadfast and, at least on appearance, unflappable, continuing to steer the ship in calmness.

The Institute remains largely reliant on grant funding although there is increasingly synergy with the Faculty and additional funding streams are being explored. Nonetheless, it was with deep regret that two projects were terminated due to a lack of funds, these being the Applied Constitutional Studies Laboratory and Womxn and Democracy Initiative. Both projects made invaluable contributions to the current discourse and I wish to recognise their outputs and the people responsible: Derek Powell (ACSL), Samantha Waterhouse (WDI), Vivienne Mentor-Lalu (WDI) and Motlatsi Komote (WDI).

The year under review reflects that we have continued to support women's access to and mobility in academia and the research world with roughly two-thirds of the staff being female, but more specifically, we had eight female PhD candidates and two males.

#### Further highlights include:

- two UWC students and a staff member received their doctorates,
- four books, 16 chapters in books, 7 peer reviewed articles and 20 research reports were published.

- seven submissions were made and ten conference papers presented
- 42 webinars/seminars and three conferences were hosted
- A total of 35 TV/radio interviews and 16 print or online interviews were done
- 3 164 Facebook-likes, 5 549 Twitter followers, and an email subscriber list in excess of 6252.

The individual project reports below provide more detail, but I wish to highlight a number of achievements. Publishing a book is a notable achievement in the academic world and in 2022 DOI staff were responsible for four books seeing the light (the full titles are listed on page 33) and the hard work and scholarship of Ebenezer Durojaye, Gladys Murungi, Derek Powell and Nico Steytler are recognised:

Durojaye E and Murungi N.L (eds) International Human Rights Law and the Framework Convention on Tobacco Control: Lesson from Africa and Beyond.

Durojaye E and Powell D.M (eds) Constitutional Resilience and the COVID-19 Pandemic: Perspectives from Sub-Saharan Africa.

Fombad C.M, Fiseha A and Steytler N (eds) Contemporary Governance Challenges in the Horn of Africa.

Steytler N and Fombad C (eds), Constitutionalism and the Economy in Africa.

Africa Criminal Justice Reform (ACJR) continued its work on the criminalisation of poverty and status in the region and on the National Prosecuting Authority (NPA) domestically. Following on the 2021 survey on how legal frameworks were used in five African countries to respond to COVID-19, a similar survey was undertaken looking at the criminal justice and socio-economic impact of the COVID-19 measures and their enforcement. The findings indicate a far wider socio-economic impact, but also drew attention to the need to be vigilant around curtailments of fundamental rights during unusual circumstances.

ACJR's work on the NPA continued which included a civil society survey on "The NPA that we want". While high-level corruption and state capture cases are being pursued, ordinary South Africans have three basic expectations of the prosecution service: prosecutors must be competent in their work (i.e., know the law); they must treat people fairly and not discriminate; and court users want to be kept informed about their cases. These are not unachievable standards nor do they require massive resource investments.

Earlier work on board appointments to state-owned entities and enterprises in 2020/1 by DOI and the Faculty saw the production of six research reports which were followed up with a submission to the Zondo Commission on the topic. The recommendations from the Commission on board appointments to state-owned entities and enterprises reflect in many ways what was submitted to the Commission.

The Children's Rights Project (CRP) remains a major regional player and think-tank, providing leadership in advancing the law and its interpretation in the best interests of children. CRP continues to provide active support to the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) and CSO Forum linked thereto and did so again in 2022, paying particular attention to the rights of children in the digital age. There is indeed broad recognition of the CRP's contribution and its cutting-edge work on children's rights in Africa. The CRP is a leading player in the professional and advocacy networks on children's rights. The project continued its teaching within the Faculty and also presented an advanced short course on children's rights in partnership with the Centre for Human Rights (UP).

The Socio-Economic Rights Project (SERP) started work in a relatively new field of law, looking at what cancer legislation could look like in South Africa. The project is following a comparative method and focuses on two areas; first being to provide an overview of the global cancer burden and explore current international and regional guidelines on cancer control; and second to contextualise South Africa's cancer-related legislative and policy frameworks. The resultant report made

several findings and recommendations, and identified key features of cancer legislation in South Africa.

SERP also continued its work on food governance, including the marketing of unhealthy food to children. These are new fields of research for DOI and reflect our commitment to engage creatively and critically with how law shapes society and its people, especially those who have, or are perceived to have, less power.

Building on a previous survey on the position and status of community-based paralegals in six (mostly Anglophone) African countries, the scope was expanded to include three Francophone countries. This is a project in collaboration with the African Centre for Excellence on Access to Justice and the results will be available in 2023. Access to legal representation is frequently, if not generally, out of reach for most people in Africa, resulting in unnecessary arrest and detention. Paralegals therefore present an invaluable resource to protect the right to liberty.

The SARChI Chair and Multi-level Government Project (MLG) continue to provide high-level analyses by world class scholars. In addition to high-level analysis, MLG also investigated why local governments are not publishing procurement information. The African School on Decentralisation was presented in person in Cape Town jointly with the Centre for Governance and Federal Studies at Addis Ababa University. A total of 346 applications from 32 countries were received for this prestigious course and 28 people participated in this two-week certificate course.

The Zondo Commission had much to say about procurement and part of the solution seems to lie in greater transparency to enable better accountability. (MLG) also dealt with a number of topical issues in webinars such as safeguarding the integrity of councillors; prosecuting local government crimes (with ACJR), and ubuntu in law, mediation and social change (with Street Law and Let's Collaborate). A highlight was of course a favourable mention of Local Government Law of South Africa (Steytler and De Visser eds) by the Constitutional Court in a recent decision.

Prof Steytler stepped down as SARChI Chair at the end of 2022, but continues to be involved as Professor Emeritus and Prof De Visser has been appointed as Acting Chair.

The Womxn and Democracy Initiative (WDI) maintained its position and role in building and supporting extensive networks promoting social justice and feminist governance. It focussed on bringing to Parliament key concerns from civil society. WDI researcher Vivienne Mentor-Lalu summarised the challenges we face as follows "The government will need to make some fundamental shifts in its approach to fiscal policy and





The DOI staff with Mrs Fareda Omar and speaker, Prof Thuli Madonsela



Photos from the 13<sup>th</sup> Dullah Omar Memorial Lecture, 16 November

social security and to implement gender-responsive planning, policy and budgeting to improve the lives of the most vulnerable people in South Africa.”.

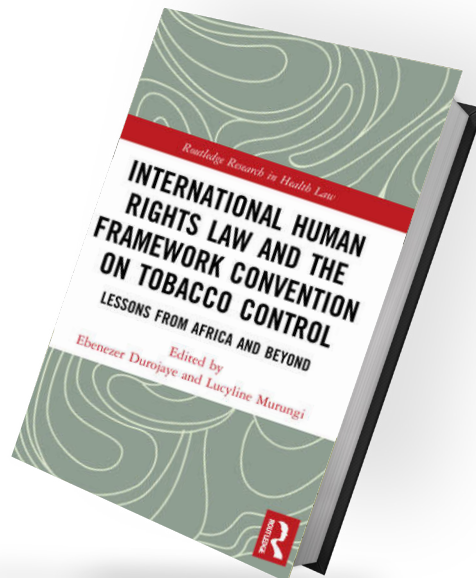
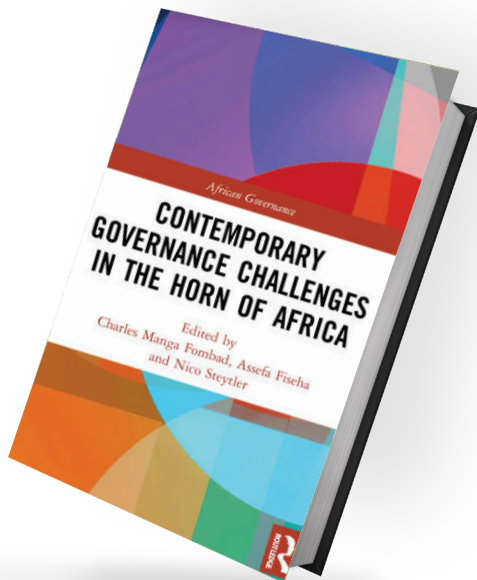
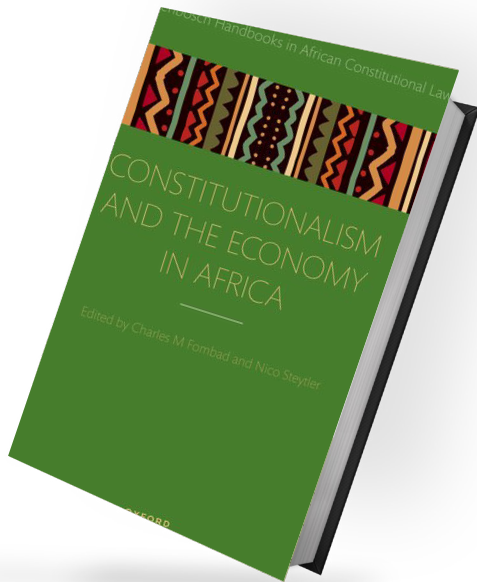
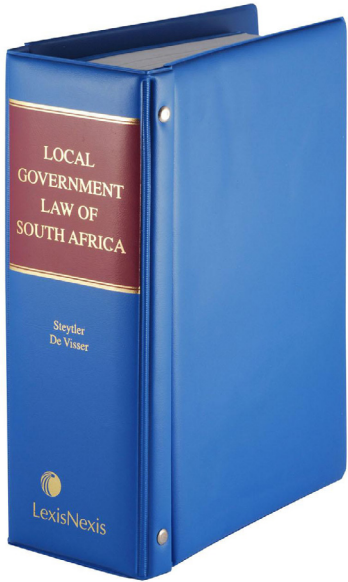
WDI had several media interactions and also engaged in several public education fora. A notable project was ‘Moving Online, Opening the (virtual) Door: Public Access to Online Committee Meetings in National Parliament During Lockdown.’ The purpose was to assess the extent to which Parliament’s committees succeeded in their obligation to be open and transparent under COVID-19 restrictions. The report notes encouragingly that “The fast-paced developments over 2020 demonstrated that it was and is possible to take many more steps to include ‘all’ in the country’s governance. There are still significant gaps that must be addressed, and possibilities that are presented by these platforms that should be capitalised to continue to increase Parliament’s reach to the broadest possible range of the public.”

The 13<sup>th</sup> Dullah Omar Memorial Lecture was delivered on 16 November by Prof Thuli Madonsela, former Public Protector and current holder of the Law Trust Research

Chair in Social Justice at Stellenbosch University. The lecture was titled “Reimagining Democracy Through a Social Justice Lens: Reflections on Dullah Omar’s Legacy” and she reflected on the work she did in the latter half of the 1990s with the late Dullah Omar as Minister of Justice and his visionary leadership in transforming the justice system in post-apartheid South Africa. She reminded us of the duties imposed by the Constitution to promote equality and address injustices.

By way of conclusion, I wish to sincerely thank our donors who have made the work reported here possible. I would also like to thank the Dean of the Law Faculty, Prof De Ville, for the support, assistance and camaraderie we receive from his office and the Faculty at large. We are also indebted to the members of our Advisory Board and its Management Committee who volunteer their time to support our work.

Lastly, I wish to thank all the staff, students and interns of the Institute for making 2022 possible and another year to remember for many achievements, big and small.



# Africa Criminal Justice Reform

**PROF LUKAS MUNTINGH**



Recovering from the COVID-19 restrictions is taking longer than expected and one may indeed observe that the cost of recovery may be more than the cost of the restrictions themselves. A downturn in economic growth across the sub-region and a sluggish recovery have contributed to deepening poverty and socio-economic exclusion. Indications are that the COVID-19 restrictions resulted in increased arrests and this trend appears to continue as reflected in increased numbers in awaiting trial prisoners in the five countries ACJR focuses on, being Kenya, Malawi, Mozambique, South Africa and Zambia. This is indicative also of cases taking longer to finalise and may also be symptomatic of avoidable arrests and detention.

## 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 are South Africa, Kenya, Malawi, Mozambique, and Zambia as well as regional engagements with existing networks and the African Commission on Human and Peoples' 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 2022 ACJR produced a total of 19 research reports; had 31 media engagements; ten opinion pieces; delivered 43 presentations at various fora; hosted 20 webinars/workshops, published two peer reviewed two publications, and made three submissions.

### COVID-19 And Its Impact

In 2021 ACJR undertook a five-country survey to investigate and document state responses to the COVID-19 pandemic. The countries were Kenya, Malawi, Mozambique, South Africa and Zambia. The survey looked in particular at the legal framework and how this was used to respond to the pandemic. Building on the 2021 survey, in 2022 we engaged in further country-specific research to assess the impact and implications of the COVID-19 restrictions in the five target countries, recalling that the previous focus was on the legal framework. The outputs were a set of five country reports as well as an [overview report](#). The focus was on the intersection of criminal justice and human rights, paying particular attention to socio-economic consequences. The following are key observations from the project:

- In general, governments did not consider the socio-economic condition of their populations and the impact that COVID-19 measures would have on them.
- There were significant impacts on rights, especially due process rights visible in large scale unnecessary arrests and victimisation by law enforcement (assaults, torture and extortion);

- There were immediate and adverse impacts on the economy and particularly sectors that are large employers of poor and low-income people (e.g., tourism, accommodation, informal trade and services);
- The cost of loss vis a vis the cost of recovery was not anticipated – i.e., returning to what the situation was prior to the pandemic will take more than the losses incurred;
- There were significant costs through the interruption of the existing and continuing investments, such as education, health, oversight agencies, and crime prevention;
- There were substantial costs associated with corruption (due to expedited procurement procedures) and consequent loss of trust in the state;
- There were costs to civil society organisations who are dependent on donors who had redirected their support;
- There were substantial costs due to social and economic relief funded by the fiscus or loans;
- There was a cumulative impact of exclusion i.e., mental health costs.
- Some innovative initiatives such as the introduction of virtual courts can continue to be used in the criminal justice sector.

The findings confirmed the risks identified in the first study and identified further consequences from the COVID-19 restrictions. The restrictions and the oversimplification of enforcement (mask wearing and curfews) with additional enforcement powers, placed those perceived to have less power in an even more precarious position. It is submitted that amongst civil society stakeholders engaged through the two research projects, there is now an enhanced understanding of the implications of large-scale restrictions and that these should be regarded with vigilant circumspection and held up against constitutional requirements.

These research findings and various engagements with stakeholders also fed into and supported the [global campaign](#) against the criminalisation of poverty and status where ACJR has been an active participant.

## OVERSIGHT

We made a number of engagements in supporting and strengthening oversight over places where people are or could be deprived of their liberty. This includes an engagement with the Western Cape Police Ombudsman; being represented on the City of Cape Town Civilian Oversight Committee; monitoring engagement of children in prison in Mozambique; as well as an Africa-wide engagement with judges (co-hosted with SALC and the Judicial Inspectorate for Correctional Services) to encourage and support them to visit places of detention. The latter is continuing and another engagement is planned for mid-2023.

In late 2022 we [completed a review](#) of the National Preventive Mechanism (NPM) under OPCAT (Optional Protocol to the Convention Against Torture), highlighting a number of issues, such as the lack of strategy and coordination. From the findings it was evident that many places where people are or could be deprived of their liberty remain without effective oversight. A critical concern in this regard is police detention – there is no designated structure monitoring police detention despite the period immediately of arrest being the highest risk stage for torture and ill treatment. The situation is furthermore complicated by the fact that while police and prisons are national competencies, health and social development facilities where people are deprived of their liberty are managed by provincial governments. As it turned out, this work was well timed as the UN Sub-Committee for the Prevention of Torture (SPT) which monitors compliance with OPCAT visited South Africa in early 2023 and the insights from the report were well-received by the SPT.

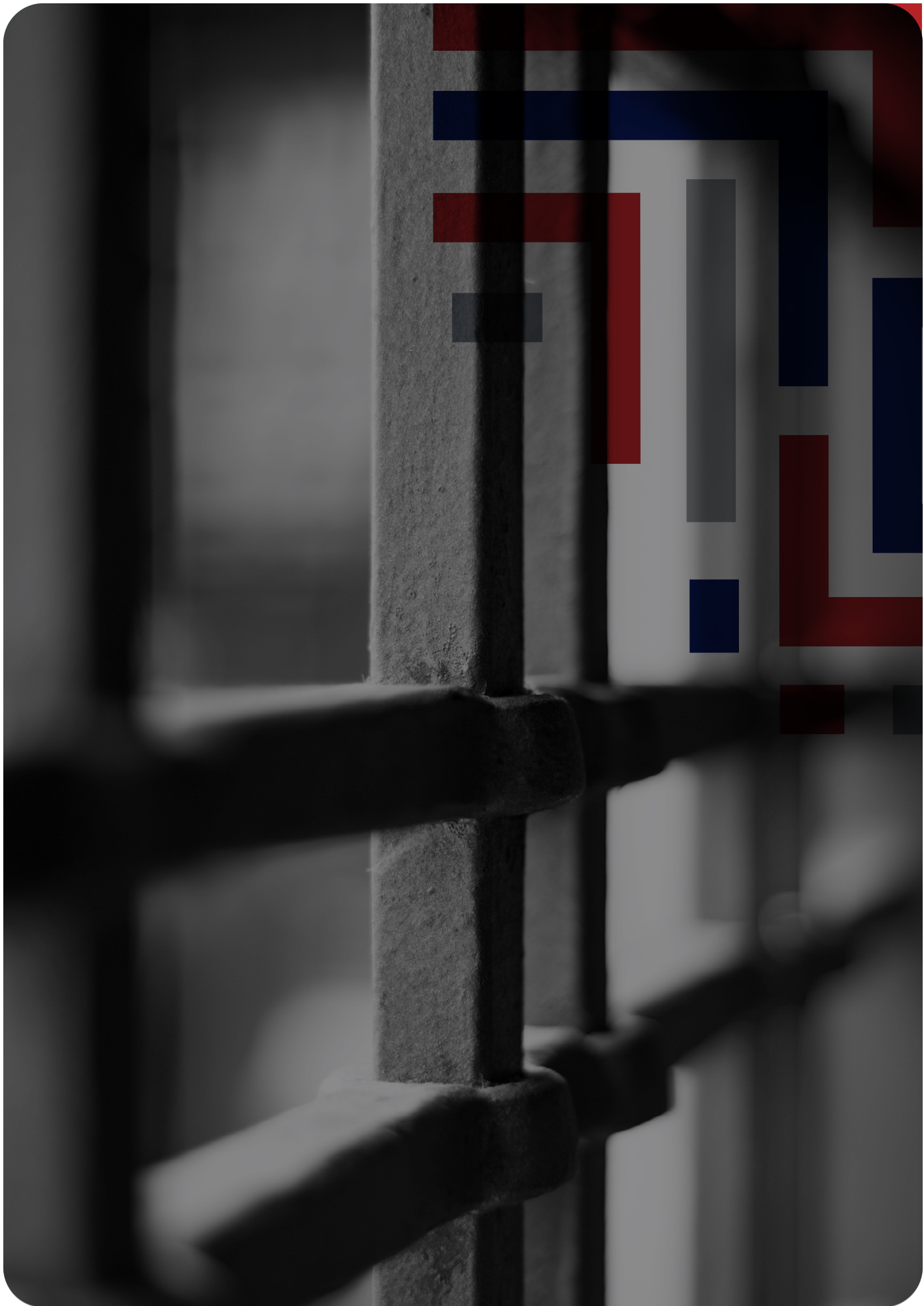
A lack of prosecutions for human rights violations (esp. torture) remains a major obstacle in South Africa and elsewhere in the region. Prosecutions remain the core expression of accountability for rights violations.

### National Prosecuting Authority

We have engaged in a number of technical support activities with the NPA as well as the release of research findings concerning its performance and future prospects. A series of research papers dealt with the strategy environment of the NPA; efficiency and effectiveness; transparency and accountability, and human resources, knowledge and skills. A number of op-eds and media engagements also focussed on the NPA and the Zondo Commission.

The NPA is under tremendous pressure to pursue the so-called state capture cases, especially those identified by the Zondo Commission. As events are unfolding it is increasingly clear that this will not be easy and successes may be few and far between. In light of this, we turned our focus to the daily functioning of courts, especially district and regional courts and asked the question: What does the NPA look like that we want? Consultations were held in three cities (Cape Town, Johannesburg and Durban) and three expectations were consistently raised, being:

- Prosecutors must know their work and be professional;
- Prosecutors must treat people fairly and not discriminate;
- Prosecutors must keep people informed of what is happening with their case.



## MOZAMBIQUE

In Mozambique, our partner organisation, REFORMAR, has been instrumental in a number of important reform initiatives. The first concerns the discovery that a number of children and young people are serving prison terms imposed in excess of the trial court's sentence jurisdiction. These cases are now being identified across the country with the assistance of the Attorney-General and the prison service and there may be as many as 50. Other advocacy initiatives focussing on children in conflict with the law are being pursued to present alternatives and prevent a punitive and retributive approach.

It has also come to REFORMAR's attention that there is a provision in law that enables prisoners who have the means to effectively purchase better conditions of detention. The constitutionality of this is being challenged.

REFORMAR has also been active in the media and hosting events where research initiated and/or supported by ACJR are made publicly accessible.

## IMPACT

In the course of 2022 ACJR had a strong focus on the NPA and a number of outputs were released. This has kept the public discourse alive on the NPA and its future. This is reflected not only in the attendance figures at our webinars, but also in the number of media engagement on the topic. We were also invited to brief the NPA on a number of issues.

The comparative reports on the socio-economic impact of the COVID-19 and the webinars hosted to disseminate the findings also influenced debate in various African countries by offering an opportunity for comparative lesson learning and sharing of good practice initiatives. There were very few reports of this nature produced during the pandemic.

# Applied Constitutional Studies Laboratory

**PROF DEREK POWELL**



The context for the project's research continued to be shaped by two main factors in this period. COVID-19 continued to have an impact, which shaped both the focus of research and the methods used in working from home and remotely. The second was the escalation of the climate crisis, and we continued with the research project launched in 2021 to examine how constitutional and public law were developing in response to the climate and ecological crisis facing the planet.

In the case of both of these challenges it was clear that global thresholds had been crossed, meaning that public law and governments everywhere were confronted with unprecedented challenges.

#### **The two objectives for this period were**

- to complete the project to assess the impact of the COVID-19 pandemic on constitutional government, which had commenced in 2020, and
- to launch the project to understand the constitutional implications of climate change and the destruction of the natural environment.

## **PROMINENT ACTIVITIES**

#### **Book project on constitutional resilience**

*'Constitutional Resilience and the Covid-19 Pandemic'* edited by Derek M. Powell & Ebenezer Durojaye was published. It makes an important contribution in two ways to the wider scholarly project of understanding how the pandemic and government responses affected the foundations of constitutional government in democratic societies. In the first place, it offers a broad perspective on key international trends in the first year of the pandemic, based on our own observations of government practice and reading of the guidance and academic literature. In the second place, the volume offers a regional perspective on the issue from sub-Saharan Africa by relating expert studies of practice in



*Ms Valma Hendricks, Project Administrator*

ten different countries in the region to the observed global trends. The aim in both cases is to add to comparative legal scholarship by establishing a conceptual bridge between national practice in 'pandemic governance' in this region and corresponding trends in international practice, as well as a legal bridge between national constitutional law related to public health emergencies and international health and human rights law.

#### **Next Generation Constitutionalism webinar series**

*The Next Generation Constitutionalism* webinar series continued in collaboration with the Global Environmental Law Centre (GELC), at the Faculty of Law (UWC). The webinar series provided a platform for leading scholars to talk about various topics about how constitutional law addresses problems of our time, including climate change.





*'Next Generation Constitutionalism: The future of public international law beyond the Paris Agreement'* (Online, 8 March 2022)

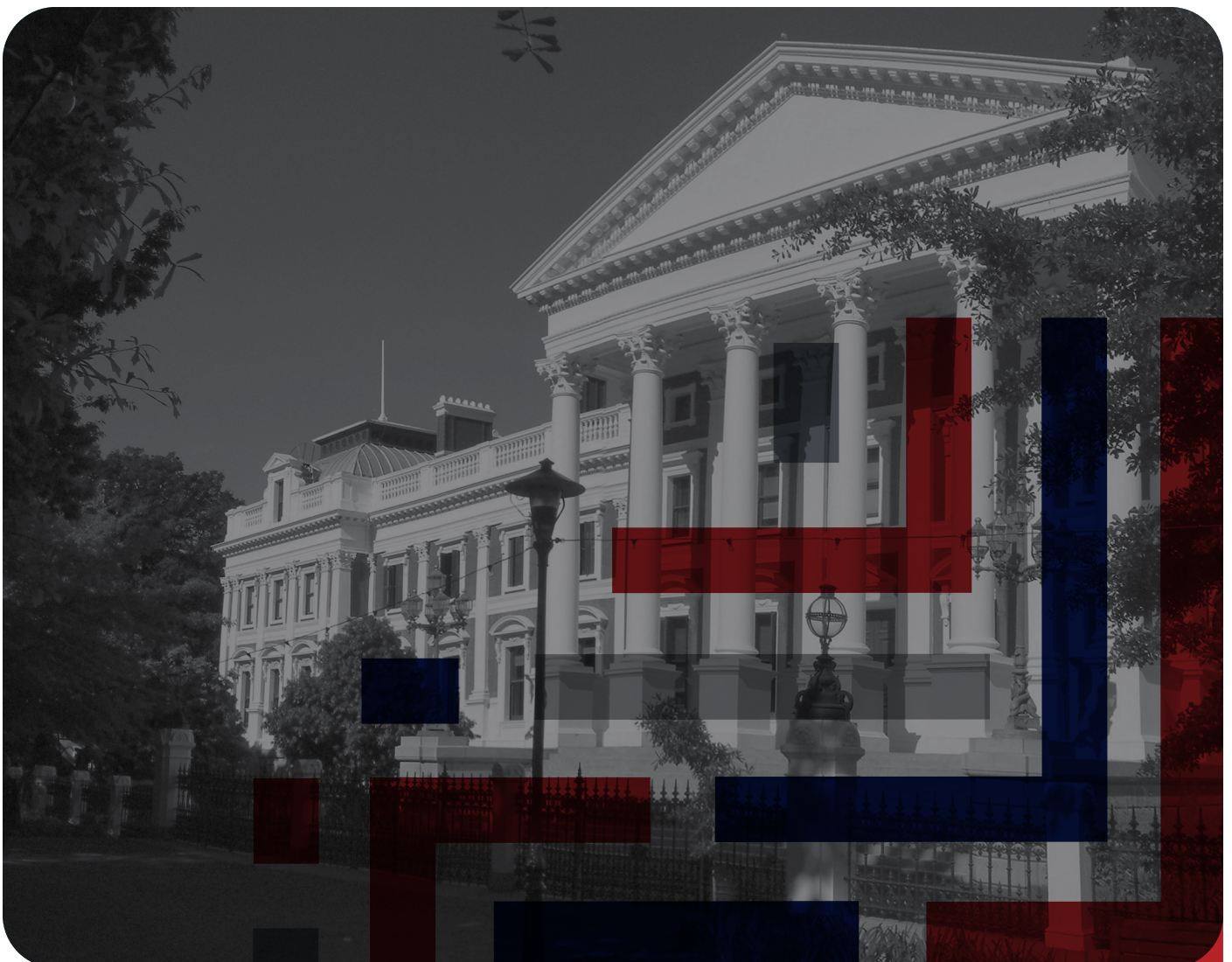
In this webinar we talked to Professor Christina Voigt, Department of Public and International Law, University of Oslo, Norway. Professor Voigt is the recently appointed Chair of the IUCN World Commission on Environmental Law and she acts as the Co-Chair of the Paris Agreement Implementation and Compliance Committee (PAICC). In her presentation, entitled 'The Future of Public International Law Beyond the Paris Agreement' Professor Voigt discussed the new climate commitments under the Glasgow Climate Pact and unpacks these in line with current and projected climate challenges and possible responses in the international legal order.

*'Next Generation Constitutionalism: Does Nature have a Constitutional Right to Exist - As Nature?'* (On-line, 10 June 2022)

Life in all forms is dependent on nature. The intimate and symbiotic relationship between nature, life, and

humankind has been recognized by many different cultures. Stone, river, mountain, forest, and animals enjoy a sacred status in many cultures. With the rise and development of industrial modernity, nature generally lost any claim to sacral status, and became a resource to be dominated and exploited in the interests of one species: humankind. Species destruction, deforestation, ecological collapse, and climate change are legacies of that exploitation. Unless it is protected as a human right, in constitutions, nature has no rights of its own. In recent years, however, a rights of nature movement has emerged worldwide. Constitutions, parliaments and courts have begun to recognize legal and constitutional rights of nature.

In this webinar we spoke to Dr. Erin O'Donnell and Dr. Mohammad Sohiful Islam from Melbourne University about their recent article on the Bangladesh Supreme Court's seminal 2019 decision to recognize rivers as living entities having rights in Bangladesh. The webinar served to provide an overview of and background to the case. It also questions the legal, constitutional, and doctrinal grounds the case was decided.



# Children's Rights Project

**PROF BENYAM DAWIT MEZMUR**



The Children's Rights Project (CRP) started 2022 on an exciting note occasioned by the Project Head, Professor Benyam Dawit Mezmur, being awarded the Eleanor Roosevelt Fellowship at the Harvard Law School - Human Rights Programme. As this is an in-residence fellowship, Professor Usang Maria Assim, senior researcher in the project, was appointed the Acting Project Head until Professor Mezmur's return in June 2023. Our postdoctoral research fellow, Dr. Meseret Ande Kifle also left the project to take up a position with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) now located in Maseru, Lesotho. Dr Kifle serves as one of the researchers in the Committee's Working Group on Climate Change.

As indicated in 2021, we secured funding from Meta Platforms Inc. for the period 2022-2023 to support research initiatives on protecting children's digital rights in Africa. We focused on advocacy, coalition building, and awareness raising in 2022, with the research activities due for completion in 2023.

## PROMINENT ACTIVITIES

### Engagements with the ACERWC

We continued with our core objectives of contributing towards the realisation 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. Thus, we maintained our working relationship with the ACERWC throughout 2022, including in the areas of providing technical, research and advocacy support. The ACERWC held its first 2022-session (39<sup>th</sup> Ordinary Session) virtually from 21 March to 1 April. The Committee's second 2022-session (40<sup>th</sup> Ordinary Session) was the first in-person session after the COVID-19 restrictions. The CRP participated in both sessions of the ACERWC,



*Assoc Prof Usang Maria Assim, Senior Researcher*

virtually and in person. The 40<sup>th</sup> ordinary session was held from 23 November to 2 December at the Committee's new base in Maseru, Lesotho.

Considering all the lessons learned and experiences gained during COVID-19, it was significant that the theme for the Committee's Day of General Discussion during the 40<sup>th</sup> Ordinary Session was 'Children's Rights in the Digital World'. The CRP, together with other organisations, including the African Child Policy Forum, Save the Children International, and ECPAT International, collaborated with the Committee to hold a Day of General Discussions on the theme. CRP's particular intervention was on the topic of "Children's privacy and personal data protection in the digital sphere: African Countries' Responses". We also contributed to the session outcome statement by the Committee, which focussed on high-level summaries and key messages from the Day of General Discussion. Importantly, the ACERWC decided to further advance the subject of children's rights in the digital era by selecting it as the theme for the annual commemoration of the *Day of the African Child in 2023: 'The Rights of the Child in the Digital Environment'*. As usual, the commemoration is to be celebrated on 16 June 2023.

### **The CSO Forum of the ACERWC**

CRP remains a member of the Civil Society Forum of the African Children's Charter (CSO Forum). Established in 2009, it comprises regional networks of civil society organisations in the five African regions. The CSO Forum provides a platform for child-focused CSOs working on children's rights and welfare issues across Africa to engage with the ACERWC, the UN CRC Committee, ACRWC Member States, other African Union bodies, children's rights experts, and relevant stakeholders. The Forum's main objective is to collectively pursue the common interests of children's rights and welfare, as articulated in the African Children's Charter and the CRC. The Forum meets prior to each session of the ACERWC in order to assess progress, highlight challenges, and identify priorities for children, and on the basis of these, prepare submissions for the Committee's attention and consideration during each session.

Prior to the start of the ACERWC's 40<sup>th</sup> Ordinary Session, CRP also joined in the 21<sup>st</sup> Ordinary Session of the CSO Forum from 20-22 November. During its General Assembly, Prof. Assim gave the keynote address on 'Promoting and Protecting Children's Rights in the Digital Environment - Gains, Opportunities and Risks'. This, along with the outcome of discussions during the session, formed the content of the CSO Forum Statement to the ACERWC's 40<sup>th</sup> Ordinary Session; thus, contributing directly to the Committee's mandate.

### **Submission of country briefs on the state of children's digital rights to the ACERWC**

Focusing on the theme of promoting, protecting, and realising the rights and welfare of children in the digital environment, we maintained our practice of submitting briefs to the Committee on the extent of reporting States Parties' compliance with the Charter. To this end, two additional country briefs were submitted during the 40<sup>th</sup> Ordinary Session of the ACERWC - on the Kingdom of Lesotho and the Democratic Republic of the Congo (DRC).

## **TEACHING AND CAPACITY BUILDING**

### **Faculty of Law, UWC**

We continued to be involved in teaching and academic supervision at both LLM and LLD levels, in addition to serving on governance structures and as internal course moderators and examiners. Of the eight students being supervised and/or co-supervised by CRP staff, three (two LLD candidates and one MPhil candidate) completed and submitted their theses for examination at the end of 2022.

While on sabbatical leave, Prof. Mezmur convened and taught the LLM module on 'Contemporary Human Rights Issues'. He also co-convened and co-lectured the LLM module on 'International Protection of Human Rights Law'. Prof. Assim continued to serve as a guest lecturer on the Economic, Social and Cultural Rights LLM module.



During the Faculty's doctoral colloquium in May she gave a presentation to the PhD candidates on 'Owning your research journey'. In keeping with her appointment to serve on the Faculty Moot Committee, on 1 July, she served as Judge for the internal rounds of the Kader Asmal Moot Court Competition.

### **Advanced human rights short course on Children's Rights in Africa**

In partnership with the Centre for Human Rights and the Centre for Child Law at the University of Pretoria, we once again co-convened the Advanced Short Course on Children's Rights in Africa, from 20 - 24 June. The course, presented virtually, attracted a diverse range of participants from and outside of Africa (including India and the United States). They included government officials, child protection officers, social workers and volunteers, advocates and judicial officers, educators and education executives, as well as PhD candidates. In the 2022 edition of the course, topics explored included 'children's rights and digital technology', 'children's rights and climate change', and 'intersectionality and vulnerability in children's rights'.

### **The Helen Kanzira Memorial Lecture**

Within the framework DOI's partnership with the Centre for Human Rights in delivering the LLM/MPhil in Human Rights and Democratisation in Africa (HRDA) programme, CRP together with the Socio-Economic Rights Project (SERP) co-hosted the 10<sup>th</sup> Annual Helen Kanzira Memorial Lecture. The main objective of the memorial lecture was to raise awareness and contribute to the discourse on sexual and reproductive rights of women generally, and maternal health rights specifically. Each year, the central theme serves as a continuous reminder that maternal mortality is almost always preventable, and women's rights should be prioritised and protected. The lecture is meant to educate, inform, and set an agenda for reforming human rights across Africa.

The 2022 lecture, held both virtually and in-person at the Lagoon Beach Hotel in Cape Town, was delivered by Professor Joy Ezeilo, former UN Special Rapporteur on Trafficking in Persons, especially women and girls on the theme 'Obsteristics Violence: A Public Health Menace and a Human Rights Challenge in Africa'. The event was [reported in the media](#).

### **Other capacity building and research activities**

CRP staff continued to be involved in various academic and non-academic capacity-building activities, including giving technical inputs, peer reviews, theses examinations, serving as resource persons in training workshops, serving as expert panellists in seminars, conferences and workshops, serving as guest lecturers,

and hosting short-term interns. From July to August, we hosted an intern from the University of California (LA) as a capacity-building exercise toward the completion of her study programme.

In January, doctoral candidate, Nimrod Muhumuza, whose thesis is on the impact of climate change on children's rights, published an opinion piece titled 'The ball is in our court: Why the UN Children's Rights Committee decision on climate change was the right one' in the [AfricLaw Blog](#).

At his host institution, the Harvard Law School, Prof Mezmur presented lectures on the following subjects: 'The rights of children with disabilities'; 'The rights of children in the context of international migration'; and 'Children's rights in Africa'. Prof Mezmur examined an LLD thesis for a candidate registered at the University of South Africa (UNISA) and Prof Assim examined two LLM/MPhil theses registered at the University of Pretoria. Prof. Assim was appointed as the external examiner for the new LLB programme and LLM by research programme, and as the external moderator for the module on Public International Law at Walter Sisulu University. She also taught two foundational classes to the 2022 Class of the Human Rights and Democratisation in Africa (HRDA) programme on research methodology; and on developing proposals and framing research questions.

Prof. Assim also served as an expert during consultation sessions and validation workshops for the following research and advocacy materials:

- 'Child Participation in development frameworks in Africa' (Pretoria, May);
- ACERWC 'Study on Children Without Parental Care in Africa' (Addis Ababa, May);
- Joint General Comment of the African Commission on Human and Peoples' Rights and the ACERWC on Female Genital Mutilation (FGM) (Pretoria, June);
- the SADC Protocol on Children (Online, November).

Further afield, Prof. Assim was invited to include a quote on perspectives from the global south in a book chapter, 'Childhood Studies Meets Children's Rights Studies'. The forthcoming book, entitled *Critical Childhood Studies*, is an advanced textbook for publication by Bloomsbury Academic. In addition, CRP staff peer-reviewed several articles for a number of journal publications and publishers including Emerald Publishing; *De Jure Law Journal*; *African Human Rights Law Journal*; *International Journal of Children's Rights*; *the South African Yearbook of International Law (SAYIL)*; and the *Journal of Anti-Corruption Law*. Prof. Assim also served as the Guest Editor of the *Economic and Social Rights Review (Special Edition on COVID-19)*.



## CONFERENCES, SEMINARS AND WORKSHOPS

CRP staff continued to host, participate in, and make presentations at a number of conferences, seminars, and workshops; in-person and virtually. We joined and supported the Centre for Human Rights in hosting the Association of Human Rights Institutes (AHRI) Conference on Technology and the Future of Human Rights from 1-3 September. DOI joined the AHRI in 2021. During the conference, Prof. Assim served as an expert consultant at a doctoral workshop organised for PhD candidates as part of the conference. Other conferences and workshops that CRP staff participated in, included the meeting of the African Union Coordination Group on Children in Situations of Conflict (Arusha, Tanzania, 31 October - 2 November), 'the Hybrid Conference on Domestication and Application of the African Children's Charter' (Pretoria, June), and the Global Campus of Human Rights Assembly 2022 (On-line, September).

In March, Prof. Mezmur presented on 'Children's right to a healthy environment' at the first webinar in a series "How to Child Rights" hosted online by Save the Children Sweden and on 'Climate change and the Saachi case', and presented at the "Fighting climate change with human rights law" panel hosted by the Harvard Human Rights Program (USA). Prof. Assim's presentations included:

- 'The role of community-based paralegals in realising access to justice for children in Africa' at the inception meeting for research on community-based paralegals in Africa (Entebbe, Uganda, April);
- 'Zooming in: When tech becomes a medium of participation' at the MtotoNews Child Participation Webinar Series on "Child Participation: Theory and

Practice in Africa (On-line, June);

- 'Drafting of decisions by the ACERWC' at the "Capacity Building Workshop of the African Commission on Human and Peoples' Rights" (Hybrid, June);
- 'Barriers to realising universal access to birth registration and mechanisms for strengthening' at the "Prolonging the celebration of the Africa Civil Registration and Vital Statistics Day with a stakeholders' webinar dialogue" (On-line, 21 September); and
- 'Age-appropriate applications, age verification and assurance under the POPIA', presented at Session IV of the discussion series on the implementation of the Protection of Personal Information Act (POPIA), 2013 - Processing of personal information of children under the POPIA (On-line, 26 October).

## APPOINTMENTS AND MEMBERSHIPS

In addition to her appointment as the CRP's Acting Project Head, Prof. Assim was appointed as a member of the Childhood, Law, and Policy Network. The network, which is funded by the UK Arts and Humanities Research Council, is hosted by the Department of Law of the Queen Mary University of London. She successfully completed her tenure as Chair of the Council of Directors for the HRDA programme in 2022 and was appointed as a member of the Scientific Advisory Committee of the Ismail Mahomed Centre for Human and Peoples' Rights at the University of Venda.

# Socio-Economic Rights Project

**PROF EBENEZER DUROJAYE**



The year 2022 will be remembered as the year of the post-COVID-19 recovery. While the pandemic has subsided, its effects remain visible in every facet of life. More importantly, the devastating impact on the socio-economic rights of people, especially marginalised and disadvantaged groups, have become cause for concern. We continued to play an important role in advancing the socio-economic rights of marginalised and disadvantaged groups post-COVID-19 and were involved in research, teaching and advocacy to create an enabling environment for the realisation of the socio-economic rights of marginalised groups. SERP has continued to play an important role in shaping laws and policies related to socio-economic rights at national and regional levels.

## PROMINENT ACTIVITIES

### **Community Leaders Workshops**

As part of responding to the challenges faced by marginalised groups in informal settlements in the country, SERP continued to empower leaders from these communities to assert their socio-economic rights. In the wake of COVID-19, many people in informal settlements were at the receiving end of the devastating impact of the pandemic. Beyond the loss of jobs, there were cases of domestic violence and food insecurity. This exacerbated poverty in these communities. In response to these challenges, SERP liaised with community leaders in these communities by providing technical support and capacity building to enable them to cope with the situation. SERP organised a series of workshops on the after-effects of COVID-19 with reference to the living conditions of people in informal settlements. The workshops covered the right to social security in a public health emergency; the implications of a pandemic for the realisation of the right to food; and the realisation of individual rights during a pandemic. These workshops were sources of hope and opportunities for people in informal settlements to obtain knowledge about their rights, air their voices and engage with policy-makers.

### **Legal frameworks and policies: Advancing innovative approaches to cancer care in South Africa**

SERP undertook a novel research project on behalf of the Cancer Alliance, Cancer Association of South Africa, University of Witwatersrand, and Institute for Cancer Policy, Comprehensive Cancer Centre (Kings College in London). This included conducting a desktop review and comparative analysis of various legal and policy frameworks aimed at cancer prevention and control. The report examines national cancer legislation in six countries, namely the United Kingdom, United States of America, Japan, Kenya, the Philippines, and Chile – each with a dedicated Cancer Act. This research aimed to generate knowledge on innovative approaches to cancer care by assessing the historical context, development, and impact of the frameworks above, to gain insight into whether and how cancer care in South Africa could be advanced through a dedicated cancer law. The desktop review formed part of a mixed research methodology study, which was supported by interviews with key informants from the respective countries, as well as in South Africa, including cancer patients and survivors, health-care providers, legal and public health officials, and academia, to provide nuanced perspectives from those working in fields related to cancer.

The purpose of the research was twofold. First, to provide an overview of the global cancer burden and explore current international and regional guidelines on cancer control. It examined national cancer legislation and supporting frameworks in relation to the right to health as defined by the UN Committee on Economic, Social and Cultural Rights and clarified in its General Comment No. 14. As such, the report assessed the extent to which the cancer frameworks satisfy the elements of the right to health, including availability, accessibility, acceptability and access to quality health-care services and goods, particularly cancer-related goods and services. Moreover, the report takes a rights-based approach in examining the extent to which equality, non-discrimination, participation, and accountability

are key to the provision of health-care services and how this is integrated into the respective countries' cancer frameworks.

Secondly, the report contextualises South Africa's cancer-related legislative and policy frameworks, with the focus on access along the continuum of care. It identified gaps in the current framework.

The report presented some noteworthy findings. Drawing on lessons from the six-country review and an analysis of gaps in cancer care in South Africa, as well as views from stakeholders, the report identified key provisions that should be contained in a Cancer Act for South Africa. These include, but are not limited to, a coordinating body for cancer prevention and control; legislative provisions to support the availability and quality of cancer care; provisions to address care disparities along the continuum of cancer care to address equity and care gaps; cancer surveillance; social and financial protection for cancer patients and their families or caregivers; a cancer fund to support cancer research and innovation; and strengthening accountability mechanisms.

### **Legal and policy frameworks around diet related non-communicable diseases in South Africa**

The project engaged in desktop research in relation to human rights and prevention of diet-related non-communicable diseases in South Africa. It aims to generate knowledge, raise awareness, and stimulate further debates on the legal arrangements and strategies which impact food environments in South Africa. In addition, the project also aims to create a new community of researchers and policymakers, centred on the ambition to inform policy and regulatory actions and responses to affect food system change.

The second phase of the project, which is on-going, covers two research streams. The first involves using a rights-based analysis to conduct a systematic review of food governance processes in South Africa to provide insight into the roles and competencies of the various spheres of government, as well as other government actors, institutions, and bodies in this regard. The second stream, which is on-going, involves investigating the potential of consumer protection laws in regulating the marketing of unhealthy food to children in South Africa. Outputs include research reports, peer review articles and opinion pieces.

During 2022 the project produced some key outputs. First, there was the publication of the *ESR Review: Special edition on Prevention of Diet related Noncommunicable diseases* in collaboration with the Global Center for Legal Innovation on Food Environments (O'Neill Institute for National and Global Health Law). The edition included feature articles exploring the importance of

an equitable food system for preventing diet-related noncommunicable diseases; the importance of Front of Pack Labelling (FOPL) regulations for unhealthy foods in South Africa; assessment of industry pushbacks to FOPL regulations; as well as assessing policy priorities for diet-related noncommunicable diseases prevention in South Africa within the *National Strategic Plan for the Prevention of Noncommunicable diseases 2022-2027*. The ESR Special Edition included an article by SERP staff doctoral researcher Paula Knipe, Post-doc Aisosa Omoruyi and Ebenezer Durojaye titled 'The National Strategic Plan for the Prevention and Control of NCDs 2022-2027: Assessing Policy Priorities to Address Unhealthy Diets'.

### **Community-Based Paralegals Project**

SERP and the African Centre of Excellence for Access to Justice (ACE-AJ) with the support of the Mott Foundation embarked on a second phase of the project to assess the roles, nature, and challenges of community-based paralegals in three francophone African countries (Burundi, Cote D'Ivoire and Senegal). Following the conclusion of the initial study in 2021 in six countries (Uganda, Tanzania, Ghana, Nigeria, Zambia and Mozambique) this study seeks to ascertain the legal status of community-based paralegals in terms of lessons, challenges and good practices in the selected francophone countries.

In-country partners are Delta Legal and Partners (Burundi), Alliance Cote D'Ivoire (Cote D'Ivoire) and *Association Des Juristes Sénégalaises* (Senegal). Training for fieldwork was conducted in Senegal in May 2022.

To disseminate the findings of the six-country study, SERP and ACE-AJ participated in the African Commission on Human and Peoples' Rights Ordinary Session in October 2022 and shared the findings of the study in a panel discussion. Another disseminating meeting was held in Maputo, Mozambique, in conjunction with REFORMAR where the findings were shared among stakeholders. Importantly, the report was translated into Portuguese. The completion of this project will see comprehensive reports on the status of paralegals in nine African countries, covering anglophone, francophone and lusophone countries. This will include an on-line resource on the status of paralegals in Africa on the website of the ACE-AJ.

### **ESR Review**

The ESR Review remains the flagship publication of SERP. Running for more than 20 years, it continues to feature thought-provoking articles by activists and researchers on socio-economic rights. Four editions of the journal were published including a Special Issue, as noted above.





The launch of the Research Report on Legal Recognition of Paralegals in Africa: Lessons, Challenges and Good Practices in Uganda, April.

## Advancing Sexual and Reproductive Health and Rights in Africa

In its sixth year, this project on Advancing Sexual and Reproductive Health and Rights in Africa, established by SERP in conjunction with other partners being KELIN (Kenya) and the Initiative for Strategic Litigation in Africa (ISLA, Johannesburg). Through research, advocacy and policy reforms, the project seeks to create awareness, facilitate policy reforms and embark on strategic litigation with a view to advancing sexual and reproductive health and rights of marginalised and vulnerable groups in the region. The contract for the project was renewed for another three years in 2022. This will see a study in three SADC countries (Eswatini, Malawi and Seychelles) to examine how laws and policies hinder or facilitate access to sexual and reproductive health and rights services for young people.

### Teaching and supervision

SERP staff have continued to coordinate and teach on the LLM Module in Socio-economic Rights. This module has been taught for nearly two decades. A SERP staff member was co-supervisor of an LLD candidate graduate whose thesis was on Post-1996 Service Delivery in South Africa: Constitutional Social Contract Perspectives. SERP staff members were engaged in guest lectures domestically and internationally. For example, SERP members presented guest lectures at the LLM programme in Human Rights and Democratisation and the LLM Programme in Sexual and Reproductive Health and Rights. In addition, SERP staff members presented guest lectures on Human Rights and non-communicable diseases to LLM students at the O'Neill Institute, Georgetown University and Poverty and Human Rights to undergraduate students at the Dayton University, Ohio.

Paula Knipe, doctoral researcher at SERP also completed a two-month internship at the O'Neill Institute for National and Global Health Law, based at Georgetown University in Washington, DC.

### Helen Kanzira Lecture

In conjunction with the Centre for Human Rights (Pretoria), both the Children's Rights Project and the Socio-Economic Rights Project organised the 2022 Helen Kanzira Lecture. The Guest speaker for the lecture was Prof Joy Ezeilo, the former *UN Special Rapporteur on trafficking in persons, especially women and girls*. The theme for the year was 'Obstetrics violence as a public health menace and human rights challenge'.



Helen Kanzira Memorial Lecture, 7 September



Dr Aisosa Jennifer Omoruyi, Postdoctoral Researcher



Community Leaders Training Workshop, 26 August



Ms Gladys Mirugi-Mukundi, Researcher



The launch of the Research Report on Legal Recognition of Paralegals in Africa: Lessons, Challenges and Good Practices and the inception workshop, 4-6 April, Uganda



Prof Joy Ngozi Ezeilo, Speaker at the Helen Kanzira Memorial Lecture

# SARChI Chair and Multilevel Government Project

**PROF NICO STEYTLER**  
**PROF TINASHE CHIGWATA**



The South African Research Chair (SARChI) in Multilevel Government, Law and Development and the Multilevel Government Project (MLG) promote the study of the role of multilevel government in furthering peace, democracy and development in South Africa, elsewhere in Africa, and worldwide. It focuses on research, teaching, and policy engagement. In 2022 the Chair, Nico Steytler, worked closely with the MLG team of researchers: Prof Jaap de Visser and Prof Tinashe Chigwata as well as post-doctoral fellows, Dr Michelle Maziwisa and Dr Shehaam Johnstone, and doctoral researchers Henry Omboto, Melissa Ziswa, Curtly Stevens, Jennica Beukes, Xavia Poswa and Thabile Chonco. This report covers work done both directly under the SARChI Chair as well as that of the MLG team.

Although the COVID-19 pandemic drew to a close in 2022, its negative impact on multilevel systems of government continued. In South Africa the economic downturn placed considerable strain on the financial health of municipalities, as reflected in the Auditor-General's Annual Report for 2021-2022. Service delivery failures and provincial interventions continued as did instability in 'hung' councils as coalitions proved to be very fragile. While the system of multilevel government is under stress in South Africa, it is still seen as the only system to bring peace to a number of conflict-ridden countries elsewhere in Africa, including Sudan, South Sudan, Somalia, and Ethiopia.

Within this context, the objectives of the 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,



*Prof Tinashe Carlton Chigwata, Project Head*

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

### **African School on Decentralisation**

Following the first African School on Decentralisation (ASD), held virtually in 2021, the first in-person ASD was presented in June 2022 in Stellenbosch and Cape Town. This is a project jointly presented with the Center for Governance and Federal Studies at Addis Ababa University. The theme was 'Good governance in African Cities'. The School received a total of 346 applications drawn from 32 African countries and 3 countries outside Africa. Out of these, a total of 25 participants were selected, each representing a different African country. Altogether 28 practitioners participated in the two-week certificate course. The incorporation of city leaders and mayors from the Commonwealth Sustainable Cities Network (CSCN) provided context-specific perspectives that were critical to the School's objectives, particularly the objective of facilitating peer-learning on best practices in decentralisation in Africa. At the conclusion of the ASD, the 2022 participants were introduced to the participants from 2021 as part of the ASD's objective of

creating a network of alumni for continued engagements and support to decentralised governance in Africa. The first face-to-face edition was a great success and the next edition will be held in Addis Ababa in 2023.

### **SASCA 2022**

Charles Fombad from the Institute of International and Comparative Law in Africa, University of Pretoria, and the Chair hosted the Ninth Stellenbosch Annual Seminar on Constitutionalism in Africa (SASCA) on the theme 'Constitutional change and constitutionalism in Africa' at STIAS in Stellenbosch. Steytler, with MLG fellows, Zemelak Ayele and Henry Paul Gichana, presented a paper on 'Making and amending federal constitutions in Africa'.

### **Conversations on Constitutionalism**

In December, the SARChI Chair hosted an international roundtable on Conversations on Constitutionalism, at Mont Fleur, Stellenbosch. The aim was not to follow the usual conference format, but to promote 'blue sky thinking' in key areas of contestation in the fields of constitutionalism (democracy, human rights, separation of powers, the judiciary) and federalism. Using a flexible format of informal conversations based on short lead-in papers, a group of globally renowned constitutional law experts debated and explored over three days the range of issues.

### **Teaching**

An LLD was awarded to Henry Paul Gichana Omboto for the thesis titled "Intergovernmental Fiscal Systems and Self-Rule: A Kenyan Case Study", supervised by Prof Nico Steytler. He was also co-supervisor of Fabrizio Cramerini who graduated with a PhD from the University of Fribourg, on the thesis *A Precursor of Constitutionalism: The Role of Apex Courts in Contemporary Normative Constitutional Transitions*.

The MLG, in collaboration with the SARChI Chair, offered the Masters Programme in Multilevel Government and the Postgraduate Diploma in Public Law (focused on local government). In December, the first ten students graduated with their Postgraduate Diplomas.

### **Transparency in local government procurement**

The MLG in partnership with the International Budget Partnership-South Africa (IBP-SA) have been assessing the state of transparency in local government procurement since 2020. In 2022, we undertook a study which sought to understand why municipalities don't publish key procurement information on their websites and National Treasury's eTender Portal timeously and consistently. The availability of this procurement information and how long the information remains available on the municipal website is key for transparency, public participation and accountability. The main objective of this project is to produce credible research which can be used by stakeholders to improve transparency in municipal procurement through advocacy.

### **Local government webinar/seminar series**

The seminar series project provides a platform for researchers, practitioners and civil society to interact and engage on latest issues affecting local government.

In April, we hosted a webinar where the theme of "safeguarding the integrity of councillors and senior managers in local government" was discussed. This was followed by a webinar on the prosecution of corruption in municipalities in June, co-hosted with the ACJR project. We organised a hybrid event in September, in collaboration with Let's Collaborate, and Street Law UWC, on "The application of ubuntu in law, mediation and social change". The last webinar, hosted in October, examined the relationship between traditional leaders and municipalities in relation to land use management. The webinar series project has enabled the DOI to influence the debate on local government by, among other ways, bringing together a sizeable number of people working in the sector to discuss key local government issues.

### **Local Government Bulletin**

The Local Government Bulletin provides regular updates and insightful articles on latest developments in local government. The Bulletin is an influential newsletter with a big readership going beyond the region. It is one of the preferred publication platforms on local government and service delivery by independent researchers and other stakeholders. The articles published in the Bulletin are a useful resource not only for teaching purposes, but also relevant for local government practice. In 2022, we produced four Issues of Volume 18 of the Local Government Bulletin, with a combined 29 articles. The articles can be accessed freely on the Bulletin pages.

### **EU-RISE**

The MLG Project, within the framework of the H2020-MSCA-RISE-2018 project "LoGov - Local Government and the Changing Urban-Rural Interplay", continues to work with 17 other international partners from different parts of the world to explore solutions to challenges resulting from urbanisation. As part of this project, we seconded MLG researchers to partners in Italy, Germany and Switzerland as well as hosted researchers from partner institutions in Spain and Switzerland. We also participated in the mid-term Conference for the project hosted by Ludwig Maximilian University of Munich in October.

## **APPOINTMENTS**

At its Annual Conference in Bilbao, the Board of Directors of the International Association of Centers for Federal Studies (IACFS) elected Jaap de Visser as its Vice-President.

Nico Steytler was appointed as Emeritus Professor from 2023, coinciding with his retirement from the University, and from the SARChI Chair. Jaap de Visser was appointed as Interim Chair, pending the NRF's final decision. Prof Steytler is a formidable scholar who influences the thinking and decisions of so many in South Africa and across the world with his sharp intellect, thoughtful curiosity and engaging approach to research and teaching. He is also a colleague who continues to be instrumental in DOI, the Faculty and the University. We are extremely fortunate that he continues to work with the MLG/SARChI team beyond his retirement.



*African School on Decentralisation*



*International roundtable: Conversations on Constitutionalism, 2-6 December*



*Exchange Study Tour South Sudan Delegation, 20 October*



*Postgraduate Diploma in Public Law (focused on local government) graduation*



*Lecture: The application of ubuntu in law, mediation and social change, 21 September*

# WOMXN and Democracy Initiative

**SAMANTHA WATERHOUSE**



While South Africa continues to enjoy relatively significant participation of women in leadership positions, this is constrained by social norms and structural barriers, which prevent womxn from 'getting to the table' and prevent their influence once there.

The Gender-Based Violence and Femicide National Strategic Plan (GBVF NSP), released in 2020, was groundbreaking in terms of the level of political leadership. In 2022 this was followed up by the *Presidential Summit on Gender-Based Violence and Femicide 2* in November. Despite the political leadership supporting strong action to reduce gender-based violence, the results have been less than encouraging. In general murder has increased rapidly since 2011 and from 2021 to 2022 increased by 14%, a total of 27 067 murders, according to SAPS data. A total of 36 300 rapes were reported to SAPS in 2022 as well as 7 000 sexual assaults. Post 2011/12 there has been a general and pervasive deterioration of personal safety in South Africa and despite the rhetoric on gender-based violence, the criminal justice system has not been effective in holding perpetrators to account.

WDI works towards 'feminist governance' - realising human rights and social justice through supporting increased practices of deliberative and some aspects of radical democracy within our constitutional framework. Realising social justice is influenced by political systems, and systems of patriarchy, racism, and capitalism. Thus, we take an intersectional feminist approach, working towards structural and systemic change. This infuses what we work on and how we work.

Our research tracks indicators across sectors' policy, budgets and progress on womxn's rights (what is prioritised and achieved) and leadership and governance (how things are achieved) to support realising rights and address the structural inequalities experienced across society. We monitor the democratic performance of constitutional mechanisms for participation in pursuit of increased civil society and public influence through these.



*Vivienne Mentor-Lalu, Deputy Project Head*

We invest in collaboration and strengthen civil society to increase impacts of advocacy for social justice, including exchange of information and skills, promoting debate, pluralism, while encouraging consensus. Recognising the vast inequalities of resources and access to sites of influence among CSOs, we work to achieve feminist democratic practices and challenge the negative exercise of privilege and power within civil society, including being reflective of WDI's relative privilege.

## PROMINENT ACTIVITIES

WDI engages extensively in advocacy and its work methods emphasise this focus. Arranging and participating in meetings and network building activities are a substantial part of the work as well as facilitating processes and making sure that coordination takes place.

## ADVOCACY

In February WDI released, under the banner of Parliament Watch "Key messages for Parliament on its opening for the year". Endorsed by 15 civil society organisations, the emphasis was placed on the importance of openness, transparency and the accessibility of Parliament. A substantive issue in this regard is the Zondo Commission Report findings and recommendations. The Commission

was critical of Parliament's oversight performance and it was reiterated that Parliament must hold the Executive accountable in its decision-making and responsiveness to queries by the legislature. Other advocacy material outputs included policy briefs for Urgent Africa Fund, Budget Justice Coalition, and Just Associates.

The work of WDI relies much on cooperating and partnering with other civil society organisations, individually or through networks. These range from established organisations with a national presence to local community-focussed ones. The emergence of inclusive civil society networks in the past two decades have strengthened the voice of civil society and the ordinary person. This also includes funders such as the European Union and Ford Foundation to name two. The diversity of stakeholders is testimony to the deep commitment we all share in building a better South Africa for all.

The challenges we face post-COVID-19 was summarised in an article by WDI researcher Vivienne Mentor-Lalu (*Through a Gendered Lens: South Africa's COVID Pandemic*) in which she concluded "The government will need to make some fundamental shifts in its approach to fiscal policy and social security and to implement gender-responsive planning, policy and budgeting to improve the lives of the most vulnerable people in South Africa".

As part of advocacy, some capacity building initiatives were undertaken such as facilitating local government budgeting training with activists in the Witzenberg Municipality in March. In September WDI facilitated a session at the 'West Coast Heritage Festival to bring women from Fishing, Landless, and Mining communities together to deliberate a collective vision and strategy to improve their sustainable living' led by Ubuntu Women's Movement in the Namaqualand, West Coast and Northern Cape region.

Two papers were also presented, being 'Feminist public finance in South Africa: politics and possibilities 2022' (Dept. of Women Youth and Persons with Disabilities Policy Dialogue) and 'Indicating Feminism: developing a framework of feminist indicators for social justice and feminist governance' (Womxn and Democracy Initiative round table).

## MEDIA AND INTERVIEWS

WDI staff were consulted for their expertise in a number of non-media interviews that dealt with violence against women and girls; gender responsive budgeting; and gender-responsiveness and COVID-19 recovery. A total of ten media engagements were had, ranging from on-line to radio and television as well as a panel interview on *The Watchdog* show on SABC News.

Two opinion pieces were published being "[Parliament in 2022: Time to get the House in order](#)" by Motlatsi Komote and "[What SONA tells us about government's appetite to fight GBV](#)" by Vivienne Mentor-Lalu.

### Presentations and workshops hosted

**Ten presentations at various fora were made covering the following topics:**

- Feminist responses to budgeting and gender-responsive budgeting
- Legislative development processes
- Network and alliance building
- Participative democracy
- Government accountability and transparency

### Three webinars were hosted, focussing on

- Feminist Indicators Analytical Framework
- Feminism and Social Justice
- Developing a feminist agenda for public finance



Ms Laura Wellen, Project Administrator

## MOVING ON-LINE

An important research output was the report '[Moving Online, Opening the \(virtual\) Door: Public Access to Online Committee Meetings in National Parliament During Lockdown.](#)' The purpose was to assess the extent to which Parliament's committees succeeded in their obligation to be open and transparent, and to support public access under the conditions of the pandemic. The Constitution requires legislatures to ensure that their business is conducted in an open and transparent manner and that the public have access to the proceedings. The COVID-19 restrictions then posed a unique challenge, but the findings that emerged were all not entirely new and there was some overlap with previous research and recommendations. The report notes encouragingly that "The fast-paced developments over 2020 demonstrated that it was and is possible to take many more steps to include 'all' in the country's governance. There are still significant gaps that must be addressed, and possibilities that are presented by these platforms that should be capitalised to continue to increase Parliament's reach to the broadest possible range of the public."

The report further recommended that "Parliament must commit to the public that the improved levels of openness developed through moving online, will be protected beyond the State of Disaster. It must commit to undertake all measures possible to address the inequalities that continue to exclude the people who are most marginalised in our society from accessing and engaging with legislatures to achieve democratic direction and oversight over the executive."

In light of developments, it then appears that accessing Committee meetings online is here to stay. It was indeed technology that has made Parliament more accessible. It does not resolve all issues since there remains significant barriers to access, but undoubtedly an important step was taken in the right direction.



# INCOME AND EXPENDITURE STATEMENT

	2022 R	2021 R
<b>INCOME</b>		
Funders	16,016,100	20,375,692
Consultancies	-	576,708
<b>University of the Western Cape</b>		
2 x Professorial posts - R 2 254 000		
Premises, Utilities & IT		
<b>TOTAL INCOME</b>	<b>16,016,100</b>	<b>20,952,400</b>
<b>EXPENDITURE</b>		
Contribution to Operating Expenses		
Contribution to Administration salaries		
Salaries	12,666,286	13,261,084
Stationery	21,866	33,721
Photocopying	20,925	42,503
Postage & Distribution	14,086	26,403
Telephone	85,029	56,157
Travel & Accommodation	2,262,714	450,108
Printing & Publications	194,990	670,464
Subscriptions & Books	278,407	296,318
Audit Fees	100,000	-
Workshops / Meetings	642,358	268,785
Consultation Fees	1,386,146	978,266
Partner Activities	-	-
Sundry Expense	88,457	(13,189)
Post-Graduate Bursaries	1,575,587	2,446,512
Conferences & Seminars	843,620	773,325
Research	(319,488)	777,406
Website & Social Media	17,482	58,949
Rent (CT Office)	128,855	130,713
Catering for Meetings & Socials	80,892	276
Computer Equipment (incl Maintenance)	158,694	244,200
Funders returned to donors	(332,025)	-
<b>TOTAL EXPENDITURE</b>	<b>19,914,878</b>	<b>20,502,001</b>
<b>CLOSING BALANCE FOR YEAR</b>	<b>(3,898,778)</b>	<b>20,502,001</b>
<b>Surplus carried forward from previous year</b>	<b>19,214,356</b>	<b>19,374,186</b>
<b>Prior Year Adjustment</b>	<b>(530,369)</b>	<b>(610,229)</b>
<b>NET CLOSING BALANCE 31-12-2021</b>	<b>12,660,640</b>	<b>19,214,356</b>

Approved by: J. Cloete & S. Najaar

# THE INSTITUTE'S OUTPUTS

## PUBLICATIONS



### BOOKS

Durojaye E and Murungi N.L (eds) *International Human Rights Law and the Framework Convention on Tobacco Control: Lesson from Africa and Beyond* (Routledge, 2022) pp. 356.

Durojaye E and Powell D.M (eds) *Constitutional Resilience and the COVID-19 Pandemic: Perspectives from Sub-Saharan Africa* (Palgrave Macmillan, 2022) pp. 405.

Fombad C.M, Fiseha A and Steytler N (eds) *Contemporary Governance Challenges in the Horn of Africa* (Routledge, 2022) pp. 302.

Steytler N and de Visser J, *Local Government Law of South Africa* (15<sup>th</sup> Issue)

Steytler N and Fombad C (eds), *Constitutionalism and the Economy in Africa* (Oxford University Press, 2022) pp. 464.

Steytler N, Area Editor for federalism and multilevel government, in Jeff King and Octávio LM Ferraz et al (eds), *The Oxford Compendium of National Legal Responses to COVID-19* (OUP 2022).

### CHAPTERS IN BOOKS

Adebanjo A and Durojaye E (2022) 'International Human Rights Norms and Standards on Derogation and Limitation of Rights During a Public Emergency' in Durojaye E and Powell D.M (eds) *Constitutional Resilience and the COVID-19 Pandemic: Perspectives from Sub-Saharan Africa* (Palgrave Macmillan) pp. 79-109.

Durojaye E and Murungi N.L (2022) 'Introduction' in Durojaye E and Murungi N.L (eds) *International Human Rights Law and the Framework Convention on Tobacco Control: Lesson from Africa and Beyond* (Routledge, 2022) pp. 3-15.

Durojaye E and Murungi N.L (2022) 'The role of the African human rights system in promoting tobacco control and addressing related non-communicable diseases' in Durojaye E and Murungi N.L (eds) *International Human Rights Law and the Framework Convention on Tobacco Control: Lesson from Africa and Beyond* (Routledge, 2022) pp. 16-34.

Maziwisa M.R and Durojaye E (2022) 'The state of Zimbabwe's compliance with the WHO Framework Convention on Tobacco Control' in Durojaye E and Murungi N.L (eds) *International Human Rights Law and the Framework Convention on Tobacco Control: Lesson from Africa and Beyond* (Routledge, 2022) pp. 189-217.

Muntingh L (2022) 'South Africa' in Dünkel F, Harrendorf S and Van Zyl Smit D (eds) *The Impact of COVID-19 on Prison Conditions and Penal Policy* (Routledge) pp. 487-504.

Nanima R.D and Durojaye E (2022) 'The Adequacy of the African Charter on the Rights and Welfare of the Child in the risky Trinity of Climate Change, food security and children' in Jegede A.O and Adejonwo O (eds) *Climate Justice and Human Rights: An African perspective* (Pretoria University Law Press (PULP) pp. 77-95.

Nanima R.D, Durojaye E and Powell D.M (2022) 'Constitutional and Human Rights Issues arising from COVID-19 in South Africa' in Durojaye E and Powell D.M (eds) *Constitutional Resilience and the COVID-19 Pandemic: Perspectives from Sub-Saharan Africa* (Palgrave Macmillan) pp. 341-369.

Nkomo S.N and Maziwisa M.R (2022) 'A normative framework for access to justice for refugees in Zimbabwe: Towards a judicial approach' in Tsabora J (ed) *The judiciary and the Zimbabwean Constitution* (University of Zimbabwe Press, Harare) pp. 329-353. Available at: <https://bit.ly/3SZEwIH>

Powell D.M and Durojaye E (2022) 'Constitutional Resilience and the COVID-19 Pandemic' in Durojaye E and Powell D.M (eds) *Constitutional Resilience and the COVID-19 Pandemic: Perspectives from Sub-Saharan Africa* (Palgrave Macmillan) pp. 1-77.

Steytler N (2022) 'The 'Federal Solution' to Diversity Conflicts in South Africa and Kenya: Partial at Most', in Keil S and Kropp S (eds) *Emerging Federal Structures in the Post-Cold War Era* (Palgrave MacMillan) pp.233-257.

Steytler N (2022), 'Federal Systems of Governance in Africa: Patterns and Pitfalls', in Fombad C.M, Fiseha A and Steytler N (eds) *Contemporary Governance Challenges in the Horn of Africa* (Routledge, 2022) pp. 57-82.

Steytler N and Fombad C (2022) 'Constitutionalism and the economy: Concepts and questions', in Fombad C.M and Steytler N (eds) *Constitutionalism and the Economy in Africa* (Oxford University Press) pp. 25-47.

Steytler N and Fombad C (2022) 'Constitutionalizing the market economy and the quest for constitutionalism', in Fombad C.M and Steytler N (eds) *Constitutionalism and the Economy in Africa* (Oxford University Press) pp. 407-438.

Steytler N and Fombad C (2022) 'Overview', in Fombad C.M and Steytler N (eds) *Constitutionalism and the Economy in Africa* (Oxford University Press) pp. 9-25.

Steytler N and Fombad C (2022) 'The unravelling of the Constitution, the economy and constitutionalism in South Africa', in Fombad C.M and Steytler N (eds) *Constitutionalism and the Economy in Africa* (Oxford University Press) pp. 125-154.

Waterhouse S (2022) 'Struggles for the People-centred Soul of South Africa's Legislatures' in van der Westhuizen C, Jolobe Z, Dube S. (forthcoming)

## JOURNAL ARTICLES

Assim U.M, Editorial *African Human Rights Law Journal*, Volume 22 (2) 2022.

De Visser J, Ayele Z and Tang D.R, 'Federalism in the 2015 and 2018 Peace Agreements in South Sudan – But What Kind of Federalism?' in *Perspectives on Federalism* (2021) Volume 13, issues 2-3, pp. 40-71.

Durojaye E and Lawal T, 'The Niamey Guidelines to Combat Sexual Violence and its Consequences in Africa and Sexual Harassment: A Case Study of Nigeria' *Stellenbosch Law Review* (2022) Vol 33(1) pp. 78-99.

Maziwisa M.R and Durojaye E, '[Engendering Legal and Institutional Reforms to Ensure Access to Reproductive Justice for Women in Zimbabwe: A Case Study of the Mapingure Case](#)' (2022) Vol 30 (1) *African Journal of International and Comparative Law*, pp.80-98.

Mezmur B.D and Fawole C, 'From the Margins to the Mainstream?: Bridging the Scholarship Gap on Statelessness in Africa' *African Human Mobility Review* (2022) Vol 8(3) pp. 4-15.

Mezmur B.D, 'Making Their Days Count: The 1961 Convention on the Reduction of Statelessness and the Convention on the Rights of the Child' *Statelessness & Citizenship Review* (2022) Vol 4(1) pp. 198-203.

Muntingh L, '[Prison protests in South Africa: A conceptual exploration](#)' *South African Crime Quarterly* (2022) No. 71. pp.23-34.



## RESEARCH REPORTS

Lorizzo T and Petrovic V, *Democratic policing in Mozambique – challenges of training for professionalisation* (2022) REFORMAR. Available at: <https://bit.ly/3XmlA43>

Lorizzo T and Petrovich V, *Annexure Three: COVID-19 restrictions and the impact on criminal justice and human rights, Mozambique* (2022) ACJR. Available at: <https://bit.ly/3rABoRz>

Mangwanda J and Petersen K, *Annexure Five: COVID-19 restrictions and the impact on criminal justice and human rights, Zambia* (2022) ACJR. Available at: <https://bit.ly/3RFuqp9v>

Mangwanda J and Petersen K, *Annexure One: COVID-19 restrictions and the impact on criminal justice and human rights, Kenya* (2022) ACJR. Available at: <https://bit.ly/3SIWmts>

Maziwisa M.R, (with Durojaye E and Pizzarossa L) 'A call to legalise self-managed abortion in Africa'.

Muntingh L and Redpath J, *The NPA that we want* (2022). Available at: <https://bit.ly/3Jh6cAf>

Muntingh L, Mangwanda J and Petersen K, *Overview and key findings COVID-19 restrictions and the impact on criminal justice and human rights (Kenya, Malawi, Mozambique, South Africa & Zambia)* (2022) ACJR. Available at: <https://bit.ly/3Mb981q>

Muntingh L, *NPA Issue Paper 1: In search of strategy* (2022) ACJR. Available at: <http://bit.ly/3YkXHcl>

Muntingh L, *NPA Issue Paper 2: Knowledge, skills and human resources* (2022) ACJR. Available at: <https://bit.ly/3MV7HmP>

Muntingh L, *Policy Brief: Corruption in the police - Effective monitoring and oversight for a transparent and accountable police service*, Report commissioned by the Department of Community Safety, Western Cape.

Petersen K and Mangwanda J, *An assessment of the National Preventive Mechanism (NPM)* (2022) AJR. Available at: <https://bit.ly/449a9ig>

Petersen K and Mangwanda J, *Annexure Two: COVID-19 restrictions and the impact on criminal justice and human rights, Malawi* (2022) ACJR. Available at: <https://bit.ly/3rwawCt>

Petersen K, Mangwanda J, Muntingh L and Redpath J, *Annexure Four: COVID-19 restrictions and the impact on criminal justice and human rights, South Africa* (2022) ACJR. Available at: <https://bit.ly/3CEI33O>

Redpath J, *NPA Issue Paper 3: Effectiveness and Efficiency* (2022) ACJR. Available at: <https://bit.ly/3NB38Bk>

Redpath J, *NPA Issue Paper 4: Transparency in high-profile corruption matters* (2022) ACJR. Available at: <https://bit.ly/3paXg8K>

Redpath J, *NPA Issue Paper 5: Accountability of the NPA* (2022) ACJR. Available at: <https://bit.ly/3CEoXtH>

Redpath J, *Policy Brief for Western Cape Department of Community Safety Policing Needs and Priorities: Local Government and Law Enforcement*, Report commissioned by the Department of Community Safety, Western Cape.

Redpath J, *Policy Brief: Local Government and Law Enforcement: Policing Needs and priorities for the Western Cape Government*, Report commissioned by the Department of Community Safety, Western Cape.

Redpath J, *Report: Performance of the Asset Forfeiture Unit of the NPA*, Report for the NPA.

Redpath J, *Report: Performance of the Specialised Units of the NPA*, Report for the NPA.



## CONFERENCES

DOI (De Visser J and Gordon D), Hosted 13<sup>th</sup> Dullah Omar Memorial Lecture with Prof Thuli Madonsela. (UWC, 16 November 2022)

MLG (Steytler N and Fombad C), Hosted the Ninth Stellenbosch Annual Seminar on Constitutionalism in Africa (SASCA), 'Constitutional change and constitutionalism in Africa', STIAS. (Stellenbosch, 13-16 September 2022)

MLG (Steytler N with Stevens C), Co-hosted a conference on Conversations on Constitutionalism. (Mont Fleur, Stellenbosch, 2-6 December 2022)



## WORKSHOPS, SEMINARS AND WEBINARS

ACJR (Muntingh L), Hosted a report launch 'COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries'. (Online, 28 July 2022)

ACJR (Muntingh L), Hosted a webinar on the Prosecution of corruption in municipalities with Advocate Barry Madolo (NPA). The panel consisted of Prof Jaap de Visser and Adv Barry Madolo (DPP E-Cape). (Online, 14 June 2022)

ACJR (Muntingh L, Redpath J and Mangwanda J), Hosted a webinar on 'The NPA that we want' and releasing a report by the same title. (Online, 17 October 2022)

ACJR (Petersen K and Mangwanda J), Hosted a webinar on COVID-19 restrictions and their socio-economic and criminal justice implications in partnership with Legal Resources Foundation Kenya. (Online, 4 October 2022)

ACJR (Petersen K and Mangwanda J), Hosted a webinar on COVID-19 restrictions and their socio-economic and criminal justice implications in partnership with Ubuntu Justice Initiative, Zambia. (Online, 12 October 2022)

ACJR (Petersen K and Mangwanda J), Hosted and facilitated a stakeholder workshop on 'Criminal justice, human rights and COVID-19 in Kenya'. (Nairobi, Kenya, 10 March 2022)

ACJR (Petersen K), Co-hosted a special Detention Justice Forum workshop on the performance of South Africa's National Preventative Mechanism. (Radisson Red Hotel, Cape Town, 24 June 2022)

ACJR (Redpath J and Muntingh L), Hosted a webinar on NPA: Efficiency and effectiveness. (Online, 17 March 2022)

ACJR (Redpath J and Muntingh L), Hosted a webinar on 'NPA: In search of strategy'. (Online, 15 March 2022)

ACJR (Redpath J and Muntingh L), Hosted a webinar on NPA: Knowledge, skills and human resources. (Online, 16 March 2022)

ACJR (Redpath J and Muntingh L), Hosted a webinar on NPA: Transparency and accountability of the NPA. (Online, 18 March 2022)

ACJR, Co-hosted the Detention Justice Forum year end hybrid meeting in Cape Town. (Online and Cape Town, Pretoria, 5 December 2022)

ACSL (Powell D.M), Hosted a webinar on 'Next Generation Constitutionalism: The future of public international law beyond the Paris Agreement'. (Online, 8 March 2022)

ACSL (Powell D.M), Hosted a webinar on 'Next Generation Constitutionalism: Does Nature have a Constitutional Right to Exist - As Nature? (Online, 10 June 2022)

CRP (Assim U.M), Hosted the validation workshop on the SADC Protocol on Children. (Online, 9 November 2022)

CRP (Assim U.M), Hosted with the Centre for Human Rights, University of Pretoria the AHRI Conference on Technology and the Future of Human Rights, 2022 (1-3 September 2022)

MLG (Chigwata T.C), Co-organised with Prof Steytler a research workshop for the LLM students (15 June 2022)

MLG (De Visser J), Hosted the hybrid event 'The application of ubuntu in law, mediation and social change'. (UWC, 21 September 2022)

MLG (De Visser J), Hosted 'The Outcome of Kenya's 2022 Presidential Elections'. (Online, 8 September 2022)

MLG (Maziwisa M.R), Co-organised and facilitated the discussion on the LoGov Seminar 1 'Local Government and the Changing Urban-Rural Interplay'. (Dullah Omar Institute, Board Room, 26 May 2022)

MLG (Maziwisa M.R), Co-organised LoGov Seminar 2 'Local Government and the Changing Urban-Rural Interplay' and presented on 'Work Packages 1 and 5: Local Responsibilities and Public Participation in Local Government in South Africa' at the same Seminar. (Dullah Omar Institute, Board Room, 23 June 2022)

MLG (Poswa X), Hosted a webinar on Traditional Leaders, Municipalities and Land use Management: Who does what? (Online, 20 October 2022)

MLG/SARCHI (Steytler N), Co-hosted with the Centre for Federalism and Governance Studies, Addis Ababa University the 2nd African School on Decentralisation, 'Good Governance in African Cities'. (Stellenbosch and Cape Town, 30 May to 10 June 2022)

MLG/SARCHI (Steytler N), Co-hosted with the Research Chair in Constitutional Design for Divided Societies an international webinar (with Prof Yonatan Fesha (UWC) Prof Johanne Poirier (McGill), Dr Zemelak Ayele (Addis Abba University)) on 'Identity and Functionality in Boundary Demarcation at Local Level: Comparative Perspectives'. (Online, 30 November 2022)

MLG/SARCHI (Steytler N), Hosted a seminar on 'Russian invasion of Ukraine: International Law and the making of peace – Problems, processes, and solutions', Prof Xavier Philippe (Sorbonne, Paris) (UWC, 4 May 2022)

REFORMAR (Lorizzo T), Co-hosted with the Human Rights Association of Tete a workshop on 'Pre-trial detention and summary crimes in Tete: The situation of children in conflict with the law'. (Tete, 27 July 2022)

REFORMAR (Lorizzo T), Co-hosted with the Legal Training Centre a report launch 'COVID-19 restrictions and the impact on criminal justice and human rights (Kenya, Malawi, Mozambique, South Africa & Zambia)'. (Mozambique, 2 September 2022)

REFORMAR (Lorizzo T), Hosted 'Medidas de resposta á COVID-19 e violação dos Direitos Humanos – Prospectivas da Sociedade Civil'. Lorizzo T facilitated a discussion on Criminal justice, human rights and COVID-19 measures in Mozambique. (Maputo, 8 February 2022)

REFORMAR (Lorizzo T), Hosted the launch of the research report on the Legal Recognition of Paralegals in Africa: Lessons, Challenges and Good Practices (SERP). (Maputo, Legal Aid Institute, 8 November 2022)

REFORMAR (Lorizzo T), Organised a workshop on children in conflict with the law for 15 prison officials working at the Juvenile Prison, Province of Maputo. (Maputo, 3 June 2022)

REFORMAR (Muntingh L), Hosted launch of report 'COVID-19 restrictions and the impact on criminal justice and human rights, Mozambique'. (Mozambique, 2 September 2022)

SERP (Durojaye E), Co-hosted with the African Centre of Excellence for Access to Justice (ACE-AJ) the launch of the report on Recognition of Community-Based Paralegals in Africa and the inception meeting on Research on Community-Based Paralegals in Africa. (Uganda, 4-6 April 2022)

SERP (Durojaye E), Co-hosted with the African Centre of Excellence for Access to Justice (ACE-AJ) a 'Workshop for Data Collection Exercise for the Research on Community-Based Paralegals in Africa: The legal status of paralegals in selected francophone countries: lessons, challenges and good practices. (Dakar, Senegal, 19-20 May 2022)

SERP (Durojaye E), Co-hosted with the Center of Excellence for Food Security a webinar on 'Food Imbizo: Realising the Right to Food in South Africa: Has the pandemic moved us forward?' (Online, 21 June 2022)

SERP (Durojaye E), Hosted a webinar on the virtual launch of the Journal of African Law (JAL) - Special Issue on COVID-19 and the Law in Africa. (Online, 7 February 2022)

SERP (Durojaye E), Hosted the Community Leaders Training Workshop. (Kuilsvriver, 14 June 2022)

SERP (Mirugi-Mukundi G), Hosted a webinar on Special Needs Housing Policy: Progress and Status. (Online, 28 July 2022)

SERP (Mirugi-Mukundi G), Hosted the Community Leaders Training Workshop. (Life Sciences Building, UWC, 26 August 2022)

SERP and CRP (Mirugi-Mukundi G and Assim U.M), Jointly hosted a hybrid event 'Annual Helen Kanzira Memorial Lecture in partnership with the Centre for Human Rights, University of Pretoria. (Lagoon Beach Hotel, Cape Town, 7 September 2022)

WDI (Mentor-Lalu V and Waterhouse S), Hosted and facilitated the Feminist Indicators Analytical Framework Roundtable with the support from Wellen L and Komote M. (Online, 22 June 2022)

WDI (Mentor-Lalu V, Waterhouse S and Komote M), Hosted '#MTBPS2022: Developing a feminist agenda for public finance' Workshop. Mentor-Lalu V and Waterhouse S developed the concept, programme and process, Mentor-Lalu V facilitated; Komote participated. (SECTION27 Offices, Johannesburg, 18 October 2022)

WDI (Waterhouse S), Hosted a workshop with PSAM SA team on 'Feminism and Social Justice'. (Hybrid, Online and Grahamstown, 25 August 2022)



## CONFERENCE PAPERS PRESENTED

Assim U.M, 'Children's privacy and personal data protection in the digital sphere: African Countries' Responses' Delivered during the Day of General Discussion of the 40<sup>th</sup> Ordinary Session of the ACEWRC (23 Nov-01 Dec) (Maseru, Lesotho, 24 November 2022)

Chigwata T, (with Steytler N and de Visser J) 'Confronting territorial inequality among South African provinces and municipalities: the limits of fiscal equalisation systems' Presented at the IACFS Conference. (Bilbao, Spain, 27 October 2022)

Durojaye E, 'The impact of COVID-19 on the SRHR of women in Africa' Presented at the Continental Conference on COVID-19 and the Rights of Persons living with HIV organised by the African Commission on Human and Peoples' Rights (Dakar, Senegal, 15-17 March 2022)

Maziwisa M.R, 'A gendered local economic recovery for Africa: A case study of South Africa' Presented at the 30th IAFFE

Annual Conference, Opening Plenary on Transforming Global Governance for Social Justice: Feminist Economics and the Fight for Human Rights held from 29 June - 1 July 2022 (Geneva, Switzerland, 29 June 2022)

Mirugi-Mukundi G, 'About Helen Kanzira and the Memorial Lecture' Presented at the 10<sup>th</sup> Helen Kanzira Memorial Lecture (Lagoon Beach Hotel, Cape Town, 7 September 2022)

Mirugi-Mukundi G, 'Social housing' Presented at the CARRISSA Conference hosted at the Centre for Human Rights, University of Pretoria. (University of Pretoria, Pretoria, South Africa, 4 July 2022)

Steytler N, 'The legal response to COVID-19 in federal systems', at 2nd workshop of Lex-Atlas: COVID-19, 'Comparing COVID Laws: A Critical Global Survey'. (Faculty of Laws, University College London 23-24 June 2022)

Steytler N, Ayele Z and Gichana H.P, 'Making and amending federal constitutions in Africa' Presented at the 9<sup>th</sup> Stellenbosch Annual Seminar on Constitutionalism in Africa (SASCA), 'Constitutional change and constitutionalism in Africa', STIAS. (Stellenbosch, 14 September 2022)

Waterhouse S, 'Feminist public finance (aka GRB) in South Africa: politics and possibilities 2022' Presented at Department of Women Youth and Persons with Disabilities - Policy Dialogue on Gender Responsive Budgets (Online, 2 February 2022)

Waterhouse S, Mentor-Lalu V and Komote M, 'Indicating Feminism: Developing a framework of feminist indicators for social justice and feminist governance' Presented at Womxn and Democracy Initiative roundtable to present and consult with organisations in the sector on the framework. (Online, 22 June 2022)



## PRESENTATIONS

Assim U.M, 'DOI's work on governance and human rights, and its African presence' Presented at the visit of a delegation from the MasterCard Foundation (MCF) to UWC. (Council Chamber, Chemistry Building, UWC, 27 June 2022)

Assim U.M, 'Age-appropriate applications, age verification and assurance under the POPIA' Presented at Session IV of the discussion series on the implementation of the Protection of Personal Information Act (POPIA), 2013, Processing of personal information of children under the POPIA. (Online, 26 October 2022)

Assim U.M, 'Drafting of decisions by the ACERWC' Presented at the Capacity Building Workshop of the African Commission of Human and Peoples' Rights on the Drafting of Decisions. (Banjul, The Gambia, 6-10 June 2022)

Assim U.M, Facilitation of two sessions during SERP's inception meeting on community-based paralegals in Africa. (Entebbe, Uganda, 5-6 April 2022)

Assim U.M, 'Harnessing coordination, country leadership and

ownership to strengthen civil registration systems: a vehicle for #BBRby2030' Presented at the Celebration of the Africa CRVS Day with stakeholders' - webinar dialogue. (Online, 21 September 2022)

Assim U.M, Keynote Address of the Chair, Council of Directors, LL/M/Phil HRDA Graduation ceremony. (AULA Auditorium, Hatfield Campus, University of Pretoria, 9 December 2022)

Assim U.M, 'Owning your research journey' Presented at the 23rd Doctoral Colloquium. (Online, 19-20 May 2022)

Assim U.M, 'Planned activities for children's digital rights in Africa' Presented on behalf of CRP at the 39<sup>th</sup> ordinary session of the ACERWC. (Online, 22 March 2022)

Assim U.M, 'Promoting and Protecting Children's Rights in the Digital Environment: Gains, Opportunities and Risks' Presented Keynote Address on the theme of the 21<sup>st</sup> Ordinary Session of the CSO Forum of the ACERWC. (Mmelesi Lodge, Maseru Lesotho, 22 November 2022)

Assim U.M, Session Chair and Facilitator (Highlighting states' parties initiatives to alleviate harmful cultural and social practices at the national levels) at the Hybrid Conference on Domestication and Application of the African Children's Charter. (Pretoria, 28-29 June 2022)

Assim U.M, Session Chair and Facilitator (The African Children's Committee) Presented at the Hybrid Conference on Domestication and Application of the African Children's Charter. (Pretoria, 28-29 June 2022)

Assim U.M, 'The role of community-based paralegals in realising access to justice for children in Africa' Presented during SERP's inception meeting on research on community-based paralegals in Africa. (Entebbe, Uganda, 5-6 April 2022)

Assim U.M, 'Tips for converting your thesis/dissertation into a book/book chapter' Presented at the Writing Retreat: Socio-Economic Rights Project (SERP), (joined via Online). (Blaauwberg Beach Hotel, 1-2 September 2022)

Assim U.M, 'Zooming in: When tech becomes a medium of participation' Presented at the Mtoto News Child Participation Webinar Series ('Child Participation: Theory and Practice in Africa, May-June 2022) (Online, 7 June 2022)

Chigwata T, 'Local government finance in South Africa' Presented at the University of Munich as part of the EURISE project. (Munich, 20 October 2022)

Chonco T, 'Assignment of additional powers and functions to municipalities' Presented at a Policy Engagement with Cape Town Mayor. (Cape Town Civic Centre, 23 March 2022)

Chonco T, Commentary for a lead-in paper and panel during the 'Conversations on Constitutionalism Conference'. (Mont Fleur, Stellenbosch, 2-6 December 2022)

Chonco T, 'One size does not fit all: An examination of the legal and policy framework for differentiated powers and functions for municipalities in South Africa' Presented at EU Rise Local government - Urban-rural interplay. (EURAC, Italy, 6 July 2022)

- Chonco T, 'The principle of subsidiarity in relation to the assignment of powers and functions to municipalities in South Africa' Presented at EU Rise Local government - Urban-rural interplay. (EURAC, Italy, 26 July 2022)
- De Visser J, 'Prosecution of corruption in local government' Presented at webinar on the prosecution of corruption in municipalities with Advocate Barry Madolo. (NPA) (Online, 14 June 2022)
- De Visser J, 'A Framework for Coalitions in Local Government' Presented at SALGA Western Cape Provincial Conference. (George, 18 January 2022)
- De Visser J, 'Case Study: City of Cape Town' Presented at African School for Decentralisation (with Maziwisa M.R). (Stellenbosch, 6 June 2022)
- De Visser J, 'City Structures and Models' Presented at African School for Decentralisation. (Stellenbosch, 1 June 2022)
- De Visser J, 'Coalitions in Local Government' Presented to SALGA Provincial Members Assembly. (Langebaan, 17 November 2022)
- De Visser J, 'Coalitions' Presented to Study Tour of Media Representatives to Germany, Hanns Seidel Foundation. (Online, 6 September 2022)
- De Visser J, 'Decentralisation (Lead-in-piece)' Presented at Conference on Constitutional Conversations. (Stellenbosch, 3 December 2022)
- De Visser J, 'How to write a research proposal' Presented to UWC Law Faculty Postgraduate students. (Online, 24 March 2022)
- De Visser J, 'Intergovernmental Relations' Presented at 3rd National Conference on Decentralization. (Nampula, Mozambique, 10-12 August 2022)
- De Visser J, 'Local Government's Constitutional Powers' Presented to City of Cape Town DA Caucus. (Cape Town, 17 March 2022)
- De Visser J, 'Municipalities and food security: a constitutional analysis' Presented at ICLEI South Africa Food Lab 2.0: Strategies for streamlining multi-level food system governance between local and national government in South Africa. (Online, 29 September 2022)
- De Visser J, 'Political-administrative interface' Presented to City of Tshwane political and administrative leadership Strategic Planning. (Online, 29 November 2022)
- De Visser J, 'Understanding the municipality's independence and autonomy' Presented at Midvaal Local Municipality Strategic Planning Meeting. (Online, 20 September 2022)
- Durojaye E, 'Advancing the Sexual and Reproductive Health and Rights of Vulnerable and Marginalised Groups: Lessons from South Africa' Presented at a workshop organised by Concerned Women International. (Makurdi, 29 February 2022)
- Durojaye E, 'Assessing the Legal Framework on Tobacco Control in Africa' Presented at a virtual book launch on International Human Rights Framework and the Framework Convention on Tobacco Control organised by the O'Neill Institute, Georgetown University and the Dullah Omar Institute, UWC. (Online, 27 October 2022)
- Durojaye E, 'Some considerations for choosing your five best publications and potential reviewers' Presented at an NRF Rating Workshop organised by the Faculty of Law, UWC. (Online, 20 September 2022)
- Durojaye E, 'The Normative Framework to Realise Sexual and Reproductive Health and Rights in Africa' Presented at a workshop on the Realisation of the Sexual Reproductive Health Rights of vulnerable and marginalised groups in Africa organised by Concerned Women International. (Abuja, 29 February 2022)
- Durojaye E, 'The relevance of a rights-based approach to maternal health as a way of achieving SDG 3' Presented at UWC Research Office Week. (Online, 27 October 2022)
- Durojaye E, 'Things to consider in choosing where to publish' Presented at a Writing Retreat organised by SERP. (Cape Town, 1-2 September 2022)
- Hendricks V, Facilitated a Community Leaders Training Workshop hosted by SERP. (Kuilsriver, Cape Town, 14 June 2022)
- Knipe P, Facilitated the webinar on 'International Human Rights Law and the Framework Convention on Tobacco Control: Lessons from Africa and Beyond' hosted by Dullah Omar Institute & The O'Neill Institute for National and Global Health Law, Georgetown University Law Center. (Online, 27 October 2022)
- Knipe P, 'Legal and Policy Framework to Addressing NCDs: A pathway to realising SDG3' Presented at UWC Research Week hosted by UWC Law Faculty. (Online, 25 October 2022)
- Knipe P, 'Promoting human rights: why NCDs should be made a national health priority' Presented at advocacy meeting with Community Outreach Officer (Mzwakhe Nkambule) in the Office of the Presidency of South Africa, convened by the South African Non-Communicable Disease Alliance (SANCD). (Online online, 16 February 2022)
- Komote M, Chairing of several Public Participation Working Group meetings led by Parliament's Public Education Office which includes civil society members from Parliamentary Monitoring Group (PMG), Dullah Omar Institute, Dear SA and Sonke Gender Justice. (Online, 10, 15, 28 June 2022)
- Komote M, 'Challenges We Face When We Form Alliances' Presented at (with contribution from Alli R, Parliamentary Monitoring Group) the Public Participation Feedback Meeting for stakeholders in Parliament and civil society involved in public participation processes. The meeting was led by the Public Participation Working Group, a subgroup of Parliament's Public Education Office. (Online, 30 June 2022)

Lorizzo T, 'COVID-19 restrictions and the impact on criminal justice and human rights (Kenya, Malawi, Mozambique, South Africa & Zambia)' Presented at Report Launch COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries. (Online, 28 July 2022)

Lorizzo T, 'Drug users in Mozambique: Legal National Framework, Statistics and approach of the state to the use of drugs' Presented at the virtual expert meeting on arbitrary detention and the criminalisation of people who use drugs in Africa. The event was organised by International Drug Policy Consortium (IDPC) in collaboration with APCOF. (Online, 19 January 2022)

Lorizzo T, 'Ethics and Integrity of justice institutions' Presented at the Mozambican Association of Judges. (Legal Training Centre, Maputo, 17 December 2022)

Lorizzo T, 'Ethics and Integrity of justice institutions' Presented at the UNODC workshop organised in collaboration with the Legal Training Centre. (Mozambique, 23 November 2022)

Lorizzo T, 'Paralegals in Mozambique' Presented at the Launch of Report on Recognition of Community-Based Paralegals in Africa and Inception Meeting on Research on Community-Based Paralegals in Africa organised by the Socio-Economic Rights Project of the Dullah Omar Institute. (Entebbe, Uganda, 4 - 6 April)

Lorizzo T, 'Role of community courts in Mozambique to challenge the issues of access to justice and prisons overcrowding' Presented at the Discussion of the Draft of the New Community Courts Act event organised by the Ministry of Justice. (Mozambique, 22 June 2022)

Lorizzo T, 'Sexual Abuse in Prison: A Global Crisis' Presented at the conference 'Mundo de Mulheres 2022' at the University Eduardo Mondale. (Mozambique, 22 September 2022)

Mangwanda J, 'Campaign to Decriminalise Poverty and Status: Historical Overview and Milestones' Presented at the international conference 'Campaign for the decriminalisation of Poverty and Status' held on 27-29 September 2022. (Stellenbosch, 27 September 2022)

Mangwanda J, 'COVID-19 restrictions and the impact on criminal justice and human rights: The socio-economic consequences of COVID-19 measures' Presented at Report Launch COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries. (Online, 28 July 2022)

Mangwanda J, 'COVID-19 restrictions and the impact on criminal justice and human rights: The socio-economic consequences of COVID-19 in Malawi' Presented at the webinar on COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries, Malawi. (Online, 30 August 2022)

Mangwanda J, 'COVID-19 restrictions and the impact on criminal justice and human rights: The socio-economic consequences of COVID-19 in Mozambique' Presented at Report Launched the findings on Mozambique from the study 'COVID-19 restrictions and the impact on criminal justice and human rights, Mozambique'. (Online, 2 September 2022)

Mangwanda J, 'COVID-19 restrictions and the impact on criminal justice and human rights: Kenya' Presented at COVID-19 restrictions and their socio-economic and criminal justice online webinar hosted by ACJR and Legal Research Foundation (Kenya). (Online, 4 October 2022)

Mangwanda J, 'COVID-19 restrictions and the impact on criminal justice and human rights: Zambia' Presented at COVID-19 restrictions and their socio-economic and criminal justice online webinar hosted by ACJR and Ubuntu Justice Initiative and the Zambia Law Development Commission. (Online, 12 October 2022)

Mangwanda J, 'Criminal justice, human rights and COVID-19 measures: A comparative study of measures taken in five African countries' Facilitated a discussion and made a presentation at the Stakeholder Engagement Workshop. (Nairobi, Kenya, 10 March 2022)

Mangwanda J, 'Criminal justice, human rights and COVID-19 measures: A comparative study of measures taken in five African countries' Presented at a training workshop 'Human Rights Based Approaches - Justice and Security Sector Reform' hosted by the International Human Rights Network in Dublin. (National University of Ireland, Maynooth, Ireland, 30 June 2022)

Mangwanda J, 'Regional Campaign for the Decriminalisation of Poverty and Status: Historical Context and Achieved Milestones' Presented and was a panellist at the SADC-Lawyers Association Annual General Meeting. (Boksburg, Johannesburg, 23-25 March 2022)

Mangwanda J, 'Regional Campaign for the Decriminalisation of Poverty and Status: Historical Context and Achieved Milestones' Presented at the side-event of the UN Commission on Narcotic Drugs - Challenging the criminalization of poverty and marginalisation in Africa and beyond' Presented and was a panellist at the side-event organised by the International Drugs Policy Consortium and Penal Reform International. (Online, 16 March 2022)

Maziwisa M.R, Moderated and provided an introduction at the Trade, Gender and Post-War Recovery, Visioning Feminist Trade Alternatives for Post-War Recovery and Sustainable Peace held by the Boston Massachusetts University in partnership with the Gender and Trade Coalition, also available on <https://bit.ly/3yGUcll> (27 April 2022)

Maziwisa M.R, Presented on two panels. Panel 1 title: The economic development of cities, presentation title: 'How can inclusive growth, which includes women's economic advancement, be secured?' and Panel 2 with the theme: "Gendered cities, presentation title: Making cities more female-friendly" at the African School on Decentralisation (ASD). (Protea Hotel, Stellenbosch, 2-3 June 2022)

Maziwisa M.R, 'The international framework for Domestic Violence' Presented at Community Leaders Training Workshop hosted by SERP. (UWC, 26 August 2022)

Mentor-Lalu V, 'Entry Points for Advocacy with Government' Presented at the Ubuntu West Coast Heritage Festival for women from Fishing, Landless, and Mining communities. (Strandfontein, West Coast, 24 September 2022)



Mentor-Lalu V, 'Feminist responses to the 2022 Budget Speech' Presented at the Budget Justice Coalition post-budget public discussion, hosted live on Twitter. (Online, 23 February 2022)

Mentor-Lalu V, 'Understanding the Features of Democracy for political participation' Presented at the Ubuntu West Coast Heritage Festival for women from Fishing, Landless, and Mining communities. (Strandfontein West Coast, 23 September 2022)

Mentor-Lalu V, Waterhouse S and Komote M, 'Feminist Indicators for Social Justice' Presented at the Feminist Indicators Analytical Framework Roundtable. (Online, 22 June 2022)

Mezmur B.D, 'Children's right to identity in intercountry adoption' Presented at a webinar [title same as presentation] organised by the Child Identity Protection. (Online, 18 February 2022)

Mezmur B.D, 'Children's rights to a healthy environment' Presented at the "How to child rights series webinar No 1" hosted by Save the Children Sweden. (Online, 10 March 2022)

Mezmur B.D, 'Climate change and the Saachi case' Presented at 'Fighting climate change with human rights law' panel hosted by the Harvard Human Rights Program. (Massachusetts, United States, 24 March 2022)

Mezmur D.M, 'Children's rights and armed conflict' Presented at a webinar titled "Keeping the Promise? The children and Armed Conflict Agenda at the United Nations", hosted by the Human Rights Program, Harvard Law School. (Online, 30 November 2022)

Mezmur D.M, 'Protecting children's identity rights in emergencies: A view from the CRC Committee' Presented at the Symposium on "Child's Right to Identity in Emergency Settings", co-organised by Child Identity Protection, UNICEF, UNHCR, OHCHR, Institute on Statelessness and Inclusion. (22 Nov 2022)

Mezmur D.M, "'Net Zero...Blah Blah Blah!': Assessing the concept through children's rights" Presented the keynote at the 2022 International Virtual Conference: A call to action to change child welfare. (The Kempe Center, Anschutz Medical Campus, University of Colorado conference, 6 October 2022)

Mezmur D.M, Participated and facilitated a session at an expert seminar in Geneva on the role of human rights and environmental conservation in the prevention of future pandemics, convened by the UN Special Rapporteur on human rights and the environment in accordance with Human Rights Council Resolution 46/7, adopted in March 2021. (24-25 October 2022)

Mirugi-Mukundi G, Anchored a webinar discussion on 'Realising Human Rights in African Cities' in conjunction with ICLEI Africa (ICLEI – Local Governments for Sustainability) in partnership with the Dullah Omar Institute and the Centre for Human Rights. The webinar was part of Agency Core Session which is part of a series of webinars in the 2022 Rise Africa Action Festival hosted by The African Centre for Cities and Our Future Cities. (Online, 24 May 2022)

Mirugi-Mukundi G, Anchored a webinar on Special Needs Housing Policy: Progress and Status. Panellists include Mr Monwabisi Nkohla (Department of Human Settlements), Margaret Grobbelaar National Coalition for Social Services (NACOSS), Liesel du Plessis (Project Preparation Trust). (Online, 28 July 2022)

Mirugi-Mukundi G, Anchored and participated in the Community Leaders Training Workshop hosted by SERP. (Life Sciences Building, UWC, 26 August 2022)

Muntingh L, 'Monitoring places of detention' Presented at SADC regional meeting on independent prison oversight mechanisms, hosted by JICS and SALC. (Johannesburg, 27 - 28 October 2022)

Muntingh L, 'A strategic assessment of the Police Ombudsman's office' Presented at the W-Cape Police Ombudsman strategic planning session. (Online, 12 May 2022)

Muntingh L, 'Arbitrary arrest and detention' Presented at webinar on Dialogue on Arbitrary Arrests, hosted by SAHRC. (Online, 22 March 2022)

Muntingh L, 'COVID-19 restrictions, the criminal justice system and human rights' Presented at a seminar on Stakeholder Engagement on COVID-19 and the impact on criminal justice and human rights, hosted by REFORMAR. (Hybrid, Maputo, Mozambique, 8 February 2022)

Muntingh L, Facilitated the webinar on The Prosecution of Corruption in Municipalities with Advocate Barry Madolo (NPA), supported by the Hanns Seidel Foundation. (Online, 14 June 2022)

Muntingh L, 'NPA Issue Paper 1: In search of strategy' Presented at Key issues in the NPA webinar hosted by ACJR. (Online, 15 March 2022)

Muntingh L, 'NPA Issue Paper 2: Knowledge, skills and human resources' Presented at Key issues in the NPA webinar hosted by ACJR. (Online, 16 March 2022)

Muntingh L, 'Offender reintegration to SA Federal Policy Commission' Presented at a meeting with the DA Federal Commission. (Online, 11 April 2022)

Muntingh L, 'Overview and key findings: COVID-19 restrictions and the impact on criminal justice and human rights (Kenya, Malawi, Mozambique, South Africa & Zambia)' Presented at Report Launched the findings on Mozambique from the study "COVID-19 restrictions and the impact on criminal justice and human rights, Mozambique. (Online, 2 September 2022)

Muntingh L, 'Policy Brief: Corruption in the police - Effective monitoring and oversight for a transparent and accountable police service' Presented to Western Cape Department of Community Safety. (Cape Town, 1 December 2022)

Muntingh L, 'Research, knowledge and policy development' Presented at the international conference 'Campaign for the decriminalisation of Poverty and Status' held on 27-29 September 2022. (Stellenbosch, 27 September 2022)

Muntingh L, 'Strategy environment of the NPA' Presented at Roundtable Discussion on the Research and Policy Unit of the National Prosecuting Authority (NPA). (Johannesburg, 6 September 2022)

Muntingh L, 'COVID-19 restrictions and the impact on criminal justice and human rights (Kenya, Malawi, Mozambique, South Africa & Zambia)' Presented at a report launch on 'COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries'. (Online, 28 July 2022)

Omoruyi A.J and Knipe P, 'A legal analysis of international cancer frameworks - Lessons for South Africa' Presented at seminar on 'Unpacking the implications of constitutional guarantees on the right to health for cancer patients' hosted by CANSA. (Online, 6 October 2022)

Omoruyi A.J, 'A policy analysis on diet related Noncommunicable diseases (NCDs) prevention in South Africa: a pathway to realising SDG 3' Presented at the UWC Research Week (Faculty of Law). (Online, 25 October 2022)

Omoruyi A.J, 'Championing the Right to food in South Africa through litigation' Presented at the Food Imbizo -Realising the right to food in South Africa: Has the pandemic moved us forward? (Online, 21 June 2022)

Omoruyi A.J, 'Diet related non-communicable diseases in South Africa- legal and policy response' Presented at Community Leaders Training Workshop. (Kuilsvier, 14 June 2022)

Omoruyi A.J, 'Nutrition and Diet-Related Non-Communicable Diseases in South Africa- championing a holistic approach to food system change' Presented at Centre for Indigenous Law, College of Law, UNISA Colloquium in celebration of Africa day under the theme "Strengthening Resilience in food and nutrition security on the African Continent". (Online, 26 May 2022)

Petersen K, 'A Civil Society assessment of the National Preventive Mechanism (NPM)' Presented at the Detention Justice Forum year end hybrid meeting in Cape Town. (Radisson Red Hotel, Cape Town, 5 December 2022)

Petersen K, 'A Civil Society assessment of the NPM' Presented and participated in the strategic session of the National Preventive Mechanism (NPM), and highlighted concerns regarding the functioning of the NPM on behalf of the Detention Justice Forum. (Online, 7 December 2022)

Petersen K, 'COVID-19 restrictions and the impact on criminal justice and human rights (Kenya, Malawi, Mozambique, South Africa and Zambia)' Presented at a report launch on 'COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries'. (Online, 28 July 2022)

Petersen K, 'COVID-19 restrictions and the impact on criminal justice and human rights, Malawi' Presented at the webinar on COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries, Malawi. (Online, 30 August 2022)

Petersen K, 'COVID-19 restrictions and the impact on criminal justice and human rights, Mozambique' Presented at the webinar on COVID-19 restrictions and the impact on criminal justice and human rights - findings from five African countries, Mozambique. (Online, 2 September 2022)

Petersen K, 'Reviewing the Penal Code and Criminal Procedure Code' Presented at the Law Association of Zambia 9<sup>th</sup> Annual Law Conference, 20 -23 July 2022. (Zambia, 21 July 2022)

Redpath J, 'Accountability and Transparency of the NPA' Presented at Key issues in the NPA webinar hosted by ACJR. (Online, 18 March 2022)

Redpath J, 'Efficiency and Effectiveness of the NPA' Presented at Key issues in the NPA webinar hosted by ACJR. (Online, 17 March 2022)

Redpath J, 'Improving CJS effectiveness and efficiency: Insights from disaggregated data' Presented at Roundtable Discussion on the Research and Policy Unit of the National Prosecuting Authority (NPA). (Johannesburg, 6 September 2022)

Redpath J, 'LEAP impact' Presented at the Safety MANCOM Provincial Government Western Cape. (Online, 28 September 2022)

Redpath J, 'LEAP patrols' Presented at the Follow-up, learnings and use of findings engagement on the rapid assessment of the LEAP in three murder 'hotspots'. (Parow, 31 August 2022)

Redpath J, 'Policy Brief: Local Government and Law Enforcement: Policing Needs and priorities for the Western Cape Government (2022)' Presented to the Department of Community Safety, Western Cape. (Cape Town, 1 December 2022)

Stevens C, Co-facilitated an internal seminar at Ludwig-Maximilians-Universität München (LMU) University titled 'Local Government in Argentina and Climate Change'. (Germany, 26 June 2022)

Stevens C, Co-facilitated an internal seminar with Ludwig-Maximilians-Universität München (LMU) University, Munich, Germany titled 'Local Government in Germany'. (Germany, 17 May 2022)

Stevens C, 'Federalism as conflict resolution mechanism: South Africa' Presented at Session 7 at Conversations on Constitutionalism Conference. (Mont Fleur, Stellenbosch, 4 December 2022)

Stevens C, 'The Constitutional Significance of the Right to Local Self-government in South Africa and Germany' Presented at EU Rise Local government - Urban-rural interplay. (EURAC, Germany, 26 July 2022)

Stevens C, 'The realities of constitutionalism in South Africa' Presented at Session 9 at Conference on Conversations on Constitutionalism. (Mont Fleur, Stellenbosch, 5 December 2022)

Steytler N and Stevens C, 'Building a competency framework for the professionalisation of Local Government in SA' Presented at the National Council of Provinces Local Government Week. (Lagoon Beach Hotel, Cape Town, Western Cape, 13-15 September 2022).

Steytler N, 'Assessing Federal and Devolved Systems in Africa' Presented at the Seminar on Good Governance in the Horn of Africa, School of Excellence in Good Governance, Addis Ababa University. (Online, 4 August 2022)

Steytler N, 'Case study: Somalia' Presented at Conference 'Learning for Syria – Constitution-making during conflict: the role of the UN', European Centre for Kurdish Studies. (Vevey, Switzerland, 16 January 2022)

Steytler N, 'Case study: Yemen' Presented at Conference 'Learning for Syria – Constitution-making during conflict: the role of the UN', European Centre for Kurdish Studies. (Vevey, Switzerland, 16 January 2022)

Steytler N, 'Cities and democracy – elections, political pluralism, and cooperation' Presented at 2nd African School on Decentralisation, 'Good Governance in African Cities'. (Stellenbosch, 1 June 2022)

Steytler N, 'Closing reflections' Presented at Webinar on COVID-19 and Federalism: Emerging trends and a future research agenda?' Forum of Federations and International Association of Centres for Federal Studies. (Online, 25 January 2022)

Steytler N, 'Current and contemporary challenges and crises in multilevel systems' Presented at Roundtable discussion: Winter School on Federalism and Governance, organised by EURAC Research, University of Innsbruck, and Forum of Federations. (10 February 2022)

Steytler N, 'Decentralisation (Lead-in-piece)' Presented at International Conference, Conversations on Constitutionalism and Federalism. (Stellenbosch, 4 December 2022)

Steytler N, 'Delineating the role of the NCOP in Cooperative Governance and Intergovernmental Relations: Lessons and future applications' Presented at Virtual Workshop on Cooperative Governance and Intergovernmental Relations, National Council of Provinces. (Online, 2 February 2022)

Steytler N, 'Federalism as a success factor in fighting COVID-19' Presented at webinar on 'Federalism, proportionality and subsidiarity in COVID-19 times: Are there any advantages compared to unitary states?', British Association of Comparative Law. (Online, 30 June 2022)

Steytler N, 'South Africa's system of multilevel government' Presented to South Sudan Government Delegation, sponsored by UNDP. (UWC, 20 October 2022)

Steytler N, 'Introduction to Constitutionalism and the Economy in Africa' Presented at a book launch on Constitutionalism and the Economy in Africa (eds Fombad C.M and Steytler N, World Congress on Constitutional Law, University of Johannesburg. (Johannesburg, 8 December 2022)

Steytler N, Participation in hybrid conference on 'Constitutional transitions in a changing world', Peace and Conflict Research Evidence Platform and Edinburgh Centre for Constitutional Law. (University of Edinburgh, Edinburgh, 3 and 4 March 2022).

Waterhouse S, 'Civil Society perspective on the performance of the 6th Parliament: increasing government accountability to the public' Presented at Parliament's 'Strategy Review Session for Parliament: 8-11 November 2022'. (Stellenbosch, 8 November 2022)

Waterhouse S, 'Equal Education Law Centre: Legislative development process (es) and levers for engagement' Presented to Equal Education Law Centre (EELC). (Online, 20 May 2022)

Waterhouse S, 'Response to Institute for Economic Justice Intersectional Budget Analysis and Advocacy Toolkit, First Draft' Presented at the IEJ Intersectional Budget Analysis and Advocacy Workshop II. (Online, 13 April 2022)

Waterhouse S, 'Transparency, Access, and Public Participation in Parliament: 6th term review' Presented at Parliament's 'Strategy Review Session for Parliament: 08 - 11 November 2022'. (Stellenbosch, 10 November 2022)

## NEWSLETTERS

ESR Review [Volume 23, No. 1.](#)

ESR Review [Volume 23, No. 2.](#)

Local Government Bulletin [Volume 17, Issue 1, March](#)

Local Government Bulletin [Volume 17, Issue 2, June](#)

Local Government Bulletin [Volume 17, Issue 3, September](#)

Local Government Bulletin [Volume 17, Issue 4, November](#)

## SUBMISSIONS

Assim U.M, Submission to Parliament on the South African 'Climate Change Bill'.

Beukes J, Submission of abstract to SAPS on the response to call for papers on GBV and femicide in South Africa.

De Visser J, Submission to City Insight / Department of Cooperative Governance on 21 Year Local Government Review. (22 July 2022)

Petersen K, Submission of statement to the 71<sup>st</sup> Ordinary Session of the African Commission on the Human Rights Situation in Africa on behalf of the Campaign to Decriminalise Petty Offences in Africa. (26 April 2022)

Petersen K, Submission of statement by ACJR to the 71<sup>st</sup> Ordinary Session of the African Commission on the Human Rights Situation in Africa. (26 April 2022)

Redpath J, Submission to the Portfolio Committee on Health on Proposed Regulations in terms of the National Health Act. (15 April 2022)

Redpath J, Submission to the Portfolio Committee on Police on the Forensic Procedures Amendment Bill. (11 March 2022)



Community Leaders Training Workshop, 26 August, University of the Western Cape

# 2022 FUNDERS LIST

## **Africa Criminal Justice Reform (ACJR)**

- Open Society Foundations - Human Rights Initiative
- Open Society Foundation - South Africa
- Sigrid Rausing Trust

## **Applied Constitutional Studies Laboratory (ACSL)**

- Open Society Foundation - South Africa
- Foundation for International Law for the Environment

## **Children's Rights Project (CRP)**

- Meta Platforms Inc
- Plan International
- University of Pretoria, Centre for Human Rights

## **Core**

- EURAC
- Faculty of Law, University of the Western Cape
- Ford Foundation
- Open Society Foundation - South Africa
- University of Pretoria, Centre for Human Rights
- University of the Western Cape

## **Socio-Economic Rights Project (SERP)**

- Amplify Change
- Cancer Association of South Africa (CANSA)
- Georgetown University
- Mott Foundation
- Open Society Foundation - South Africa

## **SARChI / Multilevel Government Project**

- DST-NRF Centre of Excellence in Food Security - University of the Western Cape
- European Union (EU-RISE)
- Hanns Seidel Foundation
- International Budget Partnership
- National Research Foundation (NRF)

## **Womxn and Democracy Initiative (WDI)**

- European Union
- Ford Foundation
- Heinrich Böll Stiftung Southern Africa
- Open Society Foundation - South Africa



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