



ANNUAL REPORT 2023



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

ADV SIBONILE KHOZA

Advocate at the Cape Bar

PROF TYRONE PRETORIUS

Rector and Vice-Chancellor: University of the Western Cape

PROF JACQUES DE VILLE

Dean: Faculty of Law

ASSOC PROF LUKAS MUNTINGH

Director: Dullah Omar Institute

JUDGE VINCENT SALDANHA

Judge of 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

ADV SIBONILE KHOZA

PROF JACQUES DE VILLE

ASSOC PROF LUKAS MUNTINGH

PROF LEA MWAMBENE

STAFF

ASSOC PROF LUKAS MUNTINGH

Director

Financial Management:

SADIEKA NAJAAR

Finance Manager

KIRSTY-MARTINE WAKEFIELD

Bookkeeper

Information and Communication Management:

KEATHÉLIA SAPTO

Coordinator: Communications

Office Management:

DEBBIE GORDON

Coordinator: Institute Operations and Projects

VALMA HENDRICKS

Receptionist

Children's Rights Project:

PROF BENYAM MEZMUR

Project Head

ASSOC PROF USANG MARIA ASSIM

Senior Researcher
(Acting Project Head until 30 June)

SIDEEN LOUW

Doctoral Researcher

CRYSTAL NITSCKIE

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 NITSCKIE

Administrator

Socio-Economic Rights Project:

PROF EBENEZER DUROJAYE

Project Head (Until 31 October)

GLADYS MIRUGI-MUKUNDI

Researcher (Acting Project Head since 1 November)

PAULA KNIPE

Doctoral Researcher

DR AISOSA JENNIFER OMORUYI

Postdoctoral Researcher

KEATHÉLIA SAPTO

Administrator

SARChI Chair and Multilevel Government Project:

PROF JAAP DE VISSER

South African Research Chair

ASSOC PROF TINASHE CHIGWATA

Project Head of Multilevel Government

THABILE CHONCO-SPAMBO

Doctoral Researcher / NGAP Lecturer

XAVIA POSWA

Doctoral Researcher

MELISSA ZISWA

Doctoral Researcher

CURTLY STEVENS

Doctoral Researcher

ADV JENNICA BEUKES

Doctoral Researcher

DR JOHANDRI WRIGHT

Postdoctoral Research Fellow
(Since 1 August)

LAURA WELLEN

Administrator

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

PROF NICO STEYTLER

Professor Emeritus, Dullah Omar Institute, UWC

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

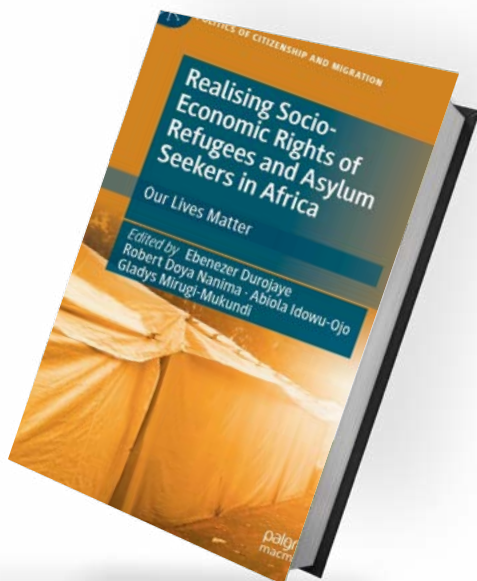
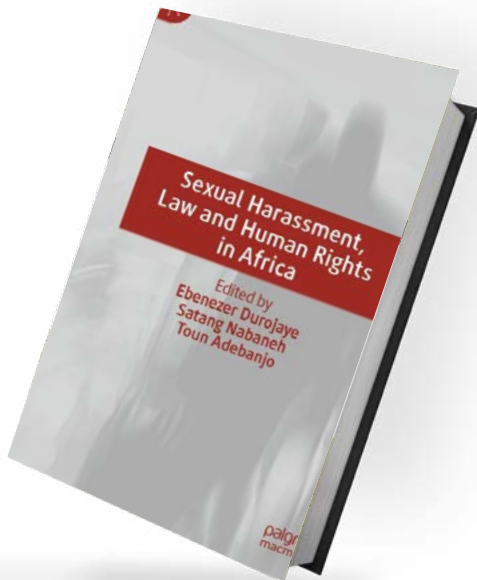
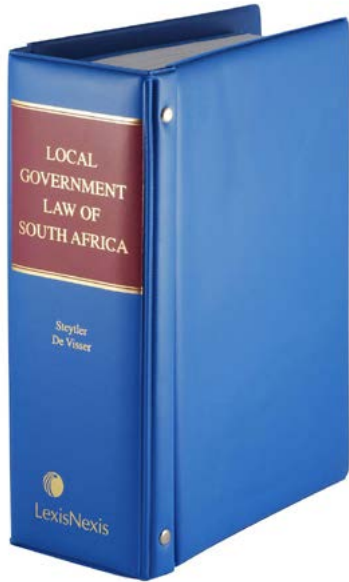
Centre for Human Rights

ASSOC PROF ROBERT DOYA NANIMA

Faculty of Law, UWC

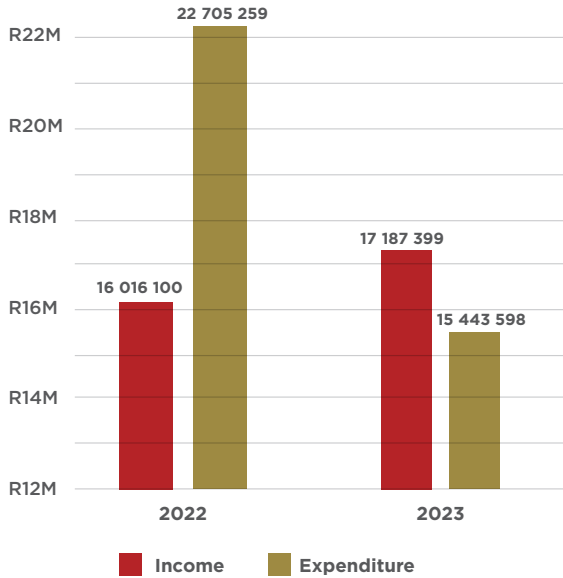
PROF YONATAN FESSHA

Faculty of Law, UWC



THE INSTITUTE AT A GLANCE

FINANCES



2022
TOTAL INCOME
R16 016 100
TOTAL EXPENDITURE
R22 705 259

2023
TOTAL INCOME
R17 187 399
TOTAL EXPENDITURE
R15 443 598

STAFF PROFILES

 **7**
MALES

 **20**
FEMALES

 **27**
STAFF IN TOTAL

 **7**
NATIONALITIES

1

NRF-RATED

10

STAFF WITH PhD

7


FEMALE PhD CANDIDATES

2

MALE PhD CANDIDATES

ACADEMIC OUTPUTS BY INSTITUTE STAFF

BOOKS
 **2**

CHAPTERS IN BOOKS
 **11**

PEER-REVIEWED ARTICLES
 **8**

DOCTORAL DEGREE
 **2**

OTHER OUTPUTS

RESEARCH REPORTS



SUBMISSIONS



WORKSHOPS & SEMINARS



CONFERENCE PAPERS



MEDIA

WEBSITE VISITS



76 902

TV & RADIO



35

PRINT & ONLINE



13

FACEBOOK LIKES



2 900

TWITTER FOLLOWERS



3 288

EMAIL SUBSCRIBERS

7 025

DEGREES AWARDED

LLD / PhD

- **AYALEW GETACHEW ASSEFA**
Supervisor: Prof B.D Mezmur
Title: Legal responses to the right to nationality and prevention of statelessness among children in Africa
- **SINDISO NOZITHA NKOMO**
Supervisor: Prof E Durojaye
Co-supervisor: Prof U.M Assim
Title: Access to Reproductive Health and Rights for Indigenous women in Zimbabwe: A case of the San community in Tsholotsho and Plumtree

MPHIL / LLM

- **ISOBEL NOKUZOLA ZOLA MAKOSANA**
Supervisor: Prof B.D Mezmur
Title: Invisible children: The rights of domestic child workers in South Africa
- **NEZISWA MURRIEL NTSHIKANISO**
Supervisor: Prof U.M Assim
Title: The rights of children living with the incarcerated mothers in South African prisons

Director's Report

LUKAS MUNTINGH



The year under review was a demanding one on a number of levels, and it was also deeply rewarding when one observes how the work of the Institute is recognised in many ways – sometimes more visibly than in others. Below attention is drawn to a number of highlights to reflect on some of our achievements in our efforts to strengthen democracy, support good governance and uphold and protect rights.

During 2023 the Institute built on its output record and two books saw the light, eleven chapters in books and eight peer reviewed articles were published. There were also 13 research reports, 14 submissions, three conference papers delivered and a total of 26 workshops and seminars hosted. Two LLD and two LLM were awarded. On the media front, staff of the Institute engaged in 35 television and radio interviews as well as a further 13 print and online media interactions.

Work done by the Multilevel Government project and in particular by Prof de Visser focussing on coalitions paid off in the form of a major event at UWC in August. We were approached by the Office of the Deputy President to co-host the National Dialogue on Coalitions on 4-5 August on the UWC campus. The event was extremely well attended across the political spectrum and underscored the value of the work undertaken by the Institute and the foresight exhibited by Prof de Visser. This provided a valuable opportunity to not only engage with shaping the framework for coalitions in South Africa, but also to profile the Institute and the University.

Recognition was also given to former director, former SARCHI chair and now professor emeritus Nico Steytler for the award of Book Prize of the Year UWC for 2022 for his book titled “Comparative federalism and COVID-19 - combating the pandemic” published by Routledge.

The year under review also saw the departure of Prof Ebenezer Durojaye who has been with the institute for twelve years. He is internationally recognized for his contributions in advancing socio-economic rights. He is also a prolific academic and will indeed be sorely missed for his contributions to the Institute’s outputs as well as his skill as fundraiser. It was indeed an honour and a privilege to have been his colleague and observe the high standards he sets. Ms Kristen Petersen left the Institute to pursue her career in practice and we wish her the best. We also said goodbye to Valma Hendricks after more than 20 years with the Institute. Prof Dee Smythe who had served on our Advisory Board for several years has also stepped down and we thank her for her inputs and support to the Institute.



Prof Tyrone Pretorius (3rd from the left), UWC Vice Chancellor, with Deputy President Paul Mashatile (3rd from the right) and other dignitaries on the occasion of the National Dialogue on Coalitions (4-5 August) co-hosted with the Office of the Deputy President.

The African School on Decentralisation (ASD) has now become indeed a flagship project of the SARCHI chair, MLG and the Institute. The School is a two-week postgraduate certificate course on decentralization, democracy and local development in Africa. In 2023 the school was jointly organized by the Centre for Federalism and Governance Studies at Addis Ababa University and the Institute. It was hosted from 4-15 September in Addis Ababa. In total 310 applications were received of which only 29 could be accommodated in the school, indicating the esteem with which the ASD is held in its field.



African School on Decentralisation

Staff of the Institute engaged in a number of teaching activities, such as the LLM-modules as well as teaching outside of UWC, and the longstanding cooperation with the Centre for Human Rights and the Centre for Child Law at the University of Pretoria come to mind. Prof Mezmur was particularly active internationally in teaching at, amongst others, the Washington & Lee University School of Law, University of Bayreuth in Germany as well as the universities of Harvard, Columbia, Pennsylvania and Erfurt.

Staff of the Institute were also recognized by means of appointments to various structures. In this regard the following needs mentioning: Prof de Visser was appointed as co-chair of the Local Public Sector and Alliance Expert Working Group on Sub-Saharan Africa; Professor Mezmur was appointed to the Global Ombuds Board of SOS Children's Village and also as a member to the Executive Council on the International Society of Family Law; Dr Lorizzo and Prof Muntingh were appointed by the Minister of Justice and Correctional Services to the South African Law Reform Commission's Advisory Committee on the Criminal Procedure Reform Project, and Dr Redpath was appointed for another four-year term to the Civilian Oversight Committee of the City of Cape Town.

Early in 2023 the UN Subcommittee for the Prevention of Torture (SPT) visited South Africa following its ratification in 2019 of the Optional Protocol to the Convention Against Torture. ACJR used the opportunity to make a number of submissions to the SPT, focusing in particular on oversight over police detention; the availability of disaggregated data on people in detention, and the restrictions on monitoring detention

during the COVID-19 lockdown. In February ACJR was privileged to engage the Portfolio Committee on Justice and Correctional Services in a two-day information-sharing workshop. It was indeed unusual to have exclusive access to the Committee for this length of time and ACJR paid particular attention to performance measures and the availability of information, so as to support the Committee to fulfil its oversight mandate more effectively.

The Children's Rights Projects continued to engage with the African Committee of Experts on the Rights and Welfare of the Child. On 16 June (Day of the African Child) the theme was "The rights of the child in the digital environment". This focus was, at least in part, the result of earlier work done by the project in 2022 drawing attention to children and the digital world.

The Multilevel Government Project (MLG) has continued with its Postgraduate Diploma in Public Law and this has picked-up momentum with increased enrolments. A further highlight from MLG was the dialogue seminar series (five in total) which focused on coalitions and the implications for law reform at municipal level.



Some of the graduates of the Postgraduate Diploma in Public Law Focusing on Local Government with Professors Steytler, de Visser, Chigwata and Wandrag

The Socio-Economic Rights Project (SERP), in partnership with the African Centre of Excellence for Access to Justice, conducted nationwide surveys across several African countries in recent years on the role of community-based para-legals. At the end of 2023 a total of 14 countries have now been surveyed being Ghana, Nigeria, Sierra Leone, Senegal, Cote d'Ivoire, Burundi, Kenya, Rwanda, Tanzania, Malawi Mozambique, South Africa and Zambia. The surveys were undertaken over a number of years collectively represent a substantial body of knowledge and analysis on access to justice in Africa. The surveys pay particular attention to the recognition of community-based paralegals and make recommendations for better support to these paralegals.



Launch Meeting for Research Report on Legal Status of Community-Based Paralegals in Francophone Countries, 23 November

SERP co-hosted with the Law Faculty two seminars that were kindly facilitated by UWC graduate and now Constitutional Court judge, Justice Steven Majiedt. The seminars placed under the spotlight firstly the Constitutional Court's interpretation of socio-economic rights and secondly looked at the impact of social rights litigation in South Africa, paying particular attention to Constitutional Court jurisprudence.

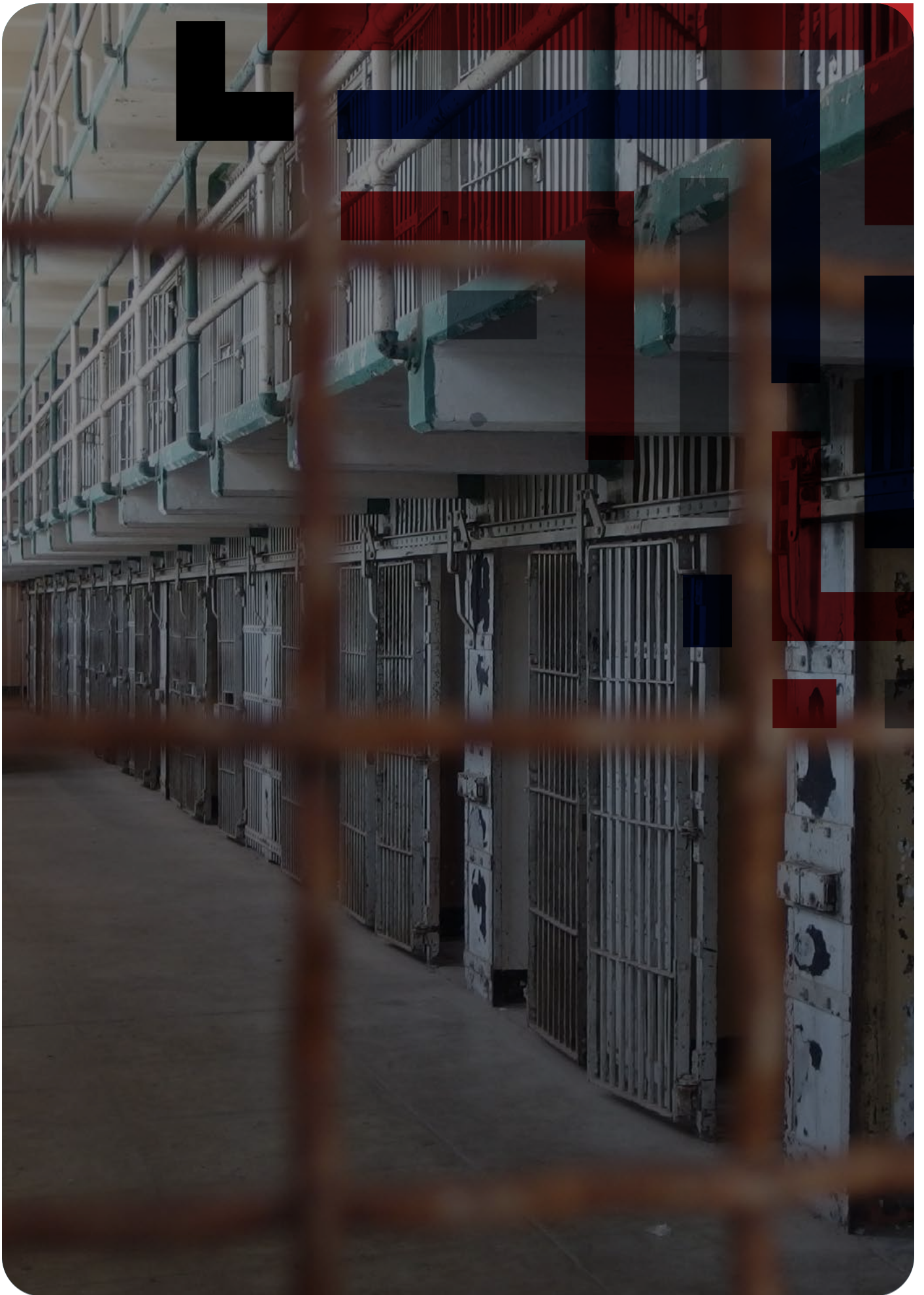
I wish to sincerely thank our donors who have made the work reported on here possible. Let me also thank the

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.

I wish to sincerely thank all the staff, students and interns of the Institute for making 2023 possible and another year to remember for many achievements, big and small.



Seminar on Assessing the Impact of Social Rights Litigation in South Africa: With Particular Reference to Constitutional Court Jurisprudence, 14 August. From the left: Ms Gladys Mirugi-Mukundi, Justice Johan Froneman, Ms Nomzamo Zondo, Justice Steven Majiedt and Prof Jacques De Ville



Africa Criminal Justice Reform

PROF LUKAS MUNTINGH



On the domestic front it is clear that it will take a significant and prolonged effort to undo the impact of the “state capture years”. The ability of the state and in particular the criminal justice system to investigate and bring to book perpetrators of corruption, financial crimes and human rights violations has been severely eroded. Key areas of concern are the limited results in prosecuting suspects identified by the Zondo Commission; the general decline in the effectiveness of the criminal justice systems as reflected in a rapidly increasing number of murders per year; the increasing burden on the tax payer to cover civil claims for rights violations by the police; and the collapse of internal discipline in the South African Police Service (SAPS); and Parliament has also not lived up to expectations in holding the executive accountable. On the positive side, the role of an independent judiciary and a vibrant civil society, inclusive of independent media, have brought a stabilising effect and provided a springboard for action.

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 2023 ACJR produced one book chapter; four research reports; three fact sheets; had 27 media engagements; published two opinion pieces; made 27 presentations at various fora; hosted seven webinars/workshops, made eleven submissions; and expertise drawn on in eleven interviews and in one court case (*Social Justice Coalition v Minister of Police*).

Criminalisation of poverty and sub-national government

In September ACJR made a submission in response to a joint call from the UN Special Rapporteur on the right to adequate housing and the UN Special Rapporteur on extreme poverty and human rights to focus on the decriminalisation of homelessness and extreme poverty. The submission emphasised, firstly, that policy and policy-making processes should be inclusive and must take account of the impact on and/or meet the needs of all people directly or indirectly affected by the policy; especially people living in poverty. Sub-national governments should consider public participation as fundamental to the law and policy making process. Policies should be designed around outcomes, decisions of policy-makers should be based on the best available evidence, and more importantly policy decisions

must be assessed against a country's international and regional commitments to key human rights treaties and conventions. The second emphasis dealt with enforcement and acknowledged that the enforcement of regulations and by-laws in public spaces are useful in ensuring sanitary and safe public spaces, but it should also be proportionately done by taking into consideration those living and working within those spaces. It is thus important to encourage less reliance on criminal justice systems and harsh enforcement to address socio-economic challenges and rather build compliance with the law through risk prevention, public education and awareness as well as constructive dialogue with those most affected.

In May we made a submission to the Portfolio Committee on Justice and Correctional Services in response to a call for comment on the Judicial Matters Amendment Bill [B7-2023]. The amendment created, amongst others, a mechanism for the expungement of a criminal record following the payment of an admission of guilt fine. The motivation for the amendment has its roots in the excessive number of arrests for COVID-19 restrictions related offences. In 2020/21 SAPS made 1.6 million more arrests than the previous year (a total of nearly 2.8 million arrests), presumably for state of disaster regulations violations. Many people so arrested paid admission of guilt fines resulting in a conviction and criminal record. The amendment was thus aimed at creating an expungement mechanism for these cases.

In support of the Campaign on the Decriminalisation of Poverty and Status ACJR published two fact sheets following extensive stakeholder consultation. The first looked at sub-national law enforcement and oversight in four African countries, being Kenya, Ghana, Nigeria, and Zambia. The fact sheet provided a situational analysis of sub-national law enforcement in these countries and highlighted some of the challenges present in each context, particularly with regards to enforcement targeted at those working within public spaces.

The second fact sheet looked at public spaces and informal work, paying particular attention to principles and approaches to law and policy-making. There is growing evidence pointing to the problematic way in which public spaces are governed. In many developing countries, laws and policies, particularly at a local government level, tend to restrict the ability of people to earn a livelihood or perform life-sustaining activities in public spaces. Contravention of local ordinances or by-laws is frequently treated as a criminal offence, compromising informal dwellers and workers' livelihoods, denying due process protections and often violating their human rights. The fact sheet contextualised how laws and policies result in the criminalisation of people in poverty and considered principles that are fundamental to better policy-making.

Oversight

We had a number of engagements to support and strengthen oversight over places where people are or could be deprived of their liberty. In early 2023 the UN Sub-Committee for the Prevention of Torture (SPT) visited South Africa following its ratification of the Optional Protocol to the Convention against Torture (OPCAT) in 2019. The OPCAT is unique in its design as it allows the SPT full access to any place in the territory of the state party where people are or could be deprived of their liberty. A written submission was made to the SPT followed by an in-person meeting in Pretoria on 26 February. The submissions focussed on the designated National Preventive Mechanism under the Protocol; oversight over police detention and other places of deprivation without designated oversight bodies; the availability of disaggregated data on persons and places of deprivation of liberty; the restrictions on monitoring detention during the COVID-19 lock-down; and the lack of prosecutions for rights violations. It is expected that the SPT's report following the visit will become available in 2024.

In October the Portfolio Committee on Police invited submissions on the Independent Police Investigative Directorate (IPID) Amendment Bill and our submission focussed on the IPID Director's appointment procedure; the rapid escalation in the value of civil claims paid by SAPS for wrongful arrest and detention which now exceeds the entire IPID budget; and the proposed amendment of the scope of crimes to be investigated by IPID. The Bill has subsequently been adopted by Parliament with some amendments and submitted to the President for assent. It remains of concern that the appointment process of the Executive Director of IPID is largely centralised in the Minister of Police. The Minister must appoint a panel to identify suitable candidates and such candidates will then be referred to the relevant Portfolio Committee of Parliament to be confirmed or not. On the positive side it is noted that the full definition of torture, as it appears in the Prevention and Combatting of Torture or Persons Act, has now been included in the IPID legislation.

ACJR co-authored with Lawyers for Human Rights the submission by the Detention Justice Forum (DJF) on the Correctional Services Amendment Bill B14 of 2023 in July. The Bill was a narrow response to the Constitutional Court's decision in *Sonke Gender Justice NPC v The President* which dealt with the functional, financial and administrative independence of the Judicial Inspectorate for Correctional Services. While the bill presented a valuable opportunity to engage in comprehensive law reform of the Inspectorate's mandate and functioning, it was regrettably the case that Parliament had missed the December 2022 deadline set by the Constitutional Court and had to ask for a 12-month extension. As a result, Parliament opted for narrow compliance with the Court's order. While the submissions raised broader issues the Bill

was passed to deal with the impugned provisions as the Correctional Services Amendment Act, 14 of 2023.

In March ACJR made a submission in response to a call from the UN Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions to collect information on practices for the investigation, documentation, and prevention of deaths in custody in the criminal justice context. The submission was made to inform the Special Rapporteur's report to the Human Rights Council in June. The Special Rapporteur's report aims to raise awareness about deaths in custody globally and to contribute to the protection of the right to life of those deprived of liberty, including practical recommendations and best practices on the effective investigation, documentation, and prevention of custodial deaths. This submission focused on custody situations under the control of the police and the Department of Correctional Services and also drew attention to the role of the National Prosecuting Authority in prosecuting state officials for rights violations.

National Prosecuting Authority

In October ACJR made written and oral submissions to the Portfolio Committee on Justice on the National Prosecuting Authority Amendment Bill. The main purpose of the Bill was to make the Investigating Directorate on Corruption a permanent feature in law. While we supported this, it was also an opportunity draw attention to other issues affecting the independence of the NPA, such as its financial and administrative dependence on the Department of Justice and Constitutional Development as well as the centralisation of senior NPA appointments in the President.

The Bill sought to provide for a permanent Investigating Directorate within which investigators with various powers may be appointed to serve. While this may go some way to providing for investigative capacity in the National Prosecuting Authority (NPA), the Bill does not address the many ways in which the NPA Act currently undermines the independence, effectiveness and accountability of operation of the NPA in its key function of prosecution. Section 179(4) of the Constitution requires that national legislation – the NPA Act – must ensure that the NPA exercises its functions without fear, favour or prejudice. It is toward achieving this that the proposed amendments as well as the existing legislation must be viewed. The Bill presented an opportunity to effect amendments which will better ensure that the NPA acts without fear, favour or prejudice. The submission recommended that the NPA Act also be amended in order to provide for financial independence of the NPA via its own budget vote; effective and transparent hiring

of ad hoc specialist skills within an NPA budget; greater accountability and transparency of the NPA; and security of tenure balanced by dynamism in the leadership of the NPA. The Bill passed retained a narrow scope and was submitted to the President for assent.

Mozambique

In Mozambique our partner organisation REFORMAR, headed by Adjunct Professor Tina Lorizzo engaged in multiple initiatives. REFORMAR made significant strides in its mission to promote evidence-based reform of Mozambique's legal system. A comprehensive study highlighted the challenges of criminal responsibility related to the use of illicit drugs, proposing a treatment-centred approach rather than criminalization. By emphasizing the urgency of treating drug use as a public health issue, reforms to Law 3/1997 were proposed to promote a more rights-based approach. REFORMAR also focused its efforts on addressing concerns surrounding women in Mozambique's criminal justice system. Research found a troubling increase in the number of women held as suspects and convicted persons. Advocating for the revision of prison structures and legal frameworks, REFORMAR advocated an approach prioritising the respectful treatment of women and the protection of women's rights at all stages of the judicial process.

In addition to research and rights advocacy, REFORMAR demonstrated a continued commitment to strengthening legal education and establishing strategic partnerships. The organisation delivered reports and curricula on a child-friendly justice at prominent training institutions, expanding its impact by engaging law students and judicial professionals. Strategic partnerships, such as the one established with the *Centro De Formação Jurídica e Judiciária*, underscore REFORMAR's commitment to collaborating with diverse stakeholders to implement tangible and lasting changes in the justice system.

REFORMAR intensified its advocacy efforts, challenging legal provisions deemed problematic and submitted a petition with the support of the Southern Africa Litigation Centre (SALC) to Mozambique's Constitutional Council, contesting Article 8 (2) of the Penal Execution Code. The case challenges a provision which, despite the principle of non-discrimination in prisons, allows for prisoners to secure more favourable conditions of detention upon payment of monies. Additionally, REFORMAR explored initiatives to address the challenges faced by incarcerated citizens in exercising their right to vote, underscoring the importance of seeking justice and equality for all individuals, regardless of their legal status.

INFLUENCING DEBATE

The Khayelitsha Commission (2014) investigated the breakdown of police-community relations and ACJR's Jean Redpath gave expert evidence concerning the allocation of police resources to poor areas. She concluded that the formula used by SAPS to allocate resources relied heavily on the number of crimes reported and that crime is under-reported in poor areas. The Social Justice Coalition (SJC) and Equal Education (EE) engaged SAPS on the issue and ultimately turned to litigation, involving Dr Jean Redpath as an expert witness in the Western Cape Equality Court. In 2018 the Equality Court found in favour of the SJC and EE, in no small measure due to Jean Redpath's evidence. What followed was a protracted process in search of a remedy. Towards the end of 2023 SAPS ultimately accepted that the formula used resulted in bias and requires correction. Even if not finalised, the case demonstrates the lengthy processes that, on occasion, need to be engaged in order to give effect to redress.

An independent prosecution authority that is free from political interference is fundamental to any democracy's criminal justice system. This is because the prosecution authority wields substantial power and discretion to prosecute cases, or not, and are required to provide objective, a-political, non-arbitrary decision-making in the application of criminal law and policy to real cases. In its essence, the prosecution service is responsible for law enforcement and upholding the rule of law. A weak or compromised prosecution service can place the rule of law in grave danger and those that head up the prosecution service must be without doubt above reproach. Thus, in order for prosecution services to operate justly, the legislation and policy they are bound by, which ultimately determines its structure and functions, should guarantee its independence. The NPA is, as is commonly known, facing a myriad of challenges. A structural problem is the fact that the NPA is a

programme in the budget of the of the Dept of Justice and Constitutional Development. In 2023 we saw some limited changes to the NPA Act. ACJR and others have conducted research, analysis and policy engagement activities over a number of years to support the reform of the NPA and the criminal justice system more broadly. While progress has been slow and limited, there are also clear signs that the NPA leadership is supportive of efforts towards greater financial and administrative independence from the Department of Justice and Constitutional Development.

PUBLICATIONS

Chapters in books

Lorizzo T and Petrovic V, 'Policamento democrático - desafios de implementação em Moçambique. Uma análise detalhada da formação para a profissionalização' in C. Castel-Branco et al (eds) *Desafios para Moçambique 2022* (IESE, 2022), 81-103

Research reports

Lorizzo T, REFORMAR, '*Criminalisation of the consume of drugs. An analysis of juveniles incarcerated*' Research report submitted to IDPC.

Mangwanda J and Petersen K, Overview responses to the report '*An assessment of the National Preventive Mechanism (NPM) in South Africa*'. (2023)

Petersen K and Mangwanda J, '*An assessment of the National Preventive Mechanism (NPM) in South Africa*' A project description & methodology.' (February 2023)

Redpath J, '*Magistrates' Perceptions of Prosecutors: Survey Analysis*' Findings of the Magistrates survey conducted by DGRU that incorporated ACJR questions concerning magistrates' perceptions of prosecutors'. (January 2023)



Ms. Janelle Mangwanda, Researcher



Dr. Jean Redpath Senior Researcher

Children's Rights Project

PROF BENYAM DAWIT MEZMUR



In 2023, the Children's Rights Project (CRP) maintained its position as a strategic and technical partner of the African Committee of Experts of the Rights and Welfare of the Child (ACERWC), despite the Project Head, Prof Benyam Mezmur, being on sabbatical at the Harvard Law School.

Going and growing beyond this, under the leadership of the Acting Project Head, Prof Maria Assim, the CRP extended its work and engagements beyond the work of the ACERWC to the broader African Union Child Protection Architecture. This followed an invitation to the CRP to be an integral part of the African Union Coordination Group on Children in Situations of Armed Conflict. This is no surprise given that the CRP led the ACERWC's process on the development of its General Comment on Article 22 of the African Charter on the Rights and Welfare of the Child (African Children's Charter/ACRWC) on 'Children in Situations of Armed Conflict'. Subsequent to this, CRP research fellow, Prof Robert Nanima was elected as a member of the ACERWC and appointed as its Special Rapporteur on Children and Armed Conflict for a five-year tenure from March 2021 to March 2026 - a testament to the quality and impact of CRP's work.

The CRP from 2023 is regularly invited to take part in the processes of the African Union's working group for the development of a Continental Early Warning System (CEWS), aimed at mainstreaming child protection within the context of armed conflicts, (as well as tensions and strife). The goal of the CEWS, which is one of the five pillars of the African Peace and Security Architecture (APSA), is the provision of timely information on evolving violent conflicts in Africa based on specially developed indicators to assist with anticipating and preventing conflicts on the continent as much as possible.

KEY OBJECTIVES

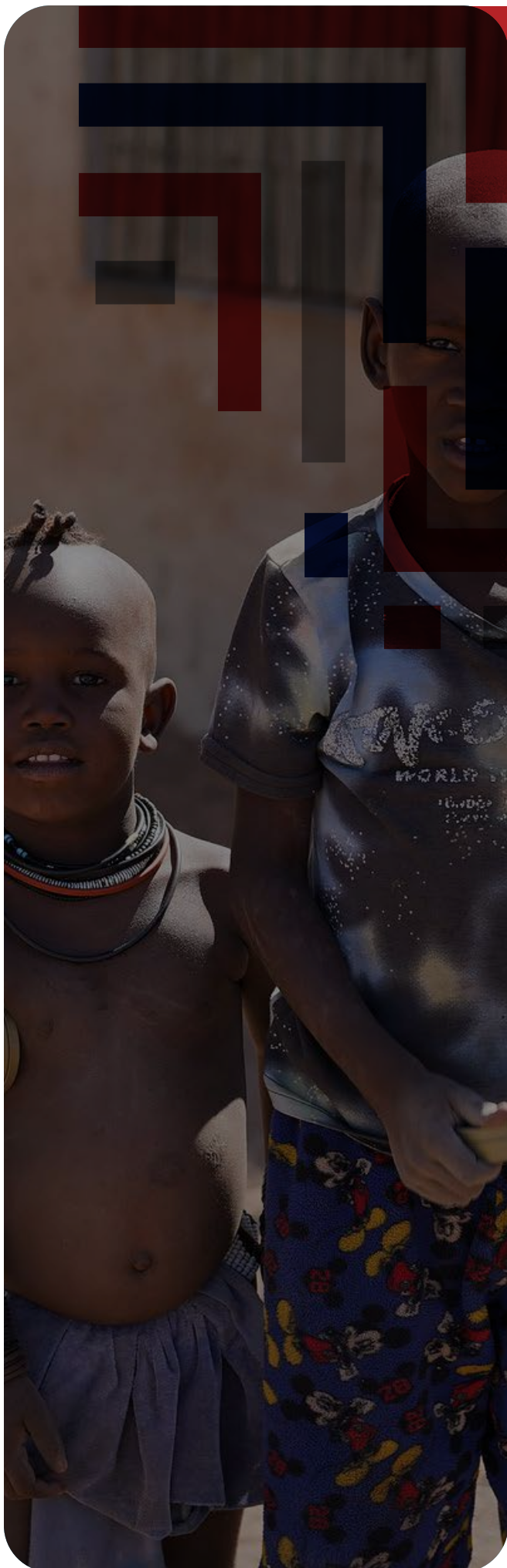
The objectives of the CRP have remained working towards the realisation of the African Charter on the Rights and Welfare of the Child (ACRWC/African Children's Charter) and the UN Convention on the Rights of the Child (CRC) at both national and regional levels. The CRP has also continued to engage in emerging issues such as children's digital rights, and climate change.

KEY ACTIVITIES

The annual commemoration of the Day of the African Child (DAC) was hosted by the ACERWC on 16 June, on the theme: 'The Rights of the Child in the Digital Environment.' This was due, in part, to CRP's advocacy efforts and follow-up on the previous Day of General Discussion in November 2022 on 'Children's Rights in the Digital World'. Prof Mezmur also conducted an induction session for ACERWC members on "partnerships and ethics" in Addis Ababa on 2 November.

TEACHING AND CAPACITY BUILDING

Prof Mezmur once again convened the LLM module on 'Contemporary Human Rights Issues' (IHR 816) while Prof Assim guest lectured on the 'International Protection of Human Rights Law' module (IHR 814) and the 'Economic, Social and Cultural Rights' module (SER 811). They also made presentations at some training workshops including the Socio-Economic Rights Project's (SERP) Community Leaders Training Workshop in May, specifically on 'COVID-19 and children's rights in disadvantaged communities.' The Community Leaders Training Workshops is one of DOI's longstanding community engagement programmes for knowledge sharing and capacity building of communities located around the university campus.



Outside of UWC, Prof Assim served as guest lecturer on the Human Rights and Democratisation in Africa programme (HRDA) and the Sexual and Reproductive Health and Rights programme by the University of Pretoria's Centre for Human Rights. Prof Assim lectured the students of both programmes on 'Research Methodology'. Additionally, the CRP also once again co-convened with the Centre for Human Rights and the Centre for Child Law the Advanced Short Course on Children's Rights in Africa from 19-23 June. Other guest lectures by Prof Assim include an invitation to teach on 'the impact of sexual violence on children's right to health in Africa' at a Symposium on the Contributions of the African Human Rights Systems to the Advancement of the Right to Health. The symposium was organised by the Frances Lewis Law Centre at the Washington & Lee University School of Law in January. There was also an invitation from the Chair of African Legal Studies at the University of Bayreuth in Germany for Prof Assim to teach on 'Children's Rights in Africa' in June.

Prof Mezmur also undertook multiple teachings activities at Harvard University, Columbia University, University of Pennsylvania, and University of Erfurt to name a few. At Harvard he lectured multiple sessions on the rights of children with disabilities, children's rights and digital media, oversight of implementation of children's rights, as well as on children's rights and climate change. At Erfurt, he lectured on "The Convention on the Rights of the Child" and "Children and Armed Conflict" in the module "The wellbeing of the child". At Columbia he lectured several sessions on "Children's rights in a globalised world", "the African Human Rights System" and on "Harmful Practices with a focus on Female Genital Mutilation" (LLM Class at Columbia University Human Rights L6276 module). At Pennsylvania he lectured at the module on 'The changing nature of conflicts and the rights of the child in Africa' focusing on "Women in Conflict & Security: Old Challenges and New Debates".

CRP staff continued to be engaged in teaching, learning and capacity building initiatives both with the UWC Faculty of Law and beyond. Out of the several students being supervised by CRP staff (Profs Mezmur and Assim), some have graduated with an MPhil and LLDs during the April and December 2023 graduation ceremonies at UWC. In April Prof Mezmur's student Ayalew Getachew Assefa graduated with his doctorate which focussed on the rights of stateless children in Africa and in December Nokusola Makosana graduated with her MPhil degree.

The CRP hosted two research interns - masters students from the University of Zurich (February) and the University of Texas at Austin (March-April). Their research engagements included the implementation of socio-economic rights in Africa, and children's rights in the digital world, alongside involvement in advocacy programmes and workshops.

CONFERENCES, SEMINARS AND WORKSHOPS

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

For example, in November, Prof Mezmur presented on 'The evolving opportunities for international law on children's rights'

at the Parker School Asian Law Programme at Columbia University as well as on ‘What will happen to our future if we keep on going like this?’ at a seminar titled ‘The Climate Crisis and the UN Committee on the Rights of the Child’ at Columbia University. He also presented at a webinar titled ‘The Resurgence of Child Labor and the Rights of the Child in the United States’ and on “The role of the Convention on the Rights of the Child and its optional protocols to address child labour in the United States” hosted by the Harvard Law School Human Rights Programme in October. Moreover, Prof Mezmur took part in the “Strengthening International Humanitarian Legal Protections for Marginalized Groups: Accounting for Children, Women, and Persons with Disabilities” and presented on “The rights of children with disabilities and armed conflicts” hosted by the Harvard Law School Disability Programme in November. In July Prof Mezmur also participated in the annual panel discussion on the adverse impacts of climate change on human rights of the 53rd Human Rights Council session in Geneva and presented on “Adverse impact of climate change on the full realisation of the right to food”.

Prof Assim also made multiple presentations at various fora. She presented on ‘Regional treaty bodies response to climate change’ at the Joint Convening of the 6th Biennial Social Practice of Human Rights Conference and 6th International Conference on the Right to Development (Online and Ohio, USA, 2-4 November); on ‘General Comment No. 2 on article 14(1)(a), (b), (c) and (f) and article 14(2)(a) and (c) as an advocacy tool’ at a workshop on utilizing General Comments on Article 14 of the Maputo Protocol for Sexual and Reproduction Health Rights advocacy in Africa (Pretoria); and on “the changing nature of conflicts in Africa and their impacts



Assoc Prof Usang Maria Assim, Senior Researcher

on child justice” at a continental workshop on justice and accountability for Children Affected by Armed Conflict in Kenya.

APPOINTMENTS AND MEMBERSHIPS

Prof Mezmur was appointed as a board member of the SOS Children’s Global Ombuds Board in 2023. He was also re-elected to the Executive Council of the International Society of Family Law.

PUBLICATIONS

Journal articles

Ande M.K and Mezmur B.D, ‘Progress, gaps and next steps: Mapping ACERWC’S work on the rights of children with disabilities (2012-2023)’ *African Disability Rights Yearbook* (2023) Vol 11. pp. 169-182.

Mezmur B.D, ‘Based Solely on their Date of Birth? Rethinking Age Discrimination against Children under the Convention on the Rights of the Child’ *Harvard Human Rights Journal* (2023) Vol 36 (2) pp. 261-282.

Mezmur B.D, ‘The calm before the storm? Child rights climate change litigation in Africa’ *De Jure Law Journal* (2023) Vol 56 pp. 543-568.

Mezmur B.D et al, ‘Report on Enforcing the Rights of Children in Migration’ *Laws* 2023, 12(5), 85.

Mezmur B.D, “‘When I grow up, I want to be a boy:” Addressing gender-stereotypes against girls through the Convention on the Rights of the Child’ *Journal of Law & Public Affairs* (2023) Vol 8(2), pp. 188-215.



Ms. Crystal Nitsckie, Project Administrator

Socio-Economic Rights Project

PROF EBENEZER DUROJAYE



The Socio-Economic Rights Project (SERP) continues to play a pivotal role in shaping laws and policies related to socio-economic rights by focusing on improving the lived realities of South Africa's most vulnerable populations. This milestone offers a crucial moment to reflect on the progress and development of socio-economic rights since the advent of democracy.

Despite significant strides, South Africa continues to grapple with numerous socio-economic challenges. One glaring issue is the persistent poverty that affects a significant portion of the population. South Africa remains one of the most unequal societies globally, with many households facing daily food insecurity, exacerbated by economic stagnation and rising living costs.

The public healthcare system is equally under severe strain, marked by resource shortages, staff deficits, and unequal access to quality care. Access to adequate housing remains a critical concern. Further, high levels of crime, including gender-based violence pose significant social and economic challenges.

Social and economic challenges are exacerbated by energy supply issues, disrupting both economic activity and daily life. Endemic corruption continues to undermine public trust and hampers effective governance. The lingering effects of COVID-19 persist across all aspects of life.

SERP continued to engage with community paralegals who are vital for access to justice in South Africa. Community paralegals have been instrumental in bridging gaps in the legal system for communities unaware of their rights or lacking representation. SERP acknowledges vital role of community paralegals amid ongoing socio-economic disparities, education gaps, and limited access to public service delivery to communities.

OBJECTIVES

Throughout 2023, the SERP focused on advocacy, research, and teaching to promote the realisation of socioeconomic rights in South Africa and across the continent. SERP remained instrumental in influencing laws and policies concerning socioeconomic rights at both national and regional levels.



Ms. Gladys Mirugi-Mukundi, Acting Project Head since 1 November 2023

PROMINENT ACTIVITIES

Community-Based Paralegals Project

Funded by Charles Stewart Mott Foundation, in collaboration with the African Centre of Excellence for Access to Justice (ACE-AJ), we conducted nationwide surveys across several African countries on access to justice, focusing specifically on the role of community-based paralegals (CBPs). As at the end of 2023 a total of 14 countries have now been surveyed, namely:

- West Africa: Côte d'Ivoire, Ghana, Nigeria, Senegal, Sierra Leone;
- East Africa: Burundi, Kenya, Rwanda, Tanzania, Uganda;
- Southern Africa: Malawi, Mozambique, South Africa, Zambia.

SERP completed research on CBPs in three francophone countries, being Burundi, Côte d'Ivoire, and Senegal. This resulted in, amongst others, policy briefs for Burundi and Senegal. This research built upon previous successful studies conducted in eleven countries. It addressed the persistent misconception that every legal problem necessitates a lawyer's intervention, perpetuating the belief that legal aid solely involves lawyers. The study explored the use of CBPs in francophone legal systems, which use civil law as opposed to common law.

The study looked at the challenges and benefits of CBPs in their communities. It also offered recommendations on emerging good practices in the said countries. In a nutshell, the study sought to; ascertain the status of recognition (or lack thereof) of CBPs in selected countries; evaluate the role of CBPs; evaluate the challenges in the work of CBPs; identify and document good practices as regards the legal recognition of CBPs; and make recommendations for the provision of better support to the work of CBPs.

An online short-course on CBP in Africa was held in June with the ACE-AJ for more than a thousand participants.

The study, employing a qualitative research approach, utilised a representative sample population to explore the relationship between qualitative and quantitative research methods. It primarily involved five key stakeholder interviews and a focus group discussion with twelve participants, adopting an exploratory approach for data collection. In collaboration with the ACE-AJ, the Institute partnered with in-country organisations for data collection, being Delta Legal and Partners (Burundi), Alliance Cote D'Ivoire (Cote D'Ivoire), and *Association des Juristes Sénégalaises* (Senegal).

The report launch took place in November 2023 in Nairobi. The study identified four main themes: understanding the role of paralegals in society; their contribution to access to justice, challenges encountered, and recommendations for improvement. Discussions within the countries highlighted sub-themes, such as defining paralegals and their operational methods. While addressing access to justice, recognition of paralegals emerged as a significant aspect. Challenges faced by paralegals included financial, operational, and tactical obstacles.

Various recommendations emerged from the discussions, addressing key aspects of paralegal recognition and regulation. These include the enactment of laws to formally recognize and regulate paralegals; clarifying the distinction between formal judicial processes and paralegal work; and sustainability approaches to align with the community context of paralegal roles. Specific recommendations were also identified for different stakeholders. To the African Union it was

recommended that it conducts a baseline study on paralegal work in Africa, and to provide thought leadership and normative guidance on model laws and soft laws for paralegal development. To the Regional Economic Communities, it was requested for member states to establish avenues for paralegal work, with a focus on ECOWAS. To state parties, it was recommended to adopt laws that acknowledge and regulate paralegal work; implement frameworks recognizing paralegals' roles in community mediation processes; and collaborate with development partners to develop paralegal training curricula. Civil society organisations were requested to support grassroots institutions engaging paralegals; and establish mechanisms for recognizing and regulating paralegals to ensure accountability.

Legal and Policy Frameworks around Diet-Related Non-Communicable Diseases in South Africa

The project engaged in desktop research on human rights and prevention of diet-related non-communicable diseases (NCD) 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 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 first focal area is assessing state obligations by exploring public food procurement as a tool for diet-related non-communicable disease prevention in South Africa. This engages 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. It aims to explore ways in which public food procurement could be used to support NCD prevention efforts as part of the broader framework on the right to health and food. It is focused on three avenues where public food procurement takes place: in public health establishments, in correctional services facilities and through food parcel programmes. Specifically, looking



Launch Meeting for Research Report on Legal Status of Community-Based Paralegals, 23 November

at how public food procurement (PFP) is regulated in these settings, public health considerations for vulnerable populations and various entry points for intervention, including health, food, nutrition and access to information.

There were three major activities, being a research report, peer-reviewed article and a policy brief. The article focused on local government's capacity and functions and how this could be better supported through various entry points to promote NCD prevention efforts. Similarly, the policy brief highlighted specific policy gaps, opportunities and recommendations which could strengthen and align how PFP could be integrated with other policy objectives to improve the overall regulation of the food environment. In addition, some of the findings from this research project will also be presented in an International Development Law Organization publication, which aims to be the first regional body of work on NCD and the law in Africa. It is envisioned to influence legal and policy debates on healthy diets and NCD prevention at national and regional levels.

One challenging aspect of this research is the lack of empirical evidence on the link between PFP and NCD outcomes in these settings, as this information is not routinely collected or available. However, there are several opportunities to take this research further. The PFP framework in South Africa is currently outdated and provides several opportunities, especially as the broader public procurement landscape is under reform. Local government in particular, presents many opportunities where the framework could be designed to improve the food environment and specific food system activities including production, distribution and consumption patterns, which could have massive social, economic and environmental impacts.

The second focal area is the applicability of the Consumer Protection Act 68 of 2008 to child-directed marketing of unhealthy food and beverages in South Africa. The increase in childhood overweight and obesity worldwide, particularly in South Africa, has put child-directed marketing of unhealthy food in the spotlight. This is in part due to food-industry marketing through various appealing techniques, such as cartoon characters, bright and colourful packages, and health or nutrition claims, as well as channels children frequently interact with such as television, social media, online games, and schools. Health and nutrition claims in food marketing have been found to sometimes mislead children and/or parents/caregivers where they misrepresent the overall healthfulness of food products.

Industry self-regulatory standards have proved ineffective and despite various calls for regulation of marketing of food to children, the South African government has been slow to provide strict regulations. This research thus considers the applicability of the

Consumer Protection Act No. 68 of 2008 in addressing child-directed marketing of unhealthy foods, particularly misleading marketing. The overall aim is to determine if the South African consumer protection framework offers a viable opportunity amongst other legal and policy measures to address the impact of unhealthy food and beverage marketing to children as a public health challenge. This considers the interpretation of provisions relating to misleading representations in marketing as well as various redress mechanisms provided in the Act.

In July, the Institute made a [submission](#) to the Department of Health on the Draft Regulations (R3337) Relating to the Labelling and Advertising of Foodstuffs- which aims to introduce front-of-pack warning labels on packaged foods, as well as impose restrictions on the use of health/nutrition claims and marketing to children based on a defined nutrient profile model. Our submission showed our support for this regulation in combating childhood obesity and the rising burden of diet-related NCD in South Africa. We also made proposals to improve various aspects of the regulations, especially the regulation relating to the restriction of marketing foods to children. Our comments were aligned with those of the Food Justice Coalition headed by the Healthy Living Alliance (HEALA) and international partners, such as the Global Center for Legal Innovation on Food Environments, the Global Health Advocacy Incubator, advocating for strict food industry regulation to improve the food environment to combat diet-related NCDs.

Advancing Sexual and Reproductive Health and Rights in Africa

In 2023, with support from AmplifyChange, SERP collaborated with the Kenya Legal and Ethical Issues Network on HIV and AIDS (KELIN) and the Initiative for Strategic Litigation (ISLA) as part of a coalition established in 2016. Together, they executed a project titled "Closing the Gap: Advancing Sexual and Reproductive Health and Rights in Africa through Research, Advocacy, and Litigation". This coalition, now formally named "Bridging the Gap: Advancing Sexual and Reproductive Health and Rights (SRHR) In Africa Through Research, Advocacy, and Litigation," aims to raise awareness, promote policy reforms, and engage in strategic litigation to advance the sexual and reproductive health and rights of marginalised and vulnerable groups in the region.

SERP conducted a series of meetings with KELIN and ISLA to strategize methods for advancing comprehensive research and advocacy efforts towards SRHR policy reforms in Africa. The project is dedicated to enhancing the sexual and reproductive health and rights of marginalised and vulnerable populations throughout the African region.

SERP researchers initiated a study in three SADC

countries (Eswatini, Malawi, and Seychelles) to investigate how laws and policies impact the accessibility of sexual and reproductive health and rights services for young people. This study builds on four years of prior research in various African countries aimed at enhancing understanding of sexual and reproductive health rights among young people in Africa.

Additionally, as a reflection on the evolving landscape on to contemporary debates on sexual and reproductive health and rights in Africa, SERP researchers published a journal article focusing on self-managed abortion in Africa, which highlighted the human rights related to self-managed abortion in Africa.

Furthermore, researchers contributed to knowledge production by way of a research paper addressing the social determinants of health, including sexual and reproductive health and rights, during the COVID-19 pandemic among asylum seekers, refugees, and migrants. This research paper underscored the implications of COVID-19 for marginalised groups' enjoyment of sexual and reproductive health and rights.

At the side-lines of the Ordinary Session of the African Commission held in Arusha in October, SERP collaborated with KELIN and ISLA to host a side event discussion on Obstetric Violence in Africa. Additionally, SERP researcher, Paula Knipe, delivered a presentation on Obstetric Violence in Africa.

ESR Review

The *ESR Review* stands as SERP's primary publication, showcasing thought-provoking articles on socio-economic rights contributed by activists and researchers for over two decades. Four editions of the *ESR Review* were published featuring articles on diverse socio-economic rights issues and updates at national, regional, and international levels.

Teaching and Supervision

In its ongoing commitment to advancing knowledge and nurturing future scholars in the field of socio-economic rights, SERP has continued to oversee the coordination of the LLM Module in Socio-economic Rights for postgraduate students. This module, taught for nearly two decades. Staff members, including Prof. Ebenezer Durojaye, Prof. Robert Nanina, Gladys Mirugi-Mukundi, Aisosa Jennifer Omoruyi, and Paula Knipe, contributed as lecturers to the module. Additionally, SERP staff members delivered guest lectures both domestically and internationally. For instance, Prof. Durojaye presented lectures at the University of Pretoria's LLM programs in Human Rights and Democratisation in Africa (HRDA) and LLM programs in Sexual and Reproductive Health and Rights (SRHR), as well as a lecture on the nexus between poverty and human rights at the University of Dayton, Ohio. Furthermore, SERP members were actively involved in supervising postgraduate students, serving as internal and external examiners for the LLM program

at the University of the Western Cape as well as for LLM programme in Human Rights and Democratisation in Africa (HRDA) at the University of Pretoria.

Increase Knowledge Through Community Leaders' Workshops

As part of its commitment to fostering social discourse and promoting understanding of socio-economic rights, SERP continued its initiative to empower disadvantaged communities through a series of workshops for community leaders. These workshops, now in their sixth year, focus on human rights and accountability at the grassroots-level, aiming to build capacity and enable individuals to assert their socio-economic rights effectively.



Community Leaders Training Workshop, 31 May

INFLUENCING DEBATE

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

A significant milestone occurred in July, as SERP initiated the drafting and dissemination of a letter to the Deputy Minister of Justice and Constitutional Development. The letter sought clarification on South Africa's upcoming periodic report to CESCR, initially due in October, and the commencement of consultations with civil society organisation, which are crucial for both the report's preparation and the review process of the State party's report. The civil society consultations are intended

to ensure comprehensive representation and foster inclusive dialogue on socio-economic rights issues.

In its ongoing commitment to foster social discourse and promoting understanding of socio-economic rights, SERP in collaboration with the Faculty, organised two guest seminars featuring distinguished scholars in the field. These events aimed to stimulate discussion on key socio-economic rights issues and on the substantive aspects of socio-economic rights and explore optimal approaches for their enforcement by the courts.

On 24 April SERP hosted a panel discussion themed 'Exploring the Substantive Content of Socio-Economic Rights: Should the Constitutional Court Change Tack?' The discussion explored the significance of these rights for economically disadvantaged individuals in South Africa. Specifically, it examined the Constitutional Court's approach of assessing government action's reasonableness and considers alternative conceptions of socio-economic rights' content.

The seminar reignited debate on the transformative power of socio-economic rights, and the role of the Court in giving effect to these fundamental freedoms. The discussants interrogated issues surrounding rationality, resource and capacity constraints, progressive realisation, and inconsistencies with standard setting by the Court. Ultimately, in recognising the intrinsic value and dignity that rests upon the realisation of socio-economic rights, the Court should continually re-evaluate its approach, to have the most desirable impact on improving South African lives.

The discussion was moderated by Constitutional Court judge, Justice Steven Majiedt, with panellists Prof Sandy Liebenberg (Oppenheimer Chair in Human Rights Law, Stellenbosch University) and Prof David Bilchitz (Professor of Fundamental Rights and Constitutional Law University of Johannesburg and the University of Reading, Director, SAIFAC).

On 14 August, SERP co-hosted with the Faculty of Law a panel discussion themed 'Assessing the Impact of Social Rights Litigation in South Africa: With Particular

Reference to Constitutional Court Jurisprudence'. Social rights litigation aims to advance socio-economic rights guaranteed in the Constitution, primarily focusing on housing, health, water, sanitation, and education. NGOs mainly support litigants who have suffered rights violations. This form of litigation ensures accountability from the state and may have broader societal implications. It also empowers disadvantaged communities.

The discussion was moderated by Constitutional Court judge, Justice, Steven Majiedt, with panellists Ms Nomzamo Zondo (Executive Director, Socio-Economic Rights Institute of South Africa (SERI)) and Justice Johan Froneman (former Justice of the Constitutional Court of South Africa).

PUBLICATIONS

Books

Durojaye E, Nabaneh S and Adebajo T (eds) *Sexual Harassment, Law and Human Rights in Africa* (Palgrave Macmillan, 2023) pp. 363.

Durojaye E, Nanima R.D, Idowu-Ojo A, Mirugi-Mukundi G (eds) *Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa: Our Lives Matter* (Palgrave Macmillan, 2023) pp. 410.

Chapters in books

Durojaye E and Omoruyi A.J (2023) 'Championing the right to food in South Africa: the Dullah Omar Institute's experience' in Caraher M, et al. (eds) *Handbook of Food Security and Society* (Edward Elgar) pp. 58-71.

Durojaye E (2023) 'Article 14: Health and reproductive rights' in Rudman A, Musembi C.N and Makunya T.M (eds) *The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa: a commentary* (PULP) pp. 308-325.

Durojaye E, Nabaneh S and Adebajo T (2023) 'Sexual



Seminar on assessing the impact of Social rights litigation in South Africa: With particular reference to Constitutional Court Jurisprudence, 14 August. From the left: Justice Johan Froneman, Justice Steven Majiedt and Ms Nomzamo Zondo

Harassment, Human Rights and Feminism' in Durojaye E, Nabaneh S and Adebajo T (eds) *Sexual Harassment, Law and Human Rights in Africa* (Palgrave Macmillan) pp. 1-36.

Durojaye E and Adebajo T (2023) 'Addressing the Epidemic of Sexual Harassment in IDP Camps in Nigeria' in Durojaye E, Nabaneh S and Adebajo T (eds) *Sexual Harassment, Law and Human Rights in Africa* (Palgrave Macmillan) pp. 169-197.

Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (2023) 'Socio-Economic Rights for Refugees and Asylum Seekers Under International Law' in Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (eds) *Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa: Our Lives Matter* (Palgrave Macmillan, 2023) pp. 1-21.

Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (2023) 'The Relevance of and Challenges in the Enjoyment of Socio-Economic Rights of Refugees and Asylum Seekers in Africa' in Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (eds) *Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa: Our Lives Matter* (Palgrave Macmillan, 2023) pp. 23-42.

Peer reviewed journal articles

Durojaye E, 'The decision-making power of adolescents to refuse medical treatment in South Africa: Lessons from other jurisdictions' *Acta Juridica* (2023) Vol 2023 (1), pp. 240-269.

Pizzarossa L.B, Maziwisa M and Durojaye E, 'Self-Managed Abortion in Africa: The Decriminalization Imperative in Regional Human Rights Standards' *Health and Human Rights Journal*, (2023) Vol 25(1), pp. 171-185.

Pizzarossa L.B, Maziwisa M and Durojaye E, 'Exploring the African Regional Human Rights Standards as the Basis for an Enabling Environment for Self-Managed

Abortion' *Washington and Lee Journal of Civil Rights and Social Justice* (2023) Vol 30(1) pp.1-32.

Research reports

Kangaude G and Durojaye E, 'Impact of COVID- 19 on ESR of vulnerable and marginalized groups with a special focus on migrants' (2023) Report Commissioned by AmplifyChange.

Knipe P, 'Assessing state obligations: exploring public food procurement as a tool for diet-related NCD prevention in South Africa' (2023) Report commissioned by the O'Neill Institute for National and Global Health Law.

Nanima R.D and Durojaye E, 'A Research Report on The Legal Status of Community Paralegals in Selected Francophone Countries: Lessons, Challenges and Good Practices' (2023) A research report as the outcome of a joint research project between the Dullah Omar Institute at the University of the Western Cape (DOI-UWC); and the African Centre of Excellence for Access to Justice in Africa (ACE-AJ).

Nanima R.D, Policy Brief: 'Insights into the legal status of Community-Based Paralegals in Burundi: lessons, challenges and good practice'. (2023)

Omoruyi A.J, 'Research on the applicability of consumer protection frameworks in addressing child directed marketing of unhealthy foods and beverages in South Africa' (2023). Report commissioned by the O'Neill Institute for National and Global Health Law.

Omoruyi A.J, Knipe P and Durojaye E, 'Legal frameworks and policies: advancing innovative approaches to cancer care in South Africa' (2023) Report commissioned by Cancer Alliance, CANSA, University of the Witwatersrand and Institute of Cancer Policy at Kings College London.

Omoruyi A.J, Policy Brief: 'Senegal - formalising the role of community-based paralegals'. (2023)



SERP visit to Abidjan to assess the capacity of Alliance Cote d'Ivoire, to carry out the study on Community based paralegals in the country as part of the Mott Project, May. In the centre are Jennifer Omoruyi (post-doctoral fellow) and Assoc. Prof. Maria Assim from DOI.



Ms. Paula Knipe,
Doctoral Researcher

SARChI Chair and Multilevel Government Project

PROF JAAP DE VISSER
PROF TINASHE CHIGWATA



The SARChI Chair 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 2023 the Chair, Prof Jaap de Visser, worked closely with the MLG team of researchers: Prof Tinashe Chigwata as well as post-doctoral fellows, Dr Johandri Wright (from June) and Dr Michelle Miziwisa (until March), and doctoral researchers Melissa Ziswa, Curtly Stevens, Jennica Beukes, Xavia Poswa and Thabile Chonco-Spambo. The former chair, Prof Nico Steytler, was appointed Professor emeritus at the Dullah Omar Institute. This report covers work done both directly under the SARChI Chair as well as that of the MLG team.

The issue of coalitions emerged strongly in 2023 and the Chair provided research and analysis on an ongoing basis. A major milestone was the National Dialogue on Coalition Governments (4-5 August), which was a major conference convened at UWC by the Office of the Deputy-President in collaboration with DOI and the Chair. The work of the Chair on coalitions was a key reason for the Presidency to choose UWC and DOI as partners. The Chair delivered a speech in the plenary session and was closely involved in the preparations of the Dialogue. The speech was later published as an opinion piece (“Debating Coalitions Behind a Veil of Ignorance” *Daily Maverick*, 8 August). The work culminated in the Chair collaborating with Prof Susan Booysen (MISTRA) on the production of a Coalitions Framework for South Africa, which was submitted to the Presidency in December.

OBJECTIVES

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 governments at various levels. Second, as multilevel government is seen as an important governance tool for peace and development in Africa, the objective is to conduct research, build a network of scholars, and engage with practitioners and government on the topic. Third, the work on multilevel government

must be situated in the global discourse on non-centralism, and, where requested, also assist countries in the Global South with the use and value of systems of multilevel government. Fourth, closely linked to our research endeavours is building, through teaching and training, a new generation of scholars and practitioners in South Africa, elsewhere in Africa, and internationally.



Prof Tinashe Carlton Chigwata, Project Head

KEY ACTIVITIES

Teaching

The SARChI Chair, in collaboration with MLG, continued offering the Masters Programme in Multilevel Government and the Postgraduate Diploma in Public Law (focused on local government).

Xavia Poswa, doctoral student with the Chair submitted his LLD manuscript for examination. The three examiners were unanimous in recommending a pass. The thesis analyses the intersection of local government and traditional leadership in land use management. During 2023, Mr Poswa submitted a chapter on traditional leadership for the international LOGOV partnership project and published a number of articles in the Local Government Bulletin.

A doctoral study on coalitions in local government is underway under the Chair's supervision and is scheduled for completion in 2024. The relevant student, Ms Jennica Beukes, already contributes significantly to the academic discourse on coalitions in a number of ways, including being a researcher on the Coalitions Barometer, developed by Prof Susan Booysen (MISTRA).

One of the Chair's doctoral students, Ms Thabile Chonco-Spambo submitted a chapter, analysing local government revenue sources for the international LOGOV partnership project. This chapter will be peer-reviewed and published in 2024.

A Masters Research Project is underway, examining intergovernmental disputes in South Africa and Kenya.

Transparency in local government procurement

The Chair collaborated with colleagues in MLG to assess the state of transparency in local government procurement. With the support of the International Budget Partnership-South Africa (IBP-SA), we undertook a study which sought to understand why municipalities do not publish key procurement information on their websites and National Treasury's eTender Portal timeously and consistently. This study builds on two surveys implemented in 2020 and 2021, which revealed a lack of transparency in municipal procurement when it came to the publication of key procurement information on the municipal website and the eTender Portal. The assessment culminated in a report based on empirical evidence, which was launched in a webinar hosted on 7 June.

Dialogue seminar series

The SARChI Chair, in collaboration with the Multilevel Government Project, continued providing various platforms for researchers, practitioners and the civil society to interact and engage on latest issues affecting local government. Without a doubt, the most publicly debated issue was coalition governments. The events convened on this topic include:

- "Coalitions - options for law reform" presentation at "Coalition governments: What are the options for law reform at municipal level?" (UWC, 8 November)
- "Coalition Governance - Are we Ready?" Webinar co-hosted with Catholic Parliamentary Liaison Office (Online, 26 April)

Further presentations by the Chair at events dedicated to coalitions included:

- "Coalitions - what about the law" presentation at Annual General Meeting of the Municipal Law Forum (Cape Town, 24 May)
- "Coalitions and Accountability" presentation at IEC Roundtable on Coalitions (Cape Town, 27 September)
- "Coalitions: Conventions, law reform & administrative continuity" presentation at "Coalition Governance in South Africa: Dedicated Desired States or Destructive Disasters" (Huguenot College, 5 December)

The Chair also hosted a webinar on national development planning, local government and the rights of special

groups in Uganda in which the Chair engaged with Prof C Mbazira of Makerere University.

The Chair was invited to address an Ethiopian delegation on "Elections in South Africa - A tale of two electoral systems" as part of a study tour convened by the Netherlands Institute for Multi-Party Democracy (Cape Town, 4 December). The engagement focused on the electoral systems for national, provincial and local government.

Local Government Bulletin

The *Local Government Bulletin* provides regular updates and insightful articles on latest developments in local government. It is an influential newsletter with a large 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* remain a useful resource, not only for teaching purposes, but also relevant to local government practice. In 2023, we produced four Issues of Volume 18 of the *Local Government Bulletin*, with a combined 30 articles. The articles can be accessed freely on the *Bulletin* pages.

Submissions

The Chair also made a submission to the National Department of Cooperative Governance and Traditional Affairs on the Intergovernmental Monitoring, Support and Interventions Act, 2022 (27 June).

The Chair also made a submission to the Office of the Deputy-President on Draft Framework for Coalitions. (13 June)

African School on Decentralisation

The Chair's flagship project with respect to multilevel government is the African School on Decentralisation (ASD). The ASD provides a two-week International Postgraduate Certificate Course on decentralisation, local democracy, and local development in Africa to government officials, postgraduate students, members of local and international non-governmental organisations, as well as other participants having an interest in decentralisation in Africa. The ASD is jointly organised by the Centre for Federalism and Governance Studies, Addis Ababa University, and the Dullah Omar Institute. It examines the basic concept of decentralisation and the practice in African countries from a comparative and interdisciplinary perspective. In 2023, the theme focused on understanding the content of the African Charter on the Values and Principles of Decentralisation, Local governance, and Local Development (AU Charter on Decentralisation 2014) and how effect can be given to it. The ASD was presented from 4 to 15 September in Addis Ababa, Ethiopia. A report, produced under the auspices of SARChI, will be published in 2024.

Stellenbosch Annual Seminar on Constitutionalism in Africa

The Chair continued to support, and participate in, the Stellenbosch Annual Workshop on Constitutionalism in Africa and in particular the processing of the outcomes of the 2022 Conference on 'Constitutional change and constitutionalism in Africa'.

Fact sheets on Decentralisation in Africa

The Fact sheets on Decentralisation in Africa, developed by the current and previous Chair in collaboration with DOI, were translated into Portuguese, French and Arabic.

Impact

Research of the Chair was cited in a Uganda High Court case *Election Petition No. 02 of 2022 East African Legislative Assembly Elections Act, 2001 Election of Uganda's Representatives to the East African Legislative Assembly held on 29th September 2022 Agaba Gilbert and 3 others, Petitioners v the Attorney-General and 11 others, respondents*.

GLOBAL ENGAGEMENT ON MULTILEVEL GOVERNMENT

The Chair finalised a Chapter on South Africa in the Forum of Federations Handbook on Local Government in Federal Systems. The chapter updates a 2009-version of the same chapter. The chapter was accepted and is expected to appear in early 2024.

A Chapter on multilevel government and climate change was co-authored with Anél du Plessis. It is part of a collaboration between the Forum of Federations and McGill University, Faculty of Law. The chapter examined the role of provinces and local government in addressing climate change.

The Chair authored a short piece for a publication of United Cities and Local Governments (UCLG) entitled *Democratising local government helps to build and sustain peace Article for United Cities and Local Governments*. It was published as part of a global project on the role of local governments in building and sustaining peace.

Together with Nico Steytler and Tinashe Chigwata, the Chair finalised a chapter on *The redistributive effect of South Africa's equitable share to local government* for a book project, convened by the Ituna Center for Basque Economic Agreement and Fiscal Federalism Studies (Spain). It is expected to be published in 2024.

In August 2023, the Chair convened a webinar dedicated to "The arrest and prosecution of Heads of State for International Crimes". The discussion, led by Prof Philippe of Paris 1 Panthéon-Sorbonne.

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 hosted researchers from partner institutions in Germany, Italy and Spain. We also seconded a researcher to the Institute of Federalism based at Fribourg University (Switzerland).

APPOINTMENTS/AWARDS

The Chair was appointed as one of the three co-chairs of the Local Public Sector Alliance Expert Working Group on Sub-Saharan Africa. This plugs the Chair into a wide network of scholars and practitioners on the continent. It involves convening regular Working Group webinars.

Prof Nico Steytler received the award for the Book Prize of Year, UWC, for 2022, for his book Nico Steytler (ed) *Comparative Federalism and COVID-19: Combating the Pandemic* (Routledge, 2022).

PUBLICATIONS

Chapters in books

Chigwata T.C and Nanima R.D (2023) 'South Africa: Centralised federalism and the implementation of the CRPD' in Ferri D, Palermo F and Martinico G (eds) *Federalism and the Rights of Persons with Disabilities: The Implementation of the CRPD in Federal Systems and its Implications* (Hart Studies in Comparative Public Law) pp. 215-240.

de Visser J and du Plessis A (2023) 'Climate Governance and Federalism in South Africa' in Fenna A, Jodoin S, and Setzer J. (Eds) *Climate Governance and Federalism: A Forum of Federations Comparative Policy Analysis* (Cambridge: Cambridge University Press) pp. 241-262.

Maziwisa M.R and Chigwata T.C (2023) 'The Federal-Local Connection: The South African Case' in Nicolini M and Valdesalici A (eds) *Local Governance in Multi-Layered Systems: A Comparative Legal Study in the Federal-Local Connection* (Springer) pp. 373-399.

Steytler N (2023) 'Local governments in federal systems: deepening federal democracy?' in Kincaid J and Leckrone J (eds) *Teaching Federalism: Multidimensional Approaches* (Edward Elgar) pp. 123-132.

Loose-leaf publications

Steytler N and de Visser J, *Local Government Law of South Africa* (16th Issue) (LexisNexis, 2023)

Research reports

Chigwata T.C and de Visser J, 'Why are municipalities not publishing procurement information on their websites and the eTender Portal?' (with Maziwisa M) Published by IBP-SA.

de Visser J, 'A Coalitions Framework for South Africa' research paper for GIZ/UP/South African Presidency (with Booysen S).



National Dialogue on Coalition Governments, 4-5 August. From the left: Prof Richard Calland (UCT), Sithole Mbanga (SALGA), Prof Pierre de Vos (UCT), Prof Jaap de Visser (DOI), Terry Tselane (IEMSA) and Adv Mashabane (DoJ)



Ms. Thabile Chonco-Spambo, Doctoral Researcher



Ms. Laura Wellen, Project Administrator



Dr Johandri Wright, Postdoctoral Research Fellow



Mr. Curtly Stevens, Doctoral Researcher

The Constitution

the Republic of South Africa, 1996



INCOME AND EXPENDITURE STATEMENT

	2023	2022
	R	R
INCOME		
Funders	17,187,399.00	16,016,100.03
University of the Western Cape		
2 x Professorial posts	- R 2 254 000	
Faculty of Law-SARChI	- R1 452 500	
Faculty of Law-Salaries	- R1 513 000	
Premises, Utilities & IT		
TOTAL INCOME		
EXPENDITURE		
Salaries	10,285,765.53	14,415,020.94
Stationery	6,602.94	24,846.16
Photocopying	14,108.75	20,924.66
Postage & Distribution	12,577.68	14,085.58
Telephone	35,173.71	85,029.44
Travel & Accommodation	1,707,970.63	2,263,153.04
Printing & Publications	26,244.26	194,990.16
Subscriptions & Books	70,877.13	278,406.72
Audit Fees	-	100,000.01
Workshops / Meetings	91,709.53	860,122.21
Consultation Fees	834,433.96	1,386,145.60
Sundry Expense	25,281.01	53,908.73
Post-Graduate Bursaries	1,344,430.23	1,631,591.87
Conferences & Seminars	527,466.41	626,232.18
Research	75,713.56	361,119.15
Website & Social Media	50,286.95	17,481.50
Rent (CT Office)	-	128,854.79
Catering for Meetings & Socials	60,652.23	79,909.80
Equipment (incl Maintenance)	138,983.25	155,764.68
Funders returned to donors	35,320.81	7,671.91
TOTAL EXPENDITURE	15,443,598.57	22,705,259.13
CLOSING BALANCE FOR YEAR	1,743,800.43	-6,689,159.10
Surplus carried forward from previous year	12,660,640.26	19,214,356.36
Prior Year Adjustment	1,506,714.60	135,443.00
NET CLOSING BALANCE 31-12-2023	15,911,155.29	12,660,640.26

Approved by: J Cloete
Coordinator: Grants & Contracts
15/05/2024

THE INSTITUTE'S OUTPUTS

PUBLICATIONS



BOOKS

Durojaye E, Nabaneh S and Adebajo T (eds) [Sexual Harassment, Law and Human Rights in Africa](#) (Palgrave Macmillan, 2023) pp. 363.

Durojaye E, Nanima R.D, Idowu-Ojo A, and Mirugi-Mukundi G (eds) [Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa: Our Lives Matter](#) (Palgrave Macmillan, 2023) pp. 410.

CHAPTERS IN BOOKS

Chigwata T.C and Nanima R.D (2023) 'South Africa: Centralised federalism and the implementation of the CRPD' in Ferri D, Palermo F and Martinico G (eds) [Federalism and the Rights of Persons with Disabilities: The Implementation of the CRPD in Federal Systems and its Implications](#) (Hart Studies in Comparative Public Law) pp. 215-240.

de Visser J and du Plessis A (2023) '[Climate Governance and Federalism in South Africa](#)' in Fenna A, Jodoin S, and Setzer J. (Eds) *Climate Governance and Federalism: A Forum of Federations Comparative Policy Analysis* (Cambridge: Cambridge University Press) pp. 241-262.

Durojaye E (2023) '[Article 14: Health and reproductive rights](#)' in Rudman A, Musembi C.N and Makunya T.M (eds) *The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa: a commentary* (PULP) pp. 308-325.

Durojaye E and Adebajo T (2023) '[Addressing the Epidemic of Sexual Harassment in IDP Camps in Nigeria](#)' in Durojaye E, Nabaneh S and Adebajo T (eds) *Sexual Harassment, Law and Human Rights in Africa* (Palgrave Macmillan) pp. 169-197.

Durojaye E and Omoruyi A.J (2023) '[Championing the right to food in South Africa: the Dullah Omar Institute's experience](#)' in Caraher M, et al. (eds) *Handbook of Food Security and Society* (Edward Elgar) pp. 58-71.

Durojaye E, Nabaneh S and Adebajo T (2023) '[Sexual Harassment, Human Rights and Feminism](#)' in Durojaye E, Nabaneh S and Adebajo T (eds) *Sexual Harassment, Law and Human Rights in Africa* (Palgrave Macmillan) pp. 1-36.

Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (2023) '[Socio-Economic Rights for Refugees and Asylum Seekers Under International Law](#)' in Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (eds) *Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa: Our Lives Matter* (Palgrave Macmillan, 2023) pp. 1-21.

Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (2023) '[The Relevance of and Challenges in the Enjoyment of Socio-Economic Rights of Refugees and Asylum Seekers in Africa](#)' in Durojaye E, Nanima R.D, Idowu-Ojo A and Mirugi-Mukundi G (eds) *Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa: Our Lives Matter* (Palgrave Macmillan, 2023) pp. 23-42.

Lorizzo T and Petrovic V, 'Policiamento democrático – desafios de implementação em Moçambique. Uma análise detalhada da formação para a profissionalização' in C. Castel-Branco et al (eds) [Desafios para Moçambique 2022](#) (IESE, 2022), pp.81–103.

Maziwisa M.R and Chigwata T.C (2023) '[The Federal-Local Connection: The South African Case](#)' in Nicolini M and Valdesalici A (eds) *Local Governance in Multi-Layered Systems: A Comparative Legal Study in the Federal-Local Connection* (Springer) pp. 373-399.

Steytler N (2023) '[Local governments in federal systems: deepening federal democracy?](#)' in Kincaid J and Leckrone J (eds) *Teaching Federalism: Multidimensional Approaches* (Edward Elgar) pp. 123-132.

JOURNAL ARTICLES

Ande M.K and Mezmur B.D, '[Progress, gaps and next steps: Mapping ACERWC'S work on the rights of children with disabilities \(2012-2023\)](#)' *African Disability Rights Yearbook* (2023) Vol 11, pp. 169-182.

Durojaye E, 'The decision-making power of adolescents to refuse medical treatment in South Africa: Lessons from other jurisdictions' *Acta Juridica* (2023) Vol 2023 (1), pp. 240–269.

Mezmur B.D et al, '[Report on Enforcing the Rights of Children in Migration](#)' *Laws* 2023, Vol 12(5), 85.

Mezmur B.D, '[Based Solely on their Date of Birth? Rethinking Age Discrimination against Children under the Convention on the Rights of the Child](#)' *Harvard Human Rights Journal* (2023) Vol 36 (2), pp. 261-282.

Mezmur B.D, '[The calm before the storm? Child rights climate change litigation in Africa](#)' *De Jure Law Journal* (2023) Vol 56, pp. 543-568.

Mezmur B.D, "'When I grow up, I want to be a boy.'" Addressing gender-stereotypes against girls through the Convention on the Rights of the Child' *Journal of Law & Public Affairs* (2023) Vol 8(2), pp. 188-215.

Pizzarossa L.B, Maziwisa M and Durojaye E, '[Self-Managed Abortion in Africa: The Decriminalization Imperative in Regional Human Rights Standards](#)' *Health and Human Rights Journal*, (2023) Vol 25(1), pp. 171-185.

Pizzarossa L.B, Maziwisa M and Durojaye E, '[Exploring the African Regional Human Rights Standards as the Basis for an](#)

[Enabling Environment for Self-Managed Abortion](#) *Washington and Lee Journal of Civil Rights and Social Justice* (2023) Vol 30(1), pp. 1-32.

LOOSE-LEAF PUBLICATIONS

Steytler N and de Visser J, *Local Government Law of South Africa* (16th Issue) (LexisNexis, 2023)



RESEARCH REPORTS

Chigwata T.C and de Visser J, [‘Why are municipalities not publishing procurement information on their websites and the eTender Portal?’](#) (with Maziwisa M) Published by IBP-SA.

de Visser J, *‘A Coalitions Framework for South Africa’* research paper for GIZ/UP/South African Presidency (with Booysen S).

Kangaude G and Durojaye E, *‘Impact of COVID-19 on ESR of vulnerable and marginalized groups with a special focus on migrants’* (2023) Report Commissioned by AmplifyChange.

Knipe P, *‘Assessing state obligations: exploring public food procurement as a tool for diet-related NCD prevention in South Africa’* (2023) Report commissioned by the O’Neill Institute for National and Global Health Law.

Lorizzo T, REFORMAR, *‘Criminalisation of the consumption of drugs. An analysis of juveniles incarcerated’* Research report submitted to IDPC.

Mangwanda J and Petersen K, Overview responses to the report *‘An assessment of the National Preventive Mechanism (NPM) in South Africa’*. (2023)

Nanima R.D and Durojaye E, *‘A Research Report on The Legal Status of Community Paralegals in Selected Francophone Countries: Lessons, Challenges and Good Practices’* (2023) A research report as the outcome of a joint research project between the Dullah Omar Institute at the University of the Western Cape (DOI-UWC); and the African Centre of Excellence for Access to Justice in Africa (ACE-AJ).

Nanima R.D, Policy Brief: *‘Insights into the legal status of Community-Based Paralegals in Burundi: lessons, challenges and good practice’*. (2023)

Omoruyi A.J, *‘Research on the applicability of consumer protection frameworks in addressing child directed marketing of unhealthy foods and beverages in South Africa’* (2023). Report commissioned by the O’Neill Institute for National and Global Health Law.

Omoruyi A.J, Knipe P and Durojaye E, *‘Legal frameworks and policies: advancing innovative approaches to cancer care in South Africa’* (2023) Report commissioned by Cancer Alliance,

CANSA, University of the Witwatersrand and Institute of Cancer Policy at Kings College London.

Omoruyi A.J, Policy Brief: *‘Senegal - formalising the role of community-based paralegals’*. (2023)

Petersen K and Mangwanda J, [‘An assessment of the National Preventive Mechanism \(NPM\) in South Africa’](#) A project description & methodology.’ (2023)

Redpath J, [‘Magistrates’ Perceptions of Prosecutors: Survey Analysis’](#) Findings of the Magistrates survey conducted by DGRU that incorporated ACJR questions concerning magistrates’ perceptions of prosecutors’. (2023)

SUBMISSIONS

ACJR and Lawyers for Human Rights on behalf of the Detention Justice Forum (DJF), Submission on the Correctional Services Amendment Bill B14 of 2023 to the Portfolio Committee on Justice and Correctional Services. (14 July 2023)

de Visser J, Submission to Office of the Deputy-President on Draft Framework for Coalitions. (13 June 2023)

de Visser J, Submission to the Department of Cooperative Governance and Traditional Affairs on the Intergovernmental Monitoring, Support and Interventions Act, 2022. (27 June 2023)

Lorizzo T, REFORMAR with other African civil society organizations, developed and submitted a common position on the next 5-year strategy 2023-2028 to Open Government Partnership. (3 February 2023)

Mangwanda J and Petersen K, Submission to the UN Special Rapporteur on the right to adequate housing and the UN Special Rapporteur on extreme poverty and human rights. The submission focused on sub-national governance and the criminalisation of poverty and status. (15 September 2023)

Mirugi-Mukundi G, Written letter to the Deputy Minister of Justice: South Africa’s Report due to UN-CESCR. Letter on behalf of the ICESCR-CSO Coalition Campaign. (8 June 2023).

Muntingh L and Petersen K, Submission by Africa Criminal Justice Reform (ACJR) to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions. (March 2023)

Muntingh L, Submission to Parliament’s Constitutional Review Committee on the Independence of the NPA. (17 March 2023)

Muntingh L, Written and oral submissions to the UN Subcommittee for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) at meetings on matters relating to South Africa’s compliance with OPCAT (Optional Protocol to the Convention Against Torture) with civil society organisations. (13 and 26 February 2023)

Muntingh L, Submission to the Portfolio Committee on Police on Independent Police Investigative Directorate (IPID) Amendment Bill. (25 October 2023)

Omoruyi A.J, (with Knipe P and Durojaye E) Submission to the Director: Food Control, National Department of Health on Draft Regulations Relating to the Labelling and Advertising of Foodstuffs No. R. 3337. (20 July 2023)

Petersen K, Submission to the Portfolio Committee on Justice and Correctional Services on the Judicial Matters Amendment Bill [B7-2023]. (26 May 2023)

Redpath J, Oral submission to the Portfolio Committee on Justice on the NPA Amendment Bill. (13 October 2023)

Redpath J, Submission to the Portfolio Committee on Justice on the NPA Amendment Bill. (13 October 2023)



WORKSHOPS, SEMINARS AND WEBINARS

SARChI, Hosted a webinar on national development planning, local government and the rights of special groups in Uganda. (Online, 16 February 2023)

ACJR, Hosted a webinar on the findings of the Magistrates survey conducted by the Democratic Governance and Rights Unit (DGRU) that incorporated ACJR questions concerning magistrates' perceptions of prosecutors. 'Webinar on Magistrates' Perceptions of Prosecutors: Survey Analysis' (Online, 22 February 2023)

ACJR, Hosted a two-day workshop on the NPA and how performance is measured with the Portfolio Committee on Justice and Correctional Services. (Cape Town, 28 February - 1 March 2023)

ACJR, Hosted a webinar on 'Sub-national governance and the criminalisation of poverty and status', facilitated by Mangwanda J. (Online, 4 April 2023)

SARChI, Hosted the African School on Decentralisation (ASD) Info Webinar under the theme 'Giving effect to the African Charter on the Values and Principles of Decentralisation, Local Governance and Local Development'. (Online, 12 April 2023)

SARChI, Co-hosted webinar on Local Government as Co-Chair of LPSA Africa Expert Working Group. (Online, 20 April 2023)

SERP and Faculty of Law, Co-hosted Seminar on Exploring the Substantive Content of Socio-Economic Rights: Should the Constitutional Court Change Tack? (UWC, 24 April 2023)

ACJR, Hosted a webinar on The Numbers Gang in South African Correctional Facilities: Reflections on Structures, Functions and Culture, with Presenter Heinrich Veloen and facilitated by Lukas Muntingh. (Online, 25 April 2023)

SARChI, Co-hosted with Catholic Parliamentary Liaison Office a webinar on Coalition Governance - Are we Ready? (Online, 26 April 2023)

MLG, Co-hosted a webinar with IBP-SA on 'Why are municipalities not publishing procurement information on their websites and the eTender Portal?'. (Online, 7 June 2023)

ACJR, Hosted a webinar on 'The Right to Public Spaces and Informal Work: Key Considerations for Law & Policy-Making'. (Online, 28 June 2023)

SERP, Hosted a webinar on Realising the Socio-Economic Rights of Refugees and Asylum Seekers in Africa. (Online, 27 July 2023)

SARChI, Co-hosted (with Office of the Deputy President and UWC) National Dialogue on Coalition Governments. (UWC, 4-5 August 2023)

SARChI, (with Philippe X) Hosted a seminar in SARChI Chair Dialogue Series: The arrest and prosecution of Heads of State for International Crimes'. (UWC, 7 August 2023)

ACJR, Hosted a webinar on 'Sub-National Governance, Law Enforcement and Oversight in Five African Countries: Ghana, Kenya, Nigeria, South Africa and Zambia'. (Online, 30 August 2023)

SERP, Hosted a webinar on Realising the Socio-Economic Rights of Refugees and Asylum Seekers in Africa. (Online, 12 September 2023)

SARChI, Hosted the LL.M/MPhil Programme and Bursary Workshop: Meet and Greet Session. (UWC, 14 September 2023)

SARChI, Co-hosted with Charles M Fombad and Yonatan Fessha the 10th Stellenbosch Annual Seminar on Constitutionalism in Africa, 'Ethnicity and Constitutionalism in Africa', STIAS. (Stellenbosch, 19-22 September 2023)

CRP, Co-hosted (with the UN Special Rapporteur on human rights and terrorism) 'The Conversation with the UN Special Rapporteur on human rights and terrorism'. (Online, 21 September 2023)

SERP, Hosted a workshop on preliminary findings of the second study on community-based paralegals in Africa. (Nairobi, Kenya, 25-26 September 2023)

SERP, Co-hosted with the Centre for Food and Adequate Living Rights (CEFROHT) a webinar in Commemoration of the World Food Day. (Online, 16 October 2023)

SERP, Hosted a webinar on Realising the Socio-Economic Rights of Refugees and Asylum Seekers in Africa. (Online, 17 October 2023)

SARChI and MLG, Hosted with the Hanns Seidel Foundation a hybrid seminar under the theme 'Coalition governments: What are the options for law reform at municipal level'. (Online and Law Faculty, UWC, 8 November 2023)

ACJR, Hosted webinar on 'Sub-national governance and the plight of people working in public spaces'. (Online, 14 November 2023)

SERP, Hosted a validation workshop of the report on Legal Recognition of Paralegals in Selected Francophone Countries in Africa: Lessons, Challenges and Good Practices. (Online, 16 November 2023)

SERP, Co-hosted a Launch Meeting for the Research Report on Legal Status of Community-Based Paralegals in Francophone Countries: Lessons, Challenges, and Best Practices (with the African Centre of Excellence for Access to Justice (ACE-AJ)). (Nairobi, Kenya, 23 November 2023)



CONFERENCE PAPERS

Wright J, 'Encouraging whistleblowers of corruption in South African municipalities' for Combating Organised Crime - Journal of Anti-Corruption Law Annual Hybrid Conference hosted by the University of the Western Cape. (Hybrid, 7 September 2023)

Knipe P and Mafuma T, 'Public food procurement as a tool for diet-related non-communicable diseases (NCD) prevention in South Africa' Paper proposal for Academic Colloquium on Law and Noncommunicable diseases in Africa hosted by International Development Law Organization (IDLO) and the O'Neill Institute for National and Global Health Law. (Kenya, 5-6 December 2023)

Assim U.M, 'The role of the African regional human rights system in addressing climate change' Presented at the Social Practice of Human Rights Conference, University of Dayton. (Online and Ohio, USA, 2-4 December 2023)



PRESENTATIONS

Assim U.M, 'General Comment No. 2 on article 14(1)(a), (b), (c) and (f) and article 14(2)(a) and (c) as an advocacy tool' Presented at a workshop on utilizing General Comments on Article 14 of the Maputo Protocol for sexual and reproductive health rights advocacy in Africa. (Pretoria, 13-14 November 2023)

Assim U.M, 'Legal framework, accountability, and enforcement mechanisms'; and 'the changing nature of conflicts in Africa and their impacts on child justice' Presented at a continental workshop on justice and accountability for Children and Armed Conflict (CAAC). (Kenya, 21-24 November 2023)

Assim U.M, Opening and Welcome Address at the UWC Law Moot Court Society Senior Moot Competition. (UWC, 27 May 2023)

Assim U.M, 'Regional treaty bodies response to climate change' Presented at the Joint Convening of the 6th Biennial Social Practice of Human Rights (SPHR) Conference and 6th International Conference on the Right to Development. (Online and Ohio, USA, 2-4 November 2023)

Assim U.M, 'The impact of COVID-19 on the realisation of the rights of children in disadvantaged communities' Presented at the Community Leaders Training Workshop hosted by the Socio-Economic Rights Project. (UWC, 31 May 2023)

Assim U.M, 'The nexus between sexual violence and the right to health of children in Africa' Presented at the nexus between sexual violence and the right to health of children in Africa seminar, Washington and Lee School of Law. (Online, 20 January 2023)

Beukes J, 'Making Coalitions Work: A Permanent Feature of Democracy' Presented at the South African Local Government Association's (SALGA) 5th Annual Local Government: Governance and Performance Management Seminar. Theme: Coalition Governments- A Permanent Feature. (Emperors Conference Centre, Johannesburg, 16-17 February 2023)

de Visser J and Stevens C, 'Balancing Probity and Performance' Presented and made verbal input on a draft report at a Seminar titled: 'Balancing Probity and Performance' convened by the Western Cape Provincial Treasury. (Online, 30 May 2023)

de Visser J, Chaired Panel on 'Territory and Inequality' at Berkeley Center on Comparative Equality & Anti-Discrimination Law 10th Annual Conference 2023. (Utrecht University, 28-30 June 2023)

de Visser J, 'Coalitions - what about the law' Presented at the Annual General Meeting of the Municipal Law Forum. (Cape Town, 24 May 2023)

de Visser J, 'Coalitions - what about the law' Presented at the DOI/CPLO webinar on Coalition Governance - Are we Ready? (Online, 26 April 2023)

de Visser J, 'Coalitions and Accountability' Presented at IEC Roundtable on Coalitions. (Newlands, 27 September 2023)

de Visser J, 'Coalitions: Conventions, law reform and administrative continuity' Presented at 'Coalition Governance in South Africa: Dedicated Desired States or Destructive Disasters'. (Huguenot College, 5 December 2023)

de Visser J, 'Debating Coalitions Behind a Veil of Ignorance' Presented at the National Dialogue on Coalition Governments. (UWC, 5 August 2023)

de Visser J, 'Elections in South Africa - A tale of two electoral systems' Presented to the Ethiopian Delegation to South Africa. (Netherlands Institute for Multi-Party Democracy, Cape Town, 4 December 2023)

de Visser J, 'Local Government in the Western Cape' Presented at the Hanns Seidel Foundation Programme Launch. (Cape Town, 18 April 2023)

de Visser J, Panel Input on Impactful Research during LoGov Workshop titled 'From Research to Policy and Practice'. (Online, 14 June 2023)

de Visser J, Panelist at Nelson Mandela Foundation Seminar 'The role of civil society in securing better electoral outcomes'. (Online, 12 October 2023)

de Visser J, 'Role of municipal by-laws in the energy crisis' Presented at Western Cape CFO Forum. (Online, 24 March 2023)

de Visser J, 'The possible impact of coalition law on local government services' Presented to the City of Cape Town Executive Management Team. (Online, 4 December 2023)

de Visser J, 'The redistributive effect of South Africa's equitable share to local government' Presented at Local Public Sector Alliance (LPSA) Sub-Saharan Africa Expert Working Group. (Online, 19 October 2023)

Durojaye E, 'Realising access to justice for sexual minorities in Africa' Presented at a training programme on Access to Justice for Vulnerable and Marginalised groups in Africa, hosted by Concerned Women International. (Lagos, Nigeria, 16-20 August 2023)

Durojaye E, 'The relevance of General Comment 7 of the African Commission on the Private actors and services delivery in ensuring access to services in Africa' Presented at a regional Conference on Reclaiming Public Service in Africa. (Kampala, Uganda, 29-30 August 2023)

Durojaye E, Acted as a panellist at a Conference on Equality and Anti-Discrimination Law organised by Berkley's Center on Comparative Law in conjunction with the Utrecht University. (Online, 30 June 2023)

Durojaye E, 'Constitutional limitations of rights during a public health emergency' Presented at a book launch of the edited volume Constitutional Resilience and the COVID-19 Pandemic: Perspectives from Sub-Saharan Africa edited by Ebenezer Durojaye and Derek Powell (Palgrave Macmillan 2022). The book launch was hosted by Dayton University, Center for Human Rights. (Dayton University, 12 January 2023)

Durojaye E, Convened a hybrid Symposium on the Contribution of the African Human Rights Systems to the Advancement of the Right to Health hosted by the Washington and Lee School of Law, Lexington VA. (Hybrid and Washington and Lee University VA, 20 January 2023)

Durojaye E, 'The role of National Courts in advancing sexual and reproductive health and rights' Presented at a hybrid Symposium on the Contribution of the African Human Rights Systems to the Advancement of the Right to Health hosted by the Washington and Lee School of Law, Lexington VA. (Hybrid and Washington and Lee University VA, 20 January 2023)

Knipe P, Facilitated a webinar on 'Realising the Socio-Economic Rights of Refugees and Asylum Seekers in Africa'. (Online, 12 September 2023)

Knipe P, 'The Significance of Legal Research in Addressing Obstetric Violence in Africa' Presented at the NGO Forum of the 77th Ordinary Session of the African Commission on Human and People's Rights: Roundtable on Obstetric Violence in Africa. Hosted by KELIN, ISLA and Dullah Omar Institute. (Tanzania, 18 October 2023)

Lorizzo T, 'Challengers of children imprisoned in Mozambique' Presented at the workshop 'The Non-Judicial Intervention in the Protection and Promotion of the Rights of the Child' organised by the Legal Training Centre. (Mozambique, 27 January 2023)

Mangwanda J, 'Campaign for the Decriminalisation of Poverty and Status: Research and Policy Workstream' Presented at the Campaign for Decriminalisation of Poverty and Status conference 'Tackling a Global Challenge' hosted by the Global Campaign Coordinating Committee (GCCC). (Online, 9 November 2023)

Mangwanda J, 'Campaign to Decriminalise Poverty and Status: Historical Overview and Milestones' Presented at the Strategic Meeting of the Global Campaign Co-ordinating Committee for the Campaign to Decriminalise Poverty and Status. (Nairobi, Kenya, 24-26 July 2023)

Mangwanda J, 'La Campagne Mondiale pour Décriminaliser la Pauvreté et le Statut: Contexte historique' Presented at the Première retraite du sous-groupe francophone. (Brussels, Belgium, 11-12 December 2023)

Mangwanda J, 'Sub-national governance and the plight of people working in public spaces' Presented at the webinar on Sub-national governance and the plight of people working in public spaces, hosted by Africa Criminal Justice Reform (ACJR). (Online, 14 November 2023)

Mangwanda J, 'Sub-National Governance, Law Enforcement and Oversight in Five African Countries: Ghana, Kenya, Nigeria, South Africa and Zambia' Presented at the Sub-national Governance, Law Enforcement and Oversight in five African Countries: Ghana, Kenya, Nigeria, South Africa and Zambia' webinar hosted by ACJR. (Online, 30 August 2023)

Mezmur B.D, 'Adverse impact of climate change on the full realization of the right to food' Presented at the Annual Panel Discussion on the Adverse Impacts of Climate Change on Human Rights of the 53rd Human Rights Council session. (Geneva, 3 July 2023)

Mezmur B.D, 'Children's rights and climate change' Presented at the Harvard Law Climate Justice and Technology. (Online, 24 July 2023)

Mezmur B.D, 'Strengthening International Humanitarian Legal Protections for Marginalized Groups: Accounting for Children, Women, and Persons with Disabilities' Presented at a conference titled 'The rights of children with disabilities and armed conflicts' hosted by the Harvard Law School Disability Programme. (Online, 2 November 2023)

Mezmur B.D, 'The evolving opportunities for international law on children's rights' Presented at the Parker School Asian Law Programme at Columbia University. (Online and New York, 15 November 2023)

Mezmur B.D, 'The merits and demerits of the UDHR for child rights' Presented at an event series 'The Past and Future of Human Rights in Theory and Practice: 75 years of the Universal Declaration of Human Rights' as part of the Duke Law Human Rights in Practice hosted by the International Human Rights Clinic and the Centre for International and Comparative Law. (Online and Durham, North Carolina, US, 13 November 2023)

Mezmur B.D, 'The Resurgence of Child Labor and the Rights of the Child in the United States' Presented at a conference titled 'The role of the Convention on the Rights of the Child and its optional protocols to address child labour in the United States' hosted by the Harvard Law School Human Rights Program. (Online, 17 October 2023)

Mezmur B.D, 'What will happen to our future if we keep on going like this?' Presented at a meeting on 'The Climate Crisis and the UN Committee on the Rights of the Child' at Columbia University. (Online and New York, 17 November 2023)

Mirugi-Mukundi G, Anchored the webinar on Realising the Socio-Economic Rights of Refugees and Asylum Seekers in Africa. The webinar discussed the discuss the various barriers to the realisation of socio-economic rights of refugees and asylum seekers, and opportunities that exist to overcome these barriers. (Online, 27 July 2023)

Mirugi-Mukundi G, Co-facilitated (Nanima R) the Workshop on preliminary findings of the second study on community-based paralegals in Africa (Nairobi, Kenya, 25-26 September 2023)
Muntingh L, 'Accountability following Zondo Commission' Presented at a webinar on Accountability for State Capture hosted by Open Secrets. (Online, 30 March 2023)

Muntingh L, DOI managers met with the New Zealand Deputy High Commissioner to brief her on our work and explore opportunities for support. (Online, 2 March 2023)

Muntingh L, 'Parole System' Presented at the Gun Free SA management team meeting. (Online, 18 September 2023)

Muntingh L, Participated in the consultations on the Draft National Policing Policy, hosted by the Civilian Secretariat for Police Service in partnership with the Western Cape Department of Police Oversight and Community Safety. (Durbanville, 4 October 2023)

Muntingh L, 'Prison Monitoring' Presented at the 2nd Regional Judges Forum. (Sandton, 21-23 June 2023)

Muntingh L, 'Private prisons monitoring by independent oversight' Presented at webinar on Monitoring privately run places of detention hosted by University of Bristol and APCOF. (Online, 23 March 2023)

Omoruyi A.J, Facilitated the webinar on Realising the Socio-Economic Rights of Refugees and Asylum Seekers in Africa. (Online, 17 October 2023)

Omoruyi A.J, 'Regulation of child directed marketing in South Africa' Presented at the webinar in Commemoration of the World Food Day hosted by the Socio-Economic Rights Project and the Centre for Food and Adequate Living Rights (CEFROHT). (Online, 16 October 2023)

Petersen K, 'A South African perspective on Anti-Blackness and Colonial Detention' Presented at the webinar on 'Anti-Blackness and Colonial Detention: Past and Present' hosted by the Museum of British Colonialism. (Online, 23 May 2023)

Petersen K, 'Defining the Problem with Sub-national Government and Criminalisation' Presented at the webinar on 'Sub-national Government and the Criminalisation of Poverty & Status: Defining the Problem' hosted by ACJR. (Online, 4 April 2023)

Petersen K, Facilitated a webinar on 'Sub-national Governance, Law Enforcement and Oversight in Five African Countries: Ghana, Kenya, Nigeria, South Africa and Zambia' hosted by ACJR. (Online, 30 August 2023)

Petersen K, Facilitated the advocacy meeting of the Detention Justice Forum (DJF) on the Correctional Services Amendment Bill B14 of 2023. (Online, 4 July 2023)

Petersen K, Facilitated webinar titled 'Intersections of Violence and Vulnerability: Does the Current Criminal Legal System Account for this and is it Transformative?' at the Symposium 'Rethinking Justice to Create Alternative Global Futures'. (Online, 18 August 2023)

Petersen K, Participated in the Practitioners' Roundtable on Tools of Torture and a Torture-Free Trade Treaty, hosted by the Centre for Human Rights, University of Pretoria. (Online, 28 November 2023)

Petersen K, 'The Right to Public Spaces and Informal Work: Key Considerations for Law and Policy-Making' Presented at the webinar on the Right to Public Spaces and Informal Work: Key considerations for Law and Policy-Making, hosted by ACJR. (Online, 28 June 2023)

Redpath J, 'Findings of the Magistrates survey conducted by Democratic Governance and Rights Unit that incorporated ACJR questions concerning magistrates' perceptions of prosecutors' Presented at webinar on the Magistrates' Perceptions of Prosecutors: Survey Analysis hosted by ACJR. (Online, 22 February 2023)

Redpath J, 'Interpretation of crime data' Presented to the Portfolio Committee on Police (National Assembly) (29 November 2023)

Redpath J, 'Law Enforcement Advancement Plan' Presented at the Annual Conference of the Institute for Traffic Officers, Licensers and Municipal Police Officers of Southern Africa (ITLMPOSA). (Umhlanga, 28 September 2023)

Redpath J, Panellist at Evidence-Based Policing South Africa Conference hosted by Institute for Security Studies. (Cape Town, 7-8 December 2023)

Redpath J, Participated in the consultations on the Draft National Policing Policy, hosted by the Civilian Secretariat for Police Service in partnership with the Western Cape Department of Police Oversight and Community Safety. (Durbanville, 4 October 2023)

Redpath J, 'Performance indicators and measuring impact' Presented at National Prosecution Service's Specialised Commercial Crime Unit Assessing and Strengthening Performance and Impact Workshop hosted by Institute for Security Studies. (Pretoria, 23 November 2023)

Redpath J, 'The NPA and how performance is measured' Made three presentations at a two-day workshop on the NPA and how performance is measured with the Portfolio Committee on Justice. (Cape Town, 28 February - 1 March 2023)

Redpath J, 'What is crime data telling us? Implications for Policy' Presented at a webinar on What is the data telling us about crime? hosted by ACJR. (Online, 15 August 2023)

Stevens C, Participated as one of the panellists at the Black Lawyers Association Student Chapter's (BLAsc) Law Career Workshop Week. (UWC, 20 September 2023)

Steytler N and de Visser J, 'Local democracy as a cornerstone of democracy: The South African experience' Presented at Annual IACFS conference, Philadelphia, USA. Participant in invited group of experts, 'Lessons Learned from Support to Constitution Building Processes', Kantar Public and the Constitution Transformation Network, led by Prof Cheryl Saunders. (Online, 9 November 2023)

Steytler N, 'Local Government in Federal Systems' Presented at IDEA Seminar for the Myanmar government in exile. (Online, 27 September 2023)

Wright J, Chair of Hybrid Seminar 'Coalition governments: What are the options for law reform at municipal level?'. (Online and Law Faculty, UWC, 8 November 2023)

Wright J, Chair of virtual session 'The Urban Reality of Environmental Law' CLES Annual Postgraduate Student Conference. (Online, 15 November 2023)

Wright J, 'Introduction to the Water Justice Tracker Project' Presented at the Brown Bag Lunch seminar. (School of Public Health, UWC, 13 November 2023)

NEWSLETTERS

[Local Government Bulletin, Volume 18, Issue 1, March 2023.](#)

[Local Government Bulletin, Volume 18, Issue 2, June 2023.](#)

[Local Government Bulletin, Volume 18, Issue 3 September 2023.](#)

[Local Government Bulletin, Volume 18, Issue 4, November/December 2023.](#)



2023 FUNDERS LIST

Africa Criminal Justice Reform (ACJR)

- Open Society Foundations - Human Rights Initiative
- Sigrid Rausing Trust

Core

- Faculty of Law, University of the Western Cape
- University of Pretoria, Centre for Human Rights

Children's Rights Project (CRP)

- University of the Western Cape

Socio-Economic Rights Project (SERP)

- Amplify Change
- Cancer Association of South Africa (CANSA)
- Charles Steward Mott Foundation
- Georgetown University

SARChI / Multilevel Government Project

- EURAC
- Hanns Seidel Foundation
- International Budget Partnership
- National Research Foundation (NRF)
- University of the Western Cape



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Address

Dullah Omar Institute
University of the Western Cape
New Social Sciences Building
Robert Sobukwe Road
Bellville 7535
Cape Town



Tel: +27 21 959 2950



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