



# DULLAH OMAR INSTITUTE

## ANNUAL REPORT

2019



UNIVERSITY *of the*  
WESTERN CAPE



# ORGANISATIONAL OVERVIEW

## **Advisory Board**

Prof Josè Frantz Deputy Vice-Chancellor: University of the Western Cape, represented by Prof Julian May, Director: DST-NRF Centre for Excellence on Food Security (Chair)

Prof Tyrone Pretorius Rector and Vice-Chancellor: University of the Western Cape

Prof Jacques de Ville Dean: Faculty of Law

Prof Jaap de Visser Director: Dullah Omar Institute

Adv Karrisha Pillay Advocate at the Cape Bar

Judge Vincent Saldanha Judge at the Western Cape High Court

Mr Ashraf Mahomed Practising attorney

Adv Geoff Budlender SC Advocate at the Cape Bar Assoc (until 23/05/2019)

Prof Dee Smythe Professor of Public Law University of Cape Town (since 23/05/2019)

Prof Lea Mwambene Law Faculty representative

Ms Fairuz Mullagee Law Faculty representative

Daveraj Sauls Law Students representative

## **Management Committee**

Prof Julian May

Prof Jacques de Ville

Prof Jaap de Visser

Prof Lea Mwambene

## **Staff**

Prof Jaap de Visser - Director

## **Financial Management**

Virginia Brookes - Chief Operations & Financial Manager

Kirsty-Martine Wakefield - Bookkeeper

## **Information and Communications Management**

Jacob Nthoiwa - Communications Manager

Keathélia Sapto - Communications Assistant

## **Office Management**

Debbie Gordon - Coordinator: Institute Operations and Projects

Mandy Cupido - Receptionist

## **Children's Rights Project**

Assoc Prof Benyam Mezmur - Project Head

Dr Usang Maria Assim - Senior Researcher

Dr Robert Nanima - Postdoctoral Research Fellow

Meseret Kifle Ande - Doctoral Researcher

Nimrod Muhumuza - Doctoral Researcher

Thandeka Khoza- Doctoral Researcher

Sideen Louw - Research Assistant

Crystal Nitsckie - Administrator

## **Africa Criminal Justice Reform**

Assoc Prof Lukas Muntingh - Project Head

Jean Redpath - Researcher

Kristen Petersen - Researcher

Janelle Mangwanda - Researcher

Tina Lorizzo - Associate Researcher

Crystal Nitsckie - Administrator

## **Applied Constitutional Studies Laboratory**

Assoc Prof Derek Powell - Project Head

Valma Hendricks - Administrator

## **South African Research Chair in Multilevel Government, Law and Policy**

Prof Nico Steytler - South African Research Chair

Dr Tinashe Chigwata - Senior Researcher

Dr Michelle Maziwisa - Postdoctoral Researcher

Thabile Chonco - Doctoral Researcher/ NGAP Lecturer

Annette May - Doctoral Researcher

Shehaam Johnstone - Doctoral Researcher

Xavia Poswa - Doctoral Researcher

Henry Omboto - Doctoral Researcher

Melissa Ziswa - Doctoral Researcher

Curtly Stevens - Doctoral Researcher

Phumla Hlati - Doctoral Researcher

Jennica Beukes - Research Assistant

Mandy Cupido - Administrator

## **Socio-Economic Rights Project**

Prof Ebenezer Durojaye - Project Head

Gladys Mirugi-Mukundi - Researcher

Funmilola Adeniyi - Doctoral Researcher

Keathélia Sapto - Administrator

## **Womxn and Democracy Initiative**

Samantha Waterhouse - Project Head

Vivienne Mentor-Lalu - Researcher/Facilitator

Motlatsi Komote - Research and Advocacy Officer

Alicestine October - Research and Advocacy Communications Consultant

Tanaka Manungo - Intern

Saamiya Alli - Intern

Hannah Evans - Intern

Ashley Nehrebecki - Intern

Laura Wellen - Administrator

## **Adjunct and Extraordinary Staff and Research Fellows**

Assoc Prof Zemelak Ayele Addis Ababa University

Adjunct Prof Stephen Berrisford African Centre for Cities (UCT) / Pegasys Consulting

Dr Jacqui Gallinetti Plan International

Prof Henk Kummeling Utrecht University

Dr Nkatha Murungi Centre for Human Rights

Assoc Prof Christopher Mbazira Makerere University

Prof Xavier Philippe University of Paris I (Panthéon-Sorbonne)

Prof Julia Sloth-Nielsen Faculty of Law, UWC

Prof Yonatan Fessha Faculty of Law, UWC

Prof Jamil Mujuzi Faculty of Law, UWC

Prof Jan Erk Université du Québec à Montréal / University of Cambridge

# THE INSTITUTE AT A GLANCE

## FINANCES

|                          | 2013        | 2014        | 2015        | 2016        | 2017        | 2018        | 2019               |
|--------------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------------|
| <b>Total income</b>      | R12 427 942 | R15 986 937 | R18 915 028 | R16 105 089 | R22 418 930 | R22 019 523 | <b>R28 234 366</b> |
| <b>Total expenditure</b> | R12 687 435 | R14 367 186 | R16 907 226 | R17 719 207 | R18 862 145 | R20 946 570 | <b>R23 833 755</b> |

## STAFF PROFILES

| Number of males | Number of females | Number of staff in total | Number of nationalities |
|-----------------|-------------------|--------------------------|-------------------------|
| 13              | 28                | 41                       | 9                       |

| NRF-Rated | Staff with Phds | Male Phd candidate | Female Phd candidates |
|-----------|-----------------|--------------------|-----------------------|
| 3         | 4               | 4                  | 8                     |

## 2019 ACADEMIC OUTPUTS BY INSTITUTE STAFF

| Books | Chapters in books | Peer-reviewed articles | Doctoral degrees |
|-------|-------------------|------------------------|------------------|
| 4     | 15                | 16                     | 1                |

## OTHER OUTPUTS (2019)

| Research reports | Submissions | Workshops & Seminars | Conferences | Conference papers |
|------------------|-------------|----------------------|-------------|-------------------|
| 40               | 24          | 61                   | 2           | 24                |

## MEDIA

| Website views | TV & Radio | Print & Online | Facebook likes | Twitter followers | Facebook unique visits/Post |
|---------------|------------|----------------|----------------|-------------------|-----------------------------|
| 52547         | 42         | 12             | 2318           | 3167              | 116 008                     |

## DOCTORAL DEGREES AWARDED IN 2019

Ayodeji Bello

## MASTERS DEGREES AWARDED IN 2019

Brilaine Manasse

Chilumbwa Maambo

Curtly Stevens

Jennica Beukes

Lucille Damon

Nchimunya Mweene

Siyabulela Mngxekeza

Zimkhitha Mhlahlo

# 30th ANNIVERSARY: LOOKING BACK AT 2015-2020

## Introduction

In 2015, we celebrated our 25<sup>th</sup> Anniversary and changed our name from the Community Law Centre to the Dullah Omar Institute for Constitutional Law, Governance and Human Rights. This was to honour our founding Director and to open a new chapter in the history of the organisation. Our new name confirms our commitment to the ideals that Adv Dullah Omar stood for.

To further mark the 25<sup>th</sup> Anniversary, we published more than 50 historical publications, written by former staff members such as Dullah Omar, Albie Sachs, Amy Biel, Dr Zola Skweyiya and Brigitte Mabandla. They are available here <https://bit.ly/2YEbKhq>. We also published 14 interviews (<https://bit.ly/2BqKkF9>) with individuals who were prominent in our history, such as Judge Vincent Saldanha, Bulelani Ngcuka and Prof Renfrew Christie.

Five years later, as DOI celebrates its 30<sup>th</sup> Anniversary, it is good to look back, particularly at the last five years.

The world has changed since 2015. Digital technology developed at sometimes frightening speed, the South African government lamentably failed to contain corruption, and the world became more divided. At our anchor University, UWC, the #FeesMustFall movement changed the University and indeed influenced the entire higher education landscape.

As I write this report, we are in the middle of the world-wide Coronavirus pandemic. There is no script for this truly global disaster and the future has become more uncertain. It is clear, however, that everyday life will change for the foreseeable future. The pandemic is also testing South Africa's and Africa's commitment to constitutionalism and human rights, in terms of the public health response but also in terms of the impact on livelihoods. The Institute is fully invested in these themes, and is re-orienting many of its objectives and operations to adjust to the new reality.

## Pursuing social justice

The work of DOI is underpinned by the pursuit of social justice and constitutionalism. We believe that the law must serve social justice, that it must give effect to human rights and democracy. This

translates into a rights-based approach to governance and public services. Simply put, the benchmark for what is just, is not simply what the government can manage. The benchmark for what is just, is what adequately protects the dignity of every human being.

## **Research and innovation**

Our work is also underpinned by research: we want to put new knowledge into the world and make well-researched arguments in support of social justice. DOI's work is innovative. It is often ahead of the curve because it asks questions that few others ask. For example: if pre-trial detention is so widespread, we need to examine its socio-economic impact on the affected households. Another example: if political parties all agree to combat sexual harassment does that translate in them addressing allegations against their members? Or: what publicly available data, other than media reports, can we use to get a more refined picture of civic protests?

## **Flexibility**

The Institute's approach is not static. We shifted focal areas and methodologies over the last five years in order to improve our response to the world around us. For example, ACJR expanded its focus from prisons to criminal justice. WDI expanded its focus from legislatures to include democracy within civil society. We started a project on governance at state-owned entities. The Socio-Economic Rights project included a focus on refugees, and the Children's Rights Project also examined institutional aspects of the protection of children's rights, such as independent agencies. This resilience also strengthens our ability to adjust to COVID-19.

## **Teaching and postgraduate supervision**

Supporting young scholars to obtain their postgraduate degrees is an important part of the Institute's mission. We do this to contribute to the University's teaching mission but also to strengthen the resolve and capacity of young scholars from South Africa and the rest of Africa. We raise funds for postgraduate bursaries, administer them, teach postgraduate courses and supervise postgraduate research projects.

Over the past five years, DOI staff successfully supervised 49 masters' degrees and ten doctoral degrees. During that same period, we hosted 9 post-doctoral bursaries, 17 doctoral bursaries and 29 Masters bursaries.

Together with the Law Faculty, we also hosted ten doctoral colloquia where doctoral students present and debate their work, and benefit from the network and stimulus that comes with these regular events. We joined the Centre of Excellence of Food Security to host postgraduate bursaries and projects on the right to food and food governance. In 2018, we secured five prestigious Open Society Foundation Commemorative Bursaries for postgraduate students linked to DOI.

Over the past five years, our postgraduate programme became more international, and extended into Africa. Between 2015-2019, we hosted doctoral and post-doctoral researchers from 11 different countries. Our hosting of students from all over Africa under the Human Rights and Democratisation Masters Programme, convened by the University of Pretoria's Centre for Human Rights continued to reach its 20th year in 2019. We also collaborated on postgraduate teaching with Zambia's Chilambana Institute for Local Governance and with Addis Ababa University's Centre for Federal and Governance Studies.

Our engagement with social justice and the rule of law manifests in a variety of different outputs. Many of those contribute directly to the academic enterprise of the University. Over the past five years we published 17 books, 94 peer-reviewed articles, 78 chapters in books, 128 research reports and we delivered 90 conference presentations.

Our teaching mandate is expanding beyond the postgraduate domain, where DOI is traditionally the most invested. DOI is contributing to the Faculty of Law's undergraduate programme, most notably Constitutional Law 201. We support the Cape Peninsula University of Technology's Degree in Paralegal Studies with bursaries and the Socio-Economic Rights conducts regular capacity building workshops with Community Leaders from informal settlements in Cape Town. The latter programme started in three communities (Sea Wind, Blikkiesdorp & Mandela Park) and now spans seven communities, including Delft, Overcome Heights, Hill View and Vrygrond.

## Events

As I write this overview, events and public gatherings are prohibited due to the Coronavirus pandemic. Yet, they are essential to the Institute's method of collective learning and advocacy

and will remain so, albeit perhaps in different formats. Our Dullah Omar Memorial Lecture Series is a highlight on the University Calendar and we were proud to host Michael Masutha, Graça Machel and Naledi Pandor to deliver these lectures over the past few years. We were also proud to host one of the Oliver Tambo Centenary Lectures with Albie Sachs.

We hosted 3 memorial lectures, 213 workshops and 17 conferences over the past five years.

They attest to the Institute's soft power 'to convene and convince', its firm footing in social justice networks but also its organisational strength to manage small and big events.

## **Advocacy**

Each project of the Institute conducts advocacy and we do so in many different ways. Sometimes, our advocacy directly confronts the government (for example with protests and court cases). Other times, we use submissions, media engagement and targeted engagement with government officials. We also use our consultancy assignments to influence the government with our research. The Institute's advocacy is often part of a broader collective of organisations. We believe that locating evidence-based advocacy in broad-based coalitions can have a significant impact that benefits marginalised communities directly.

Parliament Watch, a project by the Womxn and Democracy Initiative is a case in point. This collective of nine organisations, led by WDI brings monitors, drawn from these organisations, into the national Parliament and selected provincial legislatures. It draws on their reports to systematically assess how committees perform in promoting transparency and public access and in holding the executive to account. Over the past years, the collective dimension of advocacy has received ever greater emphasis. As a University-based NGO, we have a lot to offer to augment the work of other CSOs. At the same time, we must never use our research orientation to dominate. Getting this right requires consistency and respectful leadership.

## **African Commission on Human and Peoples' Rights**

Much of our advocacy work has a continent-wide dimension. For example, we have maintained our Observer Status with the African Commission on Human and People's Rights for more than fifteen years. The Institute is present at almost every session of the Commission where we petition

the Commission, make submissions and organise side events, often with the Socioeconomic Rights Project spearheading our efforts. Over the past five years, we used this platform to mobilise around issues such as the ratification of the optional protocol to the International Covenant on Economic, Social and Cultural Rights, the improvement of prison conditions and the decriminalisation of petty offenses.

Over the past five years, we have made 91 submissions to governments, wrote 41 opinion pieces and made 160 media appearances, always making evidence-based arguments pursuing social justice.

## Courts and commissions of inquiry

Where relevant, we get involved in judicial and quasi-judicial processes to pursue social justice issues. Our involvement in litigation on the discriminatory allocation of police resources (see box) is a key example. Another example is the delivery of expert evidence in a civil case on a mass assault in St Alban's prison in Port Elizabeth and our submissions to the Zondo Commission on State Capture. Together with partners, the Children's Rights Project submitted an *amicus* brief and helped secure a Constitutional Court judgment on the banning of corporal punishment. We also crossed borders and delivered expert testimony to the Ugandan Commission of Inquiry into Land Matters and the Socio-Economic Rights Project submitted an *amicus* brief to the United Nations Committee on Economic, Social and Cultural Rights concerning forced evictions.

In 2014, ACJR's Jean Redpath gave evidence to the Commission of Inquiry into Allegations of Police Inefficiency and a Breakdown in Relations between SAPS and the Community in Khayelitsha, headed by Justice Kate O'Regan. Her analysis of police data showed that poorer areas (comprised primarily of black people) had lower than average per capita rates of policing, despite having the highest murder rates. On this basis, the Commission recommended that the SAPS review their resource allocation method and urgently re-allocate resources.

After the SAPS failed to do this, the Social Justice Coalition (SJC) brought a case to the Equality Court arguing that the distribution of police resources was discriminatory on the basis of race and poverty. Jean Redpath's expert evidence was instrumental in the Court finding in December 2018 that SAPS' distribution of police resources in the Western Cape unfairly discriminates against black and poor people.

## Alternative reporting to international bodies

Over the past five years, the Institute often used the international human rights framework to put pressure on governments to improve their human rights record. We've led coalitions to produce alternative reports to the –

- African Committee of Experts on the Rights and Welfare of the Child;
- UN Committee on the Rights of the Child;
- UN Committee on the Rights of Persons with Disabilities;
- UN Human Rights Council; and
- UN Committee on Economic, Social & Cultural Rights.

Often, these august bodies included our recommendations in their assessment of South Africa. Our involvement with international bodies does not stop there. We have also often assisted them directly. Sometimes this involves us preparing draft general comments (guidelines issued by international bodies). For example, CRP prepared general comments for the ACERWD on the responsibilities of the child and ACJR prepared general comments for the ACHPR on the right to redress for victims of torture. We have also helped draft resolutions (decisions by international bodies) on decriminalisation of petty offences and the role of non-state actors in socio-economic rights for the ACHPR. CRP prepared concept notes for the ACERWC to mark the Day of the African Child and SERP assisted the ACHPR with its report on HIV and Human Rights in Africa.

## Study tours

When other countries set out to study aspects of South Africa's Constitution, they often call on DOI. Over the past five years, we hosted study tours from a number of countries including Pakistan (on intergovernmental relations), Sri Lanka (on constitutional transition), Uganda (on land and evictions), Kehl University (on local government) and the United Kingdom (on civilian oversight over the police).

### **Making law and policy accessible**

Communicating about law, policy and social justice to people who are not lawyers and/or academics is central to our mission to influence people and organisations. Over the past five years, we produced 21 newsletters, 23 fact sheets, 2 manuals and 2 handbooks. We also produced 11 videos and infographics.

## Impact

Our aim is to influence people and organisations towards social justice and constitutionalism. Immediate impact towards these goals is hard to measure. It is often a case of moving the needle bit by bit, over a long period of time. We are also often part of broader collectives that achieve successes together. However, there is no doubt that many of the 84 submissions we made to the government contributed to policy shifts. Also, many years of collective advocacy paid off when South Africa ratified the ICESCR in 2015 and the Optional Protocol to the Convention against Torture (OPCAT) in 2019. We also successfully advocated for Mozambique's ratification of OPCAT. Similarly, ACJR played a part in ensuring that there is no statute of limitations for torture in the Criminal Procedure Act, having the offence of being "rogue and vagabond" declared unconstitutional in Malawi and in the Equality Court's judgment on police resources. CRP contributed to the banning of corporal punishment. The work of WDI played a role in making parliamentary committees more receptive to public participation and some political parties tightening their policies on sexual harassment may be traced back to WDI's #Notourleaders campaign. When our work is cited in court judgments, government reports and academic literature, this also attests to our influence. For example, *Local Government Law* is cited regularly by our courts and ACSL's big data research outputs are cited in many prominent publications. Lastly, we have made an impact when we managed to increase the confidence, skill and knowledge of our students and the CBOs or community leaders we work with.

## Operations

As a University-based NGO we rely on external funding, which we mostly raise from external donors. Each year, the Institute works with close to 25 different funders and, without their support and engagement, it would not have been possible for us to do the work we celebrate here. The funding environment for research based advocacy is always difficult to predict and we will no doubt feel the impact of COVID-19 in the years to come. Nevertheless, the Institute has seen significant growth over the past five years as evidenced by the growth in revenue from R 12.5 Million in 2013 to R 28.2 Million in 2019. The University remains our most important partner and over the past five years, we have been fortunate to be supported as one of its flagship institutions.

Our greatest asset at DOI is the remarkable staff. The total number of staff (including resident doctoral and post-doctoral researchers) has grown from 32 in 2015 to 41 in 2019. They often had

to work under trying circumstances, negotiate many obstacles, and oftentimes didn't even have an office to go to. Yet, they have always prevailed with researching, teaching, advocating, organising, coordinating and managing the many programmes of the Institute. Their resilience, hard work and commitment to social justice and constitutionalism has been truly extraordinary.

Jaap de Visser

Director

# SOCIO-ECONOMIC RIGHTS PROJECT

The Socio-Economic Rights Project promotes the realisation of socio-economic rights in South Africa and on the African continent. It conducts applied research, teaching and advocacy using international, regional and domestic human rights frameworks, institutions and mechanisms to work towards the realisation of socio-economic rights. It focuses mostly on housing rights, health rights, socio-economic rights of immigrants and the right to food. In 2019, we pursued the following outcomes:

- international instruments pertaining to socio-economic rights brought into the domestic realm in order to strengthen the protection of these rights;
- increased knowledge and awareness among local communities to assert socio-economic rights;
- regional human rights bodies are assisted to ensure accountability and advancement of human rights in Africa;
- accountability mechanisms are developed in relation to sexual and reproductive health and rights; and
- increased awareness and respect for the socio-economic rights of refugees and asylum seekers.

## **Bringing international instruments into the domestic realm**

Together with other partners, we were involved in follow up activities to the concluding observations of the Committee on Economic, Social and Cultural Rights to the South African government. In order to ensure that the government fulfils its obligation to implement these recommendations, SERP together with some partners developed a booklet summarising the key recommendations of the CESCR in plain language. The booklet was translated into *Afrikaans* and *IsiXhosa* and will be used as a tool for advocacy to engage with policy makers.

In addition, SERP organised a series of community workshops to educate community members about the recommendations and the need for them to monitor their implementations in their different communities.

Together with other partners, SERP played an important role in the drafting and adoption of a landmark Resolution 420 by the African Commission on Human and Peoples' Rights on the role

of states in regulating the activities of non-state actors. SERP together with partners are currently involved in advocacy activities to create awareness about this important resolution.

## **Increasing knowledge and awareness**

As part of building the capacity of people in disadvantaged communities to assert their socio-economic rights, SEPR continued to organise its series of community leaders' workshops on human rights and accountability at community level. These workshops have become popular among different communities in Cape Town and we received requests from more communities to join in the training. This series of workshops started with three communities but now includes seven communities across Cape Town. So far about 300 community members have benefited directly from these workshops, while another estimated 1500 have indirectly benefited. The workshops addressed different thematic areas including the importance of sustainable development for community members, non-communicable diseases and human rights and the link between insecurity violence and socio-economic rights.

These workshops have played a positive role in equipping community members with knowledge and enhancing their confidence to engage with government institutions at the local level. For instance, one of the community leaders was able to lead a demonstration to the ward councillor in their area to protest against the lack of security and police presence. This resulted in the creation of a police post in the community, thus improving the security situation in the area. We hope to continue with these workshops in following years and plan to run a short course related to this in future.

One of the highlights for SERP during the reporting period was the official submission of a petition to the South African Human Rights Commission urging it to investigate the incidents of hunger and food insecurity on South African campuses. The petition affirmed the right to food of all, including students in tertiary institutions in SA and requested that the SAHRC should make the findings of its investigation known to the public with concrete recommendations to the government. This was a significant move considering the high level of under and food insecurity among students on South African campuses.

SERP organised two important side events at the Ordinary Sessions of the African Commission in October 2019. One of the side events was on the role of national human rights bodies in addressing sexual harassment at the national level. The second event was about realising access

to justice for disadvantaged groups in Africa. Both meetings were well-attended by civil society groups, national human rights institutions and members of the African Commission on Human and Peoples Rights.

Also, during the year, SERP together with partners organised a side event on realising access to justice for vulnerable and marginalised groups in Africa and Asia at the High Level Political Forum in New York in July 2019. This meeting was well attended by ministers and top government officials from South Africa, Indonesia, Pakistan and India.

Through postgraduate supervision and teaching SERP has continued to build the capacity of the next generation of scholars on SERs. Two Masters students and one Doctoral student completed their postgraduate studies in 2019.

As part of its commitments to ensure the implementation of international instruments on socioeconomic rights at the national level, SERP organised two community dialogues to educate community members about the recommendations of the CDESCR and how these could be used to hold the government accountable. These workshops explained the content and importance of the concluding observations adopted by the CDESCR how civil society groups and community members can engage with policy makers and government departments to ensure the implementation of these recommendations. The dialogues explain the provisions of the ICESCR, the role of the CDESCR, the meaning of state reporting and the need to monitor the government in ensuring that the recommendations of the CDESCR are implemented. During these dialogues the booklet summarising the recommendations of the CDESCR, which is translated into Afrikaans and IsiXhosa was distributed among the participants.

In line with its efforts at stimulating social discourse and advancing knowledge on socio-economic rights, SERP organised two round-tables to address important socio-economic rights issues. The first roundtable was on meaningful engagement to realise the right to housing. Panellists at this meeting included Prof Sandy Liebenberg, Dr Soraya Beukes and Ms Ms Nonhlanhla Buthelezi from the National Department of Human Settlements and Commissioner Ameerma from the South African Human Rights Commission. The meeting was also attended by civil society groups, academics and community leaders from informal settlements. The second roundtable was on Business and Human Rights. This meeting explored the link between the activities of private actors and their impacts for the enjoyment of socio-economic rights in South Africa. Panellists for this meeting included Dr Khulekani Moyo Wits University, Josua Loots, University of Pretoria and

Mr. Christiaan Endres of the Konrad Adenauer Foundation. The meeting discussed the important role non-state actors played in complementing the government's efforts in providing social services in South Africa. It, however, noted that the government as the primary duty-bearer should continue to regulate the activities of non-state actors so as to prevent human rights abuses. It was also suggested that non-state actors have the duty to ensure that their activities do not undermine human rights.

SERP also organised two important advocacy meetings to realise the right to food for students in South African tertiary institutions. This was part of its efforts to address the right to food of students in tertiary institutions. These meetings deliberated on strategies and plans to influence reforms that will address hunger among students in tertiary institutions. At the end of these meetings SERP together with participants agreed to engage with the Parliament and the South African Human Rights Commission with a view to developing policies that will address the food needs of students in South African tertiary institutions and ensure accountability for the government. As a means of last resort, it was also agreed that litigation on the right to food should be considered.

As part of its goal of advancing socio-economic rights at the regional level, SERP together with partners organised a Colloquium on non-state actors and the realisation of sexual and reproductive health and rights in Africa. The colloquium was well attended by civil society groups, academics and researchers working on sexual and reproductive health and rights.

Also, SERP has continued to publish the ESR Review to stimulate discussion on wide-ranging issues on socio-economic rights. In the period under review, four editions of the ESR Review were published containing articles on different socio-economic rights issues as well as updates at national, regional and international levels.

Teaching and research on socio-economic rights remained the hallmark of SERP. During the reporting year, SERP conducted the LLM Module in Socio-economic Rights for LLM students from different parts of Africa.

In addition, SERP published cutting edge research addressing various aspects of socio-economic rights:

|              |                  |
|--------------|------------------|
| Book Chapter | Journal Articles |
|--------------|------------------|

● E Durojaye and A Adebajo 'The South African Constitutional Court decision in Nkandla: Lesson in Accountability for Nigeria' in R Adeola and O Jegede (eds) Governance in Nigeria Post-1999: Revisiting the Democratic 'New Dawn' of the Fourth Republic (PULP 2019) 285-294.

● L Pizarossa and E Durojaye –'International Human Rights Norms and South Africa's Choice on Termination of Pregnancy Act: An argument for vigilance and modernisation' (2019) South African Journal on Human Rights 50-69.

● E Durojaye and S Nabaneh 'Human Rights and Access to Health care for Persons with Albinism in Africa (2019) African Disability Rights Yearbook 35-58.

● E Durojaye and M Aboubakrine "Adopting a Rights-based Approach to Non-communicable Diseases among Indigenous Peoples in Africa' (2019) International journal on Minority and Group Rights 138-155.

● R Nanima and E Durojaye 'Four year following South Africa's declaration upon ratification of the ICESCR and jurisprudence on the right to basic education: A step in the right direction' (2019) Law Democracy and Development.

# APPLIED CONSTITUTIONAL STUDIES LABORATORY

ACSL is a multi-year programme of applied research and public engagement on constitutional governance and social justice in the digital age. ACSL research combines legal, statistical, and policy analysis with big data in contributing to new knowledge-creation and public policy debate. Outcomes for this grant focused on understanding and addressing systemic non-compliance and non-enforcement of municipal financial management law (focusing particularly on electricity and water debt) that has compromised good governance, the rule of law and social justice. Planned research and engagement activities were substantially completed and reported in the previous report. Work in 2019 focused on consolidating and extending that work in three areas.

## **The enforcement of municipal finance legislation**

There were various outcomes from this ongoing area of work related to modelling municipal debt to Eskom and Water Boards, modelling the correlation between indicators of fragility, audit outcomes as early-warning of fragility, non-compliance, and enforcement in terms of section 139 of the Constitution, elements of which were published as fact sheets and barometers. ACSL's sustained focus on compliance and enforcement since 2014 stepped up in 2019 and has contributed to decisive shifts in public policy and debate, including National Treasury's publication of the first index of fragility, requests by National Treasury for Professor Powell's input on the Local Government Expenditure and Budget Review, Categorical statements by the Minister of Finance calling for intervention against municipalities defaulting payments to Eskom, and High Court decisions compelling intervention.

## **Law and government in the digital age**

In 2018/2019 ACSL began to expand its focus from the use of data to the wider impact of artificial intelligence and big data in society, a topic that has shot to prominence with the rise of the surveillance state and the use of that technology in combating COVID-19. ACSL convened the first inter-faculty symposium at UWC on the subject *Quo Vadis Law and Government in the Digital Age*. Professors from various disciplines and fields were invited to present perspective from their field of expertise, focusing on four questions: How are AI and big data impacting on legal research, teaching, practice, and doctrine in different fields? How have courts, legal doctrine and

government policy responded and adapted to the social changes resulting from the transition to a digital economy? How is the digital transformation transforming the role, organization and functions of law and government as social institutions? From what vantage point do scholars begin to theorize/ conceptualize the radical changes? This initial exploration led on to an international conference paper on Engagement within civic spaces: user consent to public surveillance and identity reconstruction which was presented at the Connected Life Conference in June hosted by Oxford University, LSE and the Alan Turing Institute, as well as a forthcoming article by Professor Powell on constitutionalism and biometric identification.

## **The Civic Protest Barometer**

The full barometer and technical note were completed (fact sheets of key indicators were published in 2019). The Civic Protest Barometer is now well-established in South African public life (since 2012) as arguably the leading barometer of municipal protests. Current and past Editions continue to have an impact (recently noted impacts include references in books on peace building, Africa fact check, the State of Local Government Report by GGLN, Open data, and the Gauteng Global Observatory).

## **Activities**

In this period activities focused on consolidating research projects and converting completed applied research into new knowledge and scholarship through conferences and working on a book and journal articles. Key activities included:

- Developing methods to statistically model and test National Treasury's Fragility Index to establish whether its indicators predict fragility in local government and correlating data on compliance, fragility and intervention as part of ongoing research to develop an early warning system.
- Preparing and convening the interdisciplinary symposium on Law and Government in the Digital Society at UWC and producing the final report
- Co-authoring a conference paper for the Connected Life Conference: Data and Disorder (Oxford, LSE, Turing Institute) with Wouter Grove, Olga Tsoumani and Shenja van der Graaf.
- Writing a law review article constitutionalism in the AI state, focusing on the use of mass biometric identification and social justice (ongoing).

- Research and writing towards a book on constitutionalism and social justice (ongoing, book proposal submitted to Cambridge University Press).
- Developing a concept for a barometer on local governance to be used in assessing the correlation between outcomes of the 2021 local elections and the quality of municipal governance in all 253 municipalities.
- Completing the Civic Protest Barometer report and technical report that documents the methods used to collect and analyse data, key concepts, and descriptions of indicators.

ACSL was ahead of the curve, in fact often a sole voice. ACSL research received extensive coverage in the Financial Mail in 2016) in warning about the growing crisis of municipal debt to Eskom and Water Boards and the recurring failure of national and provincial governments to intervene using constitutional powers at their disposal. Recent court decisions compelling government intervention in the case of financial failure and more assertive action by the Ministry of Finance in producing a national fragility index validate ACSL's sustained focus on the issue. ACSL convened the first interdisciplinary symposium at UWC on the impact of artificial intelligence on law and government in the digital age. The President's creation of the commission on the 4<sup>th</sup> industrial revolution, growing world-wide concern about the rise of the surveillance state and the use of digital technology in combating COVID-19 confirm the importance of this new direction in ACSL research.

## **Challenges**

A number of challenges influenced the work of ACSL in 2019. First, the state of municipal governance in the country is in a fragile condition. Secondly, the convergence of COVID-19 and economic decline will have long-term impacts on social justice. Thirdly, the cessation of funding from Ford Foundation at this stage in building a new programme is a big blow.

Overall, the key lesson is that pioneering innovations such as the creation of a data-driven research programme like ACSL in a global south institute requires time, tolerance for experimentation, and predictable long-term financial support from funders and the university.

# AFRICA CRIMINAL JUSTICE REFORM

In recent years, the scope of Africa Criminal Justice Reform's work has become broader than only prisons, as the case was, to include the criminal justice system in its totality, with a particular focus on policing and prosecution services. This shift was in part motivated by the need for empirical research in Africa to advance evidence-based policy and legislative reform. The criminal justice audits that we have completed in Kenya, Malawi, Mozambique and Zambia as well as a three-country study on the socio-economic impact of pre-trial detention have brought different perspectives on how criminal law and its enforcement often target the poor and most vulnerable in society. Antiquated laws and a myriad of petty offences are frequently used to target those considered to be problematic with certain perceptions of a social order dating back to colonial times.

ACJR's work responds to Sustainable Development Goal 16, which reads "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels." In relation to criminal justice the following targets are directly relevant to our work:

- Promote the rule of law at the national and international levels and ensure equal access to justice for all.
- Substantially reduce corruption and bribery in all their forms.

## **Key objectives**

In 2019 ACJR had two main objectives. The first was protecting the right to liberty by advancing democratic policing. The second was to reduce discriminatory law enforcement.

Central to the first objective are ACJR's efforts at strengthening compliance with the legal requirements for arrest without a warrant and its rights education and monitoring by partnering with civic actors, the media, judiciary, government and National Human Rights Institutions.

The second objective is pursued by supporting policy and practice changes reducing discriminatory law enforcement (i.e. targeting the poor and other marginalised groups). Essential here is to demonstrate 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.

## **Prominent activities in 2019**

### National Prosecuting Authority

Our work on the National Prosecuting Authority (NPA) which started in 2018 continued. This built on earlier research on rights violations, impunity and the NPA's apparent unwillingness to prosecute police and prison officials. The NPA must be regarded as the ultimate custodian of the constitutional value of accountability as there is no other institution of state that has such wide-ranging powers to institute criminal proceedings and no individual or company is immune to prosecution. ACJR produced a number of fact sheets on the NPA and also hosted seminars in Cape Town and Johannesburg. We also made submissions to the Zondo Commission and Parliament concerning the NPA, and an opinion piece on regaining trust in the NPA was published in *Business Day*.

Recent years have shown a number of structural problems in the NPA, and in some instances the Constitutional Court has referred faulty legislation to the legislature to be fixed. However, such piecemeal repairs will not address the broader structural problems and we will continue to cooperate with other stakeholders and engage the legislature regarding law reform and the NPA.

### Decriminalisation of petty offences

There are a wide range of petty offences criminalising poverty, homelessness and unemployment, as these laws target persons whose only crime is that they are without an income or means of subsistence. ACJR is a partner to the Regional Petty Offences Campaign consisting of more than 14 organisations advocating for the decriminalisation and declassification of petty offences in Africa.

In January 2019 ACJR made a submission to the African Court on Human and Peoples' Rights concerning the decriminalisation of petty offences with specific reference to vagrancy laws. The submission was done with the Centre for Human Rights at the University of Pretoria in response to a call from the Court for submissions on its first advisory opinion that will deal with vagrancy laws in Africa. In October 2019 ACJR together with other civil society organizations played an

integral role in the launching of the South African campaign for the decriminalization of petty by-laws which advocates that homelessness and vagrancy issues must be dealt with using a rights-based, social development and harm reduction approach. We also participated in a regional conference in Lagos, Nigeria, in December 2019 on 'Policing, safety and marginalisation' wherein we provided an overview of the above-mentioned South African campaign.

In 2019 ACJR produced three fact sheets on alternative measures to deal with petty offences aimed at the police, prosecutors and courts. The facts sheets have been distributed to the campaign partners in several African countries and are also available from the campaign website. In late 2019 ACJR hosted a roundtable discussion meeting to finalise an assessment tool to assess the possibility of decriminalisation and declassification in any African jurisdiction. The assessment tool guides a factual enquiry to assist civil society as well as decision-makers to enable decriminalisation, declassification, or assist in the development of constructive responses to problematic behaviour.

## Democratic policing

In 2018 ACJR was commissioned to prepare a report on the state of democratic policing in South Africa. This proved to be an extremely valuable and instructive exercise. Democratic policing is understood to mean at least that the police uphold the rule of law, is accountable and works in service of the public in a manner that is procedurally fair. Democratic policing stands in contrast to regime policing, as inherited from the colonial powers, which serves the interests of a narrow elite. The notion of democratic policing now stands central to our work and we are exploring other areas of application, such as the prosecution service. Building on previous work and existing partnerships, we conducted training workshops on democratic policing in Kenya, Mozambique, Malawi and Zambia during 2019. The training attracted participants from across the criminal justice sector as well as the judiciary and civil society.

Domestically we supported the work of the Civilian Secretariat for Police and SAPS through the production of research reports on performance indicator development, demilitarisation and professionalism in the police, and fact sheets on visible policing and sector policing.

## Socio-economic impact of pre-trial detention

In May 2019 ACJR launched a report on the socio-economic impact of remand detention in the Western Cape. The aim of the study was to investigate the socio-economic impact of remand detention on accused persons and their families and dependents, in the Western Cape. The evidence in this study suggests that the criminal procedural system metes out a disproportionate “punishment” in the form of infringement of the socio-economic rights of the families of detainees, regardless of guilt or innocence. Guest speakers at the launch, which was co-hosted by Sonke Gender Justice, included former Constitutional Court judge Edwin Cameron and Venessa Padayachee of NICRO.

## Work in Mozambique

In 2019, ACJR continued its collaboration with Mozambican partner REFORMAR on critical issues affecting the criminal justice system in Mozambique, through evidence-based analysis, research, training and advocacy.

Released in 2019, REFORMAR contributed to the 2017 Human Rights report of the Bar Association of Mozambique (*Ordem dos Advogados de Moçambique, OAM*), specifically looking at criminal justice issues. The report found that more than 60% of pre-trial detention cases are summary crimes, a legal classification not permitting pre-trial detention. Following from the OAM report, REFORMAR produced a report for the *Centre for Public Integrity* assessing judicial integrity in Mozambique focussing on how corruption in the judiciary has proved to be a major obstacle to development.

In 2013 the Constitutional Council ruled to limit to judges the power to order arrest and pre-trial detention for cases falling outside of *flagrante delicto*. Supported by ACJR, REFORMAR undertook a detailed analysis of the impact of the 2013-decision and found that although the decision represents a progressive change in the jurisprudence, the criminal justice system encounters operational challenges in implementing the decision. The findings were released in a research report and fact-sheet on the power to arrest without a warrant.

REFORMAR released a report titled *Children in Conflict with the Law: Access to Legal Assistance and Programs of Rehabilitation and Reintegration*. It was, amongst others, found that the proportion of children as part of the total prison population increased from 13% to 16% since 2016

and this is reason for deep concern pointing to obstacles in accessing justice at various stages of the criminal process.

REFORMAR assisted also a coalition of CSOs to submit their combined report to CEDAW, addressing several topics, such as peace and security, stereotypes and harmful practices, gender-based violence, gender and climate change, rural women, elderly women and women with disabilities. A detailed report on women in prison was submitted for the 73<sup>rd</sup> Session of CEDAW.

## Publications and media

In 2019 ACJR produced a total of 18 research publications (reports and fact sheets), made 11 submissions to domestic and international bodies, published three articles in accredited journals and one chapter in a book. We also conducted 28 media engagements.

## Impact

### Optional Protocol to the Convention against Torture (OPCAT)

In 2003 ACJR (or CSPRI as it was known then) hosted the first seminar in South Africa on OPCAT. OPCAT was adopted by the United Nations General Assembly in 2002 and would oblige parties to the protocol to establish what is known as a National Preventive Mechanism (NPM) that would have the mandate to monitor all places of detention and report publicly on its findings. OPCAT also established the Sub-committee on the Prevention of Torture (SPT) that would have the authority to conduct visits to all places of detention of states parties. At the time there was a real expectation that South Africa would sign and ratify the protocol immediately as it played a key role in its drafting. In 2006 South Africa signed but did not ratify OPCAT. Over the years ACJR, as well as other organisations, conducted research on the prevention of torture and how monitoring of detention can reduce torture and ill treatment in support of ratification. Numerous submissions were made to parliamentary committees as well as other fora to urge the government to ratify OPCAT and establish an NPM. In June 2019 South Africa ratified OPCAT and the SAHRC, together with the Judicial Inspectorate for Correctional Services (JICS), Military Ombudsman and Health Ombudsman constitute the National Preventive Mechanism. We have

continued our close cooperation with JICS and the SAHRC, which included a submission to the latter concerning South Africa's recent periodic report to the UN Committee against Torture.

## Police admits inequality in police resource distribution

ACJR provided expert evidence in a case brought in the Equality Court by the Social Justice Coalition regarding the allocation of police resources. The court agreed in December 2018 that the allocation was unjust. In early 2019 the Minister of Police admitted that the allocation was skewed against black areas and undertook to correct the situation.

## The right of prisoners to vote in Mozambique

In February 2019, REFORMAR, with the support of twenty CSOs submitted a request to the Ombudsman and the Human Rights Commission to take a policy position on the right of prisoners to vote. While neither the Constitution nor subordinate law prevent prisoners from voting, they have in practice never participated in an election. The issue was first raised in a report that REFORMAR prepared when Mozambique was reviewed in 2018 by the UN Human Rights Committee under the International Covenant on Civil and Political Rights. The request was positively received by the Ombudsman, who consequently declared that measures must be implemented to enable prisoners to vote in the next elections.

## **Opportunities and challenges**

Our work in several countries has enabled us to provide a comparative perspective, but also to place an emphasis on empirical work, a facet often lacking in human rights advocacy in Africa. Productive relations in a number of countries has supported rights-based and progressive changes, and supported the development of regional networks and campaigns (such as the campaign for the decriminalisation of petty offences) to support a range of stakeholders to sustain reform activities.

Poverty and inequality remain with us and it is an unfortunate fact that very few states have been willing and able to invest in criminal justice infrastructure since the 1950s. Dilapidated courts building, police stations and prisons are the rule rather than the exception. As much as one would argue that more prison should not be built, the fact is that probably the majority of prisons in Africa

are not suitable for human habitation and fall far short from what can be considered humane detention.

# CHILDREN'S RIGHTS PROJECT

The Children's Rights Project (CRP) undertakes research, advocacy and teaching in relation to the international children's rights framework – especially the African Charter on the Rights and Welfare of the Child and the United Nations Convention on the Rights of the Child (ACRWC) – with a view to contributing to law, policy and practice.

## **Team composition**

The project team grew in 2019. Dr Robert Nanima joined as a postdoctoral researcher. The Project also welcomed Thandeka Khoza and Nimrod Muhumuza as doctoral researchers, conducting their doctoral thesis on the right to education and climate change respectively. Finally, Sideen Louw served as a student assistant in the project while undertaking her masters studies which was completed at the end of the year.

## **African Children's Charter**

The Children's Rights Project continued implementing activities under the African Children's Charter Project in particular with a focus on children and armed conflict. After the development of successive drafts, the Project hosted an African Union Validation workshop on the draft General Comment on Article 22 of the African Charter on the Rights and Welfare of the Child, on children in situations of conflict (29-30 July 2019). Other activities, such as the development of a guidelines document on the handover, demobilisation; a continental study on children associated with terrorist groups; and the development of a Model Law on Children Affected by Armed Conflict have continued implementation with a plan to complete by 2020.

With the support of the University's Capacity Development Grant (UCDG), team members have held planning meetings and have been matched to work on joint academic publications addressing various aspects of the Sustainable Development Goals and children's rights which are scheduled for publication in 2020.

## Teaching and capacity building

The Project again co-organised the short course on children's rights hosted in July 2019 at the Centre for Human Rights at the University of Pretoria. Similar to previous years, Prof Mezmur delivered lectures/seminars at various academic institutions, including the University of Pretoria, North-West University, University of Geneva, Leiden University and the European inter-University Centre for Human Rights in Venice. Prof Mezmur also convened the masters programme on human rights during the first semester and co-convened the children's rights module with Prof Sloth-Nielsen.

At UWC, Dr Nanima served as a guest lecturer in two masters' modules; Information Computer Technology Law and the Children's rights module. He also served as a resource person at the case identification workshop on Strategic litigation in the African Human Rights System in September 2019. He was furthermore invited to the Siracusa International Institute for Criminal Justice, Sicily, Italy from 1- 10 June 2019. He audited the course on International human rights.

## Events (co-)hosted

In collaboration with UWC's Faculty of Law and the Centre for Child Law at the University of Pretoria, the Project hosted an expert consultation meeting on draft principles for the protection of the rights of the child in the context of surrogacy (19 and 20 August). This meeting was convened by the International Social Services (ISS), with experts coming from Geneva, the Netherlands, Australia, South Africa, Nigeria, Uganda, Kenya and Ghana.

The Children's Rights Project was also one of the co-organizers of the Regional Africa Child Trauma Conference held in Cape Town from 19-21 August.

In partnership with Human Rights Watch, we hosted a pan-el discussion on 7 November 2019 around the main human rights challenges across Africa today and efforts that the South African government has taken, could have taken, or should take to help defend and advance human rights across Africa.

Prof Mezmur hosted five *Conversation* sessions for post-graduate students focussing on discrimination in research, the right to freedom of assembly (Prof Christof Heyns),

decriminalisation of the use of cannabis (Prof Pierre de Vos), transformation in higher education institutions and human rights (Prof Jansen), as well as the flag judgment (Prof Madonsela).

## **Conference presentation**

Project members have been involved in a number of conference activities including presentations. Prof Mezmur, among others, delivered one of the Key Note addresses at the Child Trauma Conference in Cape Town on "Children and armed conflict in Africa"; presented on "Child justice and the African Children's Charter" at the side-event of the Human Rights Council organized by African Ambassadors in Geneva in September; and presented on "Female Genital Mutilation and the Joint General Comment harmful practices" at the Experts meeting on FGM organized by the OHCHR in Addis Ababa in July.

Dr Assim made presentations at a number of conferences and workshops including the "Inaugural Social Justice Summit and International Conference" at the University of Stellenbosch in August 2019 - organised by Prof Thuli Madonsela, the Law Trust Chair in Social Justice; the "Symposium on Harmonisation of Laws on Children in Africa", organised by ACPF in Ethiopia in September 2019; and a "Roundtable Meeting on the Implementation of the African Charter on the Rights and Welfare of the Child" at the University of Pretoria in May 2019.

Dr Nanima, among others, presented at the Engendering Justice Conference at the University of the Western Cape in October 2019 on 'Access to justice for the girl child affected by armed conflict: An evaluation of the Approach of the African Committee of Experts on the Rights of the Child in the context of SDG 16.3'; presented at the Social Economic Rights Project Colloquium on "The role of non-State actors in the realisation of sexual and reproductive health and rights in Africa" in Johannesburg in November 2019; and also presented a paper entitled 'the enjoyment of the right to health beyond areas of armed conflict: an evaluation of Kenya's practice and jurisprudence on refugee children' at the 9<sup>th</sup> Interdisciplinary Conference at Multimedia University, Nairobi, Kenya.

## **Involvement in the Faculty of Law**

Prof Mezmur has continued his role as Deputy Dean: Research and Postgraduate studies during the year. It is also notable that apart from Prof Mezmur and Dr Assim, other members of the Project - including Dr Nanima, Ms Ande, Mr Muhumuza and Ms Khoza - have officially been

appointed for involvement in the supervision of postgraduate students. Some team members have also continued to serve as internal examiners for thesis and internal moderators for courses.

## **Advocacy impact**

The Children's Rights Project at the DOI was one of three partners that were granted permission to submit an *amicus* brief to the Constitutional Court in relation to the constitutionality of the common law defence of reasonable and moderate parental chastisement. The CC found the defence to be unconstitutional (18 September 2019).

## **Academic publications**

A number of academic publications have been generated by members of the Project team. Prof Mezmur published on themes such as children's rights and migration, amicable settlements, the jurisprudence of the CRC Committee, and the digital media and children's rights. Dr Assim published on themes including children's civil rights and freedoms, and the role of the diaspora in democracy-building in Africa. Dr Nanima has published on children affected by armed conflict, socio-economic rights of children and criminal justice procedure.

# WOMXN AND DEMOCRACY INITIATIVE

South Africa has struggled to give full meaning to the constitutional promise of a people-centred participatory democracy. Some of the hard-won gains towards this for the realisation of social justice have been systematically undermined over the past decade. Thus the imperative for the public and organised civil society to keep making claims on democracy to claw back space previously lost as well as to open new spaces continues. The profound social and income inequality in SA is layered with exclusions and discriminations against different people. The indicators clearly show that Black womxn, poor and working class womxn, womxn in informal employment, womxn living with disabilities or caring for people with disabilities, migrant womxn, and those living in poor urban and rural contexts experience greater levels of discrimination and exclusion. Structural violence remains unchallenged and discriminates against womxn through political, legal and economic practices and institutional and socio-cultural traditions.

There is a powerful tradition of activism generally and womxn's activism specifically in South Africa. This past few years has seen CSOs move towards radical actions outside the structures of the state being added to the more deliberative approaches that have been relied upon for the past 25 years. The recent presidential commitment to addressing GBV is a direct result of the more radical actions of feminists during 2018.

## **Objectives**

The WDI works towards realising womxn's rights and social justice, seeking to increase practices of deliberative and radical democracy within South Africa's constitutional framework. We focus on increasing civil society's influence in democratic governance, through strengthening and leveraging constitutional mechanisms for participation, emphasising the role of legislatures. In addition to promoting an intersectional feminist approach to participatory democracy and social justice, the WDI focuses on the realisation of specific womxn's and gender rights, with a strong focus on structural and systemic change. Recognising the vast inequalities of resources and access to sites of influence among CSOs, we also work to constructively challenge the negative exercise of privilege and power among civil society including within WDI, thereby also seeing a role to increase democracy within civil society.

## Activities

### Feminist democracy

*Indicating Feminism:* Using an intersectional feminist and social justice framework, the WDI developed indicators to assess how a gendered agenda is addressed through law, government policy, programmes and budgets as well as within political parties to address unemployment, wages, land and home ownership, social security, education (ECD through to higher education), and health. This includes how political priorities recognise and respond to the layers of exclusions and discriminations faced by different womxn. With this project we are seeking to extend political and policy responses beyond issues that are commonly defined as ‘women’s issues’ such as gender based violence and women’s representation, into questions that also begin to tackle structural violence.

In 2019 WDI developed a feminist monitoring and research framework to inform our analysis and research of four political party manifestos ahead of the 2019 election; two Ministries; the 2nd 2019 State of the Nation Address; the President’s speech on GBV and Femicide speech; and the Medium Term Budget Policy Statement and Adjusted budget. The project employs consistency in the questions asked across a broad range of targeted departments and structures over time in order to maintain an overall contextual picture as well as to ensure that we connect the dots across issues and departments.

WDI contributed to and participated in various womxn’s rights coalitions. We played an active role (along with Oxfam South Africa, and Afesis Coreplan) in establishing the Shayisfuba collective for feminist government and participated in coordination, research, and task teams as well as participating substantively in national, provincial and local meetings. WDI continued to participate in the Shukumisa Campaign, where we focused on questions of internal democracy. We provided support on requests from various community-based or activist-led structures - particularly on questions of leveraging the legislatures to promote feminist governance. The diversified spaces for feminist organising has resulted in WDI forming new (often informal) alliances for action during 2019. WDI is an active participant in the Department of Women, Youth and Persons with Disabilities-led National Gender Machinery Forum and continues to participate and provide support to other CSO and funders dialogues to address GBV.

During 2019, WDI presented our feminist research and analysis at the SARChI in Multilevel Government’s International Conference on Elections. WDI presented on *Feminist Governance:*

*Tracking Womxn-Centred Policy and Action!* We presented on *25 Years on, a multi-level government analysis of the National GBV F Emergency Plan and NSP and the WC draft Safety Plan: Are we doing it differently? Leadership, Politics and People*. The project also presented *The meaning, nature and context of sexual harassment* at the Side Panel on Advancing Sexual and Reproductive Health Rights in Africa (co-hosted by the SERP). The project also presented to the WC Government's *Multi-sectoral working session on the development of collaborative efforts to address VAW and Children*.

## Supporting deliberative democracy

Our *Parliament Watch* (PW) and *Putting People in People's Parliament* (PPiPP) projects are linked and consist of nine organisations. PW and PPiPP monitors, including WDI staff, monitored committees in National Parliament and the Western Cape and Eastern Cape provincial legislatures, considering how committees perform in relation to their mandates for openness, public access, and holding the executive to account on selected issues. These issues include social security, education, public broadcasting and communications, energy, police, justice, finance, and public accounts.

WDI facilitated and coordinated the engagement of our partner CSOs with legislatures and elected representatives. This resulted in numerous points of substantive contact between these partners and MPs, MPLs and members of the executive. In 2019, we were able to increase and consolidate the systematic engagement of CSOs, including WDI, with the committees and structures of the WCPP. Drawing on the PW and PPiPP monitoring of 15 committees in Parliament over the period of the 5th parliament WDI produced a monitoring report and a scorecard utilised for advocacy. WDI and PW partners also focussed strongly on engagements with broader CSO networks and public to promote advocacy messaging and increase consciousness of the issues in the public. After the election, WDI hosted a civil society consultation 'Setting Civil Society's Agenda for the 6th Parliament' and utilised this to build on the messaging and advocacy work.

WDI hosted a successful provincial roundtable for the WCPP and provincial CSOs to improve relationships between these stakeholders and to increase the commitment of the legislature to openness and public vicaccess. We also supported our Eastern Cape partners in a similar roundtable in that province.

Working with Public Service Accountability Monitor and Heinrich Boell foundation, Eastern and Western Cape partner organisations' capacities to utilise national and provincial legislative oversight cycles, budgets and departmental reports were strengthened through four workshops and targeted support. The capacity-building workshops and the ongoing support for engaging with legislatures is having a multiplier effect as partners take the work forward at community level and with other CSO structures. During 2019, this was the case both in terms of questions of gender budgeting and utilising the legislatures to advance social justice. WDI also conducted separate capacity workshops with CSOs related to increasing those organisations capacities for utilising the legislatures.

WDI continued producing *ParlyBeat*, a newsletter aimed at increasing reporting on social justice issues dealt with in parliamentary committees. We produced four *ParlyBeat* editions in 2019 each including news and editorial articles as well as practical information on how to engage with the legislatures on specific issues for example pre-election promises on GBV, gender representation on party lists, farm evictions, health budgets, education for undocumented minors, and the minimum wage. Numerous articles were re-published by mainstream media including the *Daily Maverick* and *Media24* sites.

## Public finance and democracy

WDI worked closely with the Budget Justice Coalition (BJC) – emphasising our questions of feminist budgeting and increasing public information and participation in public finance processes. We participate in the BJC steering committee, feminist budgeting, and funding task teams. Due to our commitment to democracy within civil society we played an active role on the ethics committee and were an integral part of the team tasked with finalising the BJC's terms of reference. We worked with other feminists in the BJC to develop the framework for a feminist analysis of public finance and budgets. WDI developed methodology and content to facilitate a *feminist budgeting* workshop for BJC members. Linked to our 'indicating feminism' project WDI undertook research and analysis on Medium Term Budget Policy Statement, Adjusted Budget and the Gender Based Violence and Femicide Emergency Response budget. WDI contributed to writing on gendered budgeting and on incorporating an intersectional feminist analysis into the various sector chapters of the collective BJC submissions to the Finance and the Appropriations committees. We led on providing submissions and information to the Portfolio Committee on Women regarding the financing of the GBVF emergency plan.

## **Outcomes, influence or impact**

WDI continues to work primarily in coalitions, thus much of our influence is linked to the work of communities of activists and organisations working formally in collaboration or toward similar feminist, social justice or democratic goals.

Our 'indicating feminism' project has increased information to public, CSOs, and political leadership on intersectional women's rights agenda for government filling gaps in the scope of issues addressed with government, particularly through creating more connected and integrated narratives across issues and different departments. We built relationships with a range of government (legislatures and executive) stakeholders who have sought WDI's advice. Through conferences, workshops and coalition-based activities we contributed to a deepened debate and consciousness for realising feminist democracy and womxn's rights. WDI's relationships with various local feminist movements have been deepened during the year, providing mutually reinforcing support, solidarity and collaboration. WDI (with strong support from a handful of feminist oriented BJC members) succeeded in influencing feminist budget analysis in the BJC, which saw gendered analysis on public finance and economy being systematised by the coalition. Feminist analysis was improved across all BJC 2019 outputs, which resulted in feminist questions relating to public finance and budgets raised in Parliament, Treasury, and the public sphere. Our participation in the BJC also strengthened our 'Feminist Indicators' work with budget and finance analysis. Our coordination role in Parliament Watch's monitoring of legislatures has contributed to increased public critique and action to access these institutions of democracy and clearly increased contacts between community activists involved in the project and elected representatives.

2019 saw the WDI strengthen our capacities to utilise social media platforms to extend the reach of research and information produced by the project.

## **Challenges and opportunities**

The new presidential level priority on GBVF and gender machinery created a significant opportunity for our project's work in this area. Of course, this also required unplanned activities within CSO networks, the executive and legislatures to support this and CSO collaboration to strengthen them. The diversification of the womxn's sector increased WDI's consideration of where our expertise and positioning can add value and not duplicate. We continue to recognise

that a number of larger membership-based CSOs working on social justice issues, have political capital and thus our commitment to increasing feminist consciousness within these has the potential to increase the impact of our work on womxn's lives significantly.

# SOUTH AFRICAN RESEARCH CHAIR IN MULTILEVEL GOVERNMENT, LAW AND DEVELOPMENT

The SARChI Chair promotes 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. The Chair works closely with a team of local government researchers: Prof Jaap de Visser and Dr Tinashe Chigwata as well as a postdoctoral fellow, Dr Michelle Maziwisa, and doctoral researchers Thabile Chonco, Henry Omboto, Melissa Ziswa, Phumla Hlati, Xavia Poswa, Shehaam Johnstone, Jennica Beukes, and Curtly Stevens. This report covers work done both directly under the SARChI Chair as well as work associated with it.

## **Context**

Multilevel government in South Africa featured prominently in the politics of the day mostly for the wrong reasons. Year after year the state of local government is deteriorating as measured by the Auditor-General's annual Reports, service delivery failures and provincial interventions. Coalition government at local government increasingly came under strain. The national intervention in the North West Province continued. While the system of multi-level government is under stress in South Africa, it is still seen as the only system to bring peace to a number of conflict-ridden countries elsewhere in Africa, including South Sudan, Somalia, and Ethiopia. Also in the quest for development in Africa, decentralisation (or devolution) features prominent in Zimbabwe and Zambia. Also in the Global South the search of peace through power sharing is paramount in counties such as Myanmar.

## **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 the governments at the various levels of government. Second, as multilevel government is seen as an important governance tool for peace

and development, the objective is to do research, build a network of scholars, and engage with practitioners and government on the topic. Thirdly, 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. Fourthly, 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.

## Research and impact

The 12<sup>th</sup> Issue of Steytler and De Visser's *Local Government Law of South Africa* (LexisNexis) was published, with the pleasing trend that the book is increasingly being referred to by the Courts. In 2019 the High Court referred to the work with approval in:

- *M W Asset Rentals (Pty) Ltd v Dr Kenneth Kaunda District Municipality (GP)*;
- *Gray Moodliar Inc v Nelson Mandela Bay Metropolitan Municipality and Another (EC)*;
- *MEC, Department Of Co-Operative Governance And Traditional Affairs v Nkandla Local Municipality and Others*,
- *MEC, Department Of Co-Operative Governance And Traditional Affairs v Mthonjaneni Municipality and Others (KZN)*; and
- *Abaqulusi Local Municipality v Premier of the Province of KwaZulu-Natal and Others (KZN)*.

The team also published widely on South Africa in local and international books and journals, including:

- Steytler N 'The Withering away of Politically Salient Territorial Cleavages in South Africa and the Emergence of Watermark Ethnic Federalism' in George Anderson and Sujit Choudhry (eds) *Territory and Power in Constitutional Transitions* (New York: Oxford University Press, 2019),
- Steytler N 'The Dynamic Relationship between Devolution and Constitutionalism in South Africa' in Charles Fombad and Nico Steytler (eds) *Decentralisation and Constitutionalism in Africa* (Oxford: Oxford University Press, 2019),
- Steytler N and Muntingh L, 'South Africa', in Christian Leuprecht, Mario Kölling (eds) *Public Securities in Federal Polities* (Toronto: University of Toronto Press, 2019[A1]),

- de Visser J and Chigwata T.C. edited a book, together with Lungelwa Kaywood entitled *The Journey to Local Government Transformation*, a product of a collaboration between DOI and SALGA.

A number of seminars and roundtables were convened. They included a conference on the 2019 national/provincial elections and seminars on local government administration and land administration in Uganda.

In engaging with policy-makers Nico Steytler and Jaap de Visser participated in the South African Law Reform Commission's Committee on Review of regulatory, compliance and reporting burdens imposed on local government by legislation.

Tinashe Chigwata and Jaap de Visser coordinated a research and advocacy collaboration with the International Budget Partnership, which culminated in the publication of the Metropolitan Open Budget Survey, measuring budget transparency in South Africa's metropolitan municipalities.

Thabile Chonco and Jaap de Visser made a submission to SALGA and Parliament on amendments to the Land Transport Act that would compromise the role of cities.

The *Local Government Bulletin* was revived after a seven-year absence. This online newsletter, with Tinashe Chigwata as its chief editor, features short articles on local government law and policy. Two editions, mostly populated with articles of the young scholars of DOI, were published in 2019.

## **Multilevel government in the rest of Africa**

A considerable achievement was the publication of the 3rd volume in the Oxford series *Constitutional Law in Africa*, entitled *Decentralisation and Constitutionalism in Africa*, which Charles Fombad and Nico Steytler edited. The volume published by Oxford University Press is probably the leading work on decentralisation in Africa.

Nico Steytler also contributed to the international publication *Research Agenda for Federalism Studies* (Edward Elgar 2019), edited by John Kincaid, with a chapter on 'Non-centralism in Africa: in search of the federal idea'.

Charles Fombad and Nico Steytler jointly organised the 7th Stellenbosch Annual Seminar on Constitutionalism in Africa (SASCA), at Stias, Stellenbosch, September, on the theme

“Constitutions, Constitutionalism and the Economy in Africa”. Former Finance Minister Trevor Manuel gave the opening address.

The Chair also co-hosted with the Centre of Federal and Governance Studies, the annual conference, with the theme for 2019, “Federalism and Language Policy for a Multi-lingual Polity”, Addis Ababa University, Addis Ababa, 23 November 2019.

Tinashe Chigwata spearheaded the editing of a book, collecting six perspectives on decentralisation in Zambia, written by former students of DOI’s Masters Programme on Multilevel Government.

As far as policy engagement is concerned, the Chair was requested by the United National Development Programme (UNDP) to draft and present an Options paper on federalism in Africa for the National Dialogue of South Sudan, the body tasked to build consensus on the future constitution for that country now emerging from civil war. The Options paper was prepared and eventually presented to the National Dialogue in Juba in February 2020.

The Chair was also a resource person for a Forum of Federation workshop on Somalia, and a contributing consultant on an opinion on federal solutions for Somalia for the UNDP and the Minister of Federal Affairs, Somalia Government, November 2019.

## **International**

Apart from presenting papers in Washington DC and Sarajevo, the Chair was one of the founding members of the Research Group on “Diversity Governance” for the International Association of Constitutional Law (IACL). For International IDEA the Chair presented a case study of the transition to democracy in South Africa to members of the Myanmar Parliament, judges of the Constitutional Council and Ethnic Armed Organisations, in Myanmar, Thailand and South Africa.

He was also appointed as consultant to the Parliament of Trinidad and Tobago, Joint Select Committee on the Constitutional Amendment Bill proposing an autonomy status for Tobago, providing opinions on intergovernmental financial and fiscal arrangements and a Tobago Civil Service.

We commenced with a four-year international research on the rural-urban interplay in local government, supported by the European Union under its EU-RISE programme. The programme

includes short term secondments. Tinashe Chigwata was seconded to the Institute for Local Law (Universidad Autónoma de Madrid) and Michelle Maziwisa to EURAC in Bolzano/Bozen to conduct research on this topic.

## Teaching and postgraduate supervision

Three doctoral candidates under the Chair's supervision (or co-supervision) handed in their theses for examination (and were awarded their degrees in 2020):

- Shehaam Johnstone, *Food security and local government in South Africa: the role of municipalities in a food systems approach* (Jaap de Visser, supervisor; Nico Steytler, co-supervisor)
- Alois Madhekeni, *Decentralisation and recentralisation waves in Anglophone Southern Africa: factors driving the ebb and flow of power* (co-supervisor Dr Jan Erk)
- Jean Redpath, *The centre cannot hold: the role of subnational governments in policing in South Africa.*

Three masters students graduated in 2019: Curtly Stevens (SARChI bursary holder), *cum laude*, Lucille Damon and Jennica Beukes.

Six masters students handed in their research papers or mini-dissertations and graduated in 2020:

- Omar Eisa (UP exchange student)
- Asiphe Funda (SARChI bursary holder 2018, research paper)
- Henrico Alkaster (SARChI bursary holder 2018, Research paper)
- Paul Mudau (SARChI bursary holder 2019, mini-dissertation, co-supervisor Dr Tinashe Chigwata)
- Candice James (SARChI bursary holder 2019, mini-dissertation, co-supervisor Dr Michelle Maziwisa)
- Gaopalelwe Mathiba (SARChI bursary holder 2018, mini-dissertation, co-supervisor Henry Omboto)

The most innovative output for 2019 must certainly be the conceptualisation, development and registration of the African School on Decentralisation (ASD), which will be presented in alternative years in Cape Town and Addis Ababa. It is aimed at providing a post-graduate course for senior

practitioners, academics and NGOs on decentralisation in Africa: a course for Africans, by Africans, to promote development through decentralisation. The ASD is a joint project with the Centre for Federal and Governance Studies at the Addis Ababa University. We will also work collaboratively with two of the foremost European institutes on federalism – the Institute of Federalism, University of Fribourg, Switzerland, and Institute of Comparative Federalism, EURAC, Italy. At the closing date on 31 January 2020, more than 600 applications for the 25 places were received.

## **Challenges and opportunities**

Much work was done during 2019 for an array of events in 2020. However, all well laid plans were postponed in the face of the lockdown measures to counter the COVID-19 pandemic. The African School on Decentralisation, scheduled for May 2020, had to be postpone. Postponement of conferences schedule for September and October 2020 may also be on the cards. The management of the pandemic in a multilevel government system called out for research and engagement to which the Team responded.

# INCOME AND EXPENDITURE STATEMENTS

|  | <u>2019</u>       | <u>2018</u>       |
|--|-------------------|-------------------|
| <b>INCOME</b>                              | <b>R</b>          | <b>R</b>          |
| Funders                                    | 27 467 433        | 20 676 514        |
| Consultancies                              | 766 933           | 1 343 009         |
| <b>University of the Western Cape</b>      |                   |                   |
| 2 x Professorial posts - R 1 874 000       |                   |                   |
| Faculty of Law - Salaries - R 980 000      |                   |                   |
| Premises, Utilities & IT                   |                   |                   |
| <b>TOTAL INCOME</b>                        | <b>28 234 366</b> | <b>22 019 523</b> |
| <b>EXPENDITURE</b>                         |                   |                   |
| Contribution to Operating Expenses         |                   |                   |
| Contribution to Administration salaries    |                   |                   |
| Salaries                                   | 12 811 989        | 12 021 154        |
| Stationery                                 | 104 893           | 100 272           |
| Photocopying                               | 31 556            | 28 767            |
| Postage & Distribution                     | 171               | 1 730             |
| Telephone                                  | 87 569            | 100 307           |
| Travel & Accommodation                     | 2 294 973         | 1 588 993         |
| Printing & Publications                    | 502 831           | 497 393           |
| Subscriptions & Books                      | 392 417           | 19 558            |
| Audit Fees                                 | 35 650            | 7 500             |
| Workshops / Meetings                       | 1 185 174         | 340 119           |
| Consultation Fees                          | 744 002           | 1 219 975         |
| Partner Activities                         | 1 622 898         | 1 773 051         |
| Post-Graduate Bursaries                    | 2 833 713         | 2 345 064         |
| Conferences & Seminars                     | -                 | 513 243           |
| Research                                   | 483 376           | 40 000            |
| Website & Social Media                     | 294 914           | 85 492            |
| Rent (CT Office)                           | 109 241           | 65 496            |
| Catering for Meetings & Socials            | 166 245           | 15 247            |
| Computer Equipment (incl Maintenance)      | 132 143           | 183 210           |
| Funders returned to donors                 | -                 | -                 |
| <b>TOTAL EXPENDITURE</b>                   | <b>23 833 755</b> | <b>20 946 570</b> |
| <b>CLOSING BALANCE FOR YEAR</b>            | <b>4 400 611</b>  | <b>1 072 953</b>  |
| Surplus carried forward from previous year | 12 102 122        | 11 120 200        |
| Prior Year Adjustment                      | 544 922           | (4 120)           |
| <b>NET CLOSING BALANCE 31-12-2019</b>      | <b>17 047 654</b> | <b>12 189 033</b> |

Prepared by: V. Brookes



Approved by: For and  
behalf of: Manager:  
Grants & Contracts



# INSTITUTE'S OUTPUTS

## Publications

### Books

Chigwata, T.C., De Visser J and Kaywood L. ***The Journey to Transform Local Government*** (Durban: Juta, 2019) pp 271.

Fombad C and Steytler N (eds) ***Decentralisation and Constitutionalism in Africa*** (Oxford: Oxford University Press, 2019) pp 672.

Singiza D, ***Constitutional Law, Democracy and Development: Decentralisation and Governance in Uganda*** (New York: Routledge, 2019) pp 268.

Steytler N and De Visser J. ***Local Government Law of South Africa*** (LexisNexis, 2012-2019) loose-leaf.

### Chapters in books

Ande M.K. (2019) 'An Evaluation of the Right to Alternative Care of Children with Disabilities in South Africa: An international human rights perspective' in Amutabi M ***Africa: Parading Through Development*** (Centre for Democracy, Research and Development, Nairobi, Kenya) pp 287- 299.

Assim U.M. (2019) 'Civil Rights and Freedoms of the Child' in Ursula Kilkelly and Ton Liefwaard (eds.) ***International Human Rights of Children*** (Springer) pp 389-417.

Assim U.M. (2019) 'The Boko Haram Insurgency and the Right to Education of Displaced Children in Nigeria' in M Addaney (eds) ***Women and Minority Rights Law in Africa: Reimagining Equality and Addressing Discrimination*** (Eleven International Publishing, The Hague) pp 165-188.

Chigwata T.C. (2019) 'Decentralisation and Constitutionalism in Zimbabwe' in Fombad C and Steytler N (eds) ***Decentralisation and Constitutionalism in Africa*** (Oxford: Oxford University Press) pp 302-325.

De Visser J, (2019) 'Constitutionalisation of Local and Regional Government in Uganda, Lesotho and South Africa' in Fombad, C & Steytler, N (eds) ***Decentralisation and Constitutionalism in Africa*** (Oxford: Oxford University Press) pp 255-281.

Durojaye E and Adebajo A (2019) 'The South African Constitutional Court's decision in Nkandla: Lessons in accountability for Nigeria' in Adeola R and Jegede A.O. (eds) ***Governance in Nigeria***

**post-1999: Revisiting the Democratic 'New Dawn' of the Fourth Republic** (Pretoria University Law Press, Pretoria) pp 285-305.

Durojaye E (2019) 'Advancing Sexual and Reproductive Health and Rights of Adolescents in Africa: The Role of the Courts' in Reilly N (eds) **International Human Rights of Women** (Springer, Singapore) pp 247-265.

Khazova O.A. and Mezmur B.D. (2019) 'Reflections on Family Law Issues in the Jurisprudence of the CRC Committee: The Convention on the Rights of the Child @30' in Margaret Brinig (ed.) **International Survey of Family Law** (Intersentia) pp 305-328.

Nanima R, (2019) 'The Enjoyment of the Right to Health Beyond Areas of Armed Conflict: An Evaluation of Kenya's Practice and Jurisprudence on Refugee Children' in Maurice Amutabi (eds) **Africa's New Deal** (CEHURD: Kenya) pp 257-268.

Steytler N and Muntingh L, (2019) 'South Africa', in Christian Leuprecht, Mario Kölling (eds) **Public Securities in Federal Polities** (Toronto: University of Toronto Press) pp 146-169.

Steytler N, (2019) 'Non-Centralism in Africa: In Search of the Federal Idea' in John Kincaid (eds) **Research Agenda for Federalism Studies** (Edward Elgar: Northampton) pp 175-186.

Steytler N, (2019) 'The Dynamic Relationship between Devolution and Constitutionalism in South Africa' in Fombad C and Steytler N (eds) **Decentralisation and Constitutionalism in Africa** (Oxford: Oxford University Press) pp 151-182.

Steytler N, (2019) 'The Relationship between Decentralisation and Constitutionalism in Africa: Concepts, Conflicts, and Hypotheses' in Fombad C and Steytler N (eds) **Decentralisation and Constitutionalism in Africa** (Oxford: Oxford University Press) pp 25-52.

Steytler N, (2019) 'The Symbiotic Relationship between Decentralisation and Constitutionalism in Africa', in Fombad C and Steytler N (eds) **Decentralisation and Constitutionalism in Africa** (Oxford: Oxford University Press) pp 543-599.

Steytler N (2019) 'The Withering away of Politically Salient Territorial Cleavages in South Africa and the Emergence of Watermark Ethnic Federalism', in George Anderson and Sujit Choudhry (eds.) **Territory and Power in Constitutional Transitions** (Oxford University Press) pp 219-236.

## Peer-reviewed articles

Assim U.M., Akech JG, Mutambasere SC, Ramakhula T and Tutlam CK, 'Africa's Democratic Deficit: The Role of the Diaspora in Bridging the Gap Between Citizens and Government' (2019) 3 *Global Campus Human Rights Journal*, pp 28-51.

Chigwata T.C., Marumahoko S and Madhekeni, A, 'Supervision of local government in Zimbabwe: The travails of mayors' (2019) Vol. 23 *Law, Democracy and Development*, pp 44-67.

De Visser, J and Poswa X, 'Municipal Law Making under SPLUMA: A Survey of Fifteen "First Generation" Municipal Planning By-Laws' (2019) Vol 22 (1) *PER / PELJ*, pp 1-28.

Durojaye E and Aboubakrine M, 'Adopting a Rights-based Approach to Non-communicable Diseases among Indigenous Peoples in Africa' (2019) Vol. 26 (1) *International Journal on Minority and Group Rights*, pp 138–155.

Durojaye E and Satang N, 'Human rights and access to healthcare for persons with albinism in Africa' (2019) Vol.7 *African Disability Rights Yearbook*, pp 35-58.

Mezmur B.D., 'Every "i" dotted, and every "t" crossed?: Reflections on the Joint General Comments on the rights of children in the context of international migration, with a focus on its relevance for the Horn of Africa' (2019) Vol. *Ethiopian Journal of Human Rights*, pp 1-32.

Mezmur B.D. and Skelton A, 'Technology Changing @ a Dizzying Pace: Reflections on Selected Jurisprudence of the UN Committee on the Rights of the Child and Technology' (2019) Vol 3 (3) *The Peace Human Rights Governance Journal*, pp 275-305.

Mezmur B.D., 'No second chance for first impressions: The first amicable settlement under the African Children's Charter' (2019) Vol 19 (1) *African Human Rights Law Journal*, pp 62-84.

Mezmur B.D., 'The Convention on the Rights of the Child, migration, and Australia: repositioning the convention from being a 'wish list' to a 'to do list' The 2018 Australian Human Rights Institute Annual Lecture' (2019) Vol 25 (2) *Australian Journal of Human Rights*, pp 177-199.

Muhumuza N, 'Constitutionality of Religious Education in Uganda' (2018) *Global Campus Human Rights Journal*, pp 105-121.

Nanima R & Durojaye E, 'Four Years Following the Ratification of the ICESCR and Emerging Jurisprudence from South Africa: A Step in the Right Direction?' (2019) *Law, Democracy and Development*, pp 270- 298.

Nanima R, 'From Physical to Online Spaces in the Age of the #FeesMustFall Protests: A Critical Interpretive Synthesis of Writing Centres in Emergency Situations' (2019) 57 *Stellenbosch Papers in Linguistics Plus*, pp 99-116.

Nanima R, 'The (Non) Enforcement of the Right to a Fair Trial with Regard to the Admissibility of Evidence Obtained through Human Rights Violations: A Comment on Uganda's Human Rights (Enforcement) Act 2019' (2019) Vol 27 (4) *African Journal of International and Comparative Law*, pp 654- 661.

Nanima R, Albertus C and Hamman AJ 'Voice Evidence in Criminal Trials: Reflections on the Court's Application of Section 37(1) (c) of the CPA in S v Mahlangu 2018 (2) SACR 64 (GP)' (2019) Vol 32 (1) *South African Journal of Criminal Justice*, pp 76-85.

Nanima R, 'The Prevention of Organised Crime Act of 1998: The Need for Extraterritorial

Jurisdiction to Prosecute the Higher Echelons of Those Involved in Rhino Poaching' (2019) Vol 22 (1) *PER / PELJ*, pp 1-46.

Pizzarossa L.B. and Durojaye E, 'International human rights norms and the South African choice on termination of pregnancy act: an argument for vigilance and modernisation' (2019) Vol 35 (1) *South African Journal on Human Rights*, pp 50-69.

## Research reports

### Africa Criminal Justice Reform (ACJR)

- Lorizzo T, *An Assessment of some aspects of judicial integrity in Mozambique* available at: <https://bit.ly/3hYNJsH>
- Lorizzo T, *Fact sheet 23 Arrest without a warrant in Mozambique Guidelines against illegal and arbitrary detention* available at: <https://bit.ly/3fCNNMX>
- Lorizzo T, *Fact sheet 23 DETENÇÃO SEM MANDADO EM MOÇAMBIQUE Diretrizes contra detenções arbitrárias e ilegais* in Portuguese available at: <https://bit.ly/2YTsvE7>
- Lorizzo T, *Powers of arrest curtailed by the Constitutional Council- the impact of the 2013 Decision* in Portuguese available at: <https://bit.ly/2NeSm3X>
- Lorizzo T, REFORMAR completed a research report on Human Rights in the Criminal Justice System - 2017.
- Lorizzo T, Research report for the CSO Rede da Criança on Rehabilitation and reintegration services for children incarcerated in Mozambique.
- Lorizzo T, *The Inception Report for the Human Rights Defenders Mechanism in Mozambique* to DIAKONIA.
- Lorizzo T, The research for the Bar Association will be part of a Report Human Rights in Mozambique -2017, (forthcoming)
- Mangwanda J, *Fact sheet 17: The Right of Prisoners to Vote in Africa*
- Mangwanda J, *Fact Sheet 18: A guide to reading government annual reports*, 5 September 2019.
- Mangwanda J, *Fact sheet 20: Prosecutors role in dealing with petty offences*, 30 Sept

2019.

- Mangwanda J, Petersen K, *Fact sheet 21: The role of the courts in dealing with petty offences*, 30 Sept 2019.
- Muntingh L, *Fact sheet on Sector policing*
- Muntingh L, *Fact sheet on Visible policing*
- Muntingh L, *Report to CSPA on a methodology for SAPS indicator development*
- Muntingh L, *Report to CSPA on demilitarisation and professionalism in SAPS*
- Petersen K, *Fact sheet 19: The role of the police in dealing with petty offences*, 30 Sept 2019.
- Petersen K, *Report on Accountability, Independence & the NPA: Summary of the Seminar on the National Prosecuting Authority of South Africa* hosted by ACJR on 3 April 2019, University of the Western Cape, Bellville.
- Redpath J, *Not the only loss: the socio-economic impact of pre-trial detention in the Western Cape*

## Applied Constitutional Studies Laboratory (ACSL)

- Powell D, and O'Donovan M, 'Municipal Debt to Water Boards for bulk water' *Public Finance Watch* March 2020.
- Powell D, *Constitutionalism in the AI state: Mass biometric identification, privacy and the principle of limited government*.
- Powell D, *Seminar report on Law and Government in the digital society*

## Womxn and Democracy Initiative (WDI)

- Komote M, De Visser J, Muntingh L and Waterhouse S, "Legal Framework on SOE Boards" research report by R Wandrag.
- Mentor-Lalu V, *Feminist analysis of political party manifestos of ANC, DA, EFF and Women Forward* as well as research on key political party members.

- Mentor-Lalu V, *Parliament Watch's scorecard on National Parliament committee performance for 2018*.
- Mentor-Lalu V, With WDI team conducted research and producing briefs on national departments and ministers using feminist indicators.
- Waterhouse S, *Analysis of GBVF emergency plan and NSP and of Western Cape Draft Safety Plan*. Output research to inform various submissions and advocacy.

## South African Research Chair in Multilevel Government (SARCHI)

- Chigwata T.C. & De Visser J, *The findings of the Metro OBS 2019* in Pretoria in partnership with IBP-South Africa
- Chigwata T.C., *A dossier on South Africa* for WP 2 (finance) for the EU-Rise project as part of my secondment at the Autonomous University of Madrid
- Chigwata T.C., *Introduction to the System of Local Government in South Africa* for the EU-RISE project
- Chigwata T.C., *'Measuring transparency, public participation and oversight in the budget processes of South Africa's metropolitan municipalities'* November 2019
- Maziwisa M, *A contribution to the dossier on South Africa for WP 4* (intergovernmental relations) for the EU-Rise project as part of my secondment at the Institute of Comparative Federalism (Bolzano)
- Maziwisa M, *The practice of intergovernmental relations of local government in South Africa* for LoGov Project
- Omboto H, *A South Africa country dossier on people's participation in local governance* for the EU-RISE (European Union Research and Innovation Staff Exchange) Local Governance project.
- Steytler N & De Visser J, *Draft Position Paper: Responding to the crisis in governance: Working for government / working with government*, prepared for Prof Bharuthram & Mr Larry Pokpas (UWC Rectorate)
- Steytler N, Contributed to *Issue paper on federalism in Somalia* (UNDP)
- Steytler N, *Issue Paper* for South African Law Reform Commission, Committee on overregulation of local government
- Steytler N, *Issues / Options paper on federal arrangements for South Sudan* (UNDP)

## Children's Rights Project (CRP)

- Assim U.M., *Concept Note for the commemoration of the Day of the African Child 2020 'Access to Child-Friendly Justice'*
- Mezmur B.D., Completed report on commercial sexual exploitation in South Africa for ECPAT International.

## Submissions

Adeniyi O, 'Food insecurity in South African Tertiary Institutions' Petition to South African Human Rights Commission (Cape Town, 25 July 2019)

De Visser J and Chonco T, 'National Land Transport Act Amendment Bill' Submission to NCOP Select Committee on Transport (12 February 2019)

De Visser J, Submission on National Land Transport Act Amendment Bill discussed with Parliamentary and Departmental Legal Advisors (facilitated by SALGA, 18 February 2019).

Komote M, 'National Health Insurance Bill, 2019' Submission to Parliament. The submission was a collaborative effort from a team led by Komote, and included Waterhouse, Mentor-Lalu and De Visser (29 November 2019)

Lorizzo T, 'Women in detention in Mozambique under the revision of CEDAW' Submission to UN Committee on the Elimination of Discrimination against Women (June 2019) The report is available at: <https://bit.ly/3dghmCr>

Lorizzo T, 'Review of Mozambique's combined 3rd to 5th Periodic Report to be considered at the 73rd Session of CEDAW' Submission to CEDAW (Joint report with other CSOs working on gender issues)

Lorizzo T, 'Revision of the 3rd-5th Combined State Report to be discussed on 73rd Session' Submission to CEDAW (Joint NGOs report)(3 July 2019)

Lorizzo T, REFORMAR submitted with a group of 14 non-governmental organisations a request to the National Human Rights Commission (NHRC) and to the Ombudsman to take a position on the right of prisoners to vote. (20 February 2019)

Mirugi-Mukundi G, 'Advancing Sexual and Reproductive Health and Rights in Africa: The Role of National Human Rights Institutions in Eliminating Sexual Harassment' Submission to 65th Ordinary Session of the African Commission (Statement on behalf of the Dullah Omar Institute)(22 October 2019)

Mirugi-Mukundi G, 'Comments on the guidelines for the implementation of the right to adequate housing' Joint submission to the Office of the United Nations Special Rapporteur on the right to

adequate housing (Jointly with Maanda Makwarela on behalf of the South African Civil Society Coalition on the ICESCR)(18 November 2019)

Muntingh L, Submission to SAHRC in response to South Africa's combined 2nd and 3rd Periodic Report to CAT. The HRC invited 11 committee members to advise it on its response to CAT.

Muntingh L, 'Decriminalisation of vagrancy laws' Submission to the African Court (With CHR (UP))

Muntingh L, Submission to JICS on the JICS mandate and presented at a meeting where the Minister of Justice was present (Pretoria 8 March 2019)

Muntingh L, Submission to Zondo Commission on SOE board director appointment procedures

Muntingh L, Submission to Zondo Commission on the NPA.

Nanima R, Submission of second draft of the General Comment on Children and armed Conflict on 4 March 2019 to the Secretariat of the African Committee of Experts on the Rights and Welfare of Children.

Nanima R, Submission of a presentation of the fourth draft of the General Comment on Children and armed Conflict for the 34th Session of the African Charter on the Rights and Welfare of the Child.

Nanima R, Submission of a presentation on an inception report on the Continental Study on Terrorism in Africa at the 34th Session of the African Charter on the Rights and Welfare of the Child.

Nanima R, Submission of a presentation on an inception report on a model law on Children Affected by Armed Conflict at the 34th Session of the African Charter on the Rights and Welfare of the Child.

Nanima R & Assim U, Submission of a concept note on the commemoration of the day of the African Child 2020 for presentation at the 34th Session of the African Charter on the Rights and Welfare of the Child.

Petersen K, Contributed to the African Commission on Human and Peoples' Rights Newsletter No. 12 on Police and Human Rights in Africa. The title of the article: 'Decriminalization of Minor Offenses and Prison Overcrowding in Africa, some examples'. (29 March 2019)

Petersen K, Contributed to Detention Justice Forum submission on the DCS' 2018/19 Annual Performance Plan (2 September 2019)

Petersen K, Made a submission as part of the Detention Justice Forum on the Department of Correctional Services and the Judicial Inspectorate for Correctional Services 2017/2018 Annual Report (28 February 2019)

Waterhouse S, BJC Collective submission feminist analysis of MTBPS proposals submitted to the Finance Committee. Also submitted to the Committee on Women, Youth and Persons with disabilities. (5 November 2019)

Waterhouse S, Take lead on feminist analysis of Appropriations proposals in adjusted Budget and MTBPS. Incorporated into BJC collective submission. Deepen feminist analysis per budget Vote (department) for Basic Education, Health, Police, Justice, Social Development, Rural Development, Energy, small business and others (22 November 2019)

## Legal opinions

Chonco T and De Visser J Legal opinion, requested by SALGA, on the National Land T, Transport Amendment Bill and whether its provisions pass constitutional scrutiny. Further discussion on the opinion was deliberated at a meeting on the 18th February 2019.

## Opinion pieces and newsletter articles

Adeniyi O, 'Time to pay attention to hunger among South African students', CoE in Food Security, 2 August 2019. Available at: <https://bit.ly/2qDv53D>

Adeniyi O, co-authored article (with Marc Wegeriff, University of Pretoria), 'Student hunger at South African Universities needs more attention' The Conversation 18 September 2019 Available at: <https://bit.ly/2V1r7hv>

Adeniyi O, 'O jewa ke eng- hunger on our campuses' Banking on Africa Network (BOAF), 21 March 2019. Available at: <https://www.bankingonafrika.com/blog/boaf-o-jewa-ke-eng-hunger-on-our-campuses/>

Beukes J, "Constitutional Court grants municipalities greater scope to rectify unlawful contracts" *Local Government Bulletin*, Volume 14, Issue 2, 9 December 2019. Available at: <https://bit.ly/37Jlqsx>

Chigwata T.C., "Can Zimbabwe walk the talk of devolution?" *Local Government Bulletin*, Volume 14, Issue 1, September 2019. Available at: <https://bit.ly/32JXa7u>

Chonco T, "Amendment of the Local Government Municipal Structures Act: Is local government finally structured for success?" *Local Government Bulletin*, Volume 14, Issue 1, September 2019. Available at: <https://bit.ly/2JfjwWy>

De Visser J, 'Municipalities are not off the hook for food security' DST-NRF Centre of Excellence on Food Security 22 May 2019.

De Visser J, "Municipalities are not off the hook for food security" *Local Government Bulletin* Vol 14(1) September 2019. Available at: <https://bit.ly/2BC0ZQ9>

Hlati P, "The Commonwealth Local Government Forum focuses on the Localisation of the Global Sustainable Development Goals Agenda in Southern Africa" *Local Government Bulletin*, Volume 14, Issue 2, December 2019. Available at: <https://bit.ly/30VnEow>

Lorizzo T, "Prisoners must vote (Reclusos devem votar)" for the week paper SAVANA, on 12 July.

Mathiba, 'Can a provincial government under national intervention intervene in a municipality?' (2019) 14 (2) *Local Government Bulletin*. Available at: <https://bit.ly/37LoaGQ>

Maziwisa M, 'The BRICS Bank: More Money for South Africa's Municipalities?' (2019) 14 (2) *Local Government Bulletin*. Available at: <https://bit.ly/2Bk6PsA>

Muhumuza N, Extending sexual health and reproductive rights through the Court: Analysis and lessons from FIDA – Kenya & Ors v The Attorney General & Ors High Court Petition No 266 of 2015' *AfricLaw*

Muhumuza N, "Why Uganda's blasphemy law is unconstitutional" *AfricLaw*, 19 June 2019. Available at: <https://bit.ly/31EwN1>

Muntingh L, "How the NPA can regain the respect of the public", *Business Day* 27 November 2019. Available at: <https://bit.ly/3fFQEVw>

Nanima R, 'Deprivation of Liberty and the Right to Health: Report of the United Nations Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health, Dainius Pūras (10 April 2018)' (2019) 20(1) *Economic and Social Rights Review* 22-24'

Omboto H, "Impact of the declaration of invalidity of the Municipal Systems Amendment Act of 2011", *Local Government Bulletin*, Volume 14, Issue 1, September 2019. Available at: <https://bit.ly/361dL8H>

Poswa X, "Land use management: Where traditional and municipal governance meet in rural areas" *Local Government Bulletin*, Volume 14, Issue 2, 5 December 2019.

Ziswa M, "Municipal Cost Containment Regulations: An attempt to curb local government wastefulness?" *Local Government Bulletin*, Volume 14, Issue 2, December 2019

## **Conferences hosted**

Steytler N, Co-hosted international conference *Constitutions, constitutionalism and the economy in Africa* with the Institute of International and Comparative Law, University of Pretoria, STIAS (Stellenbosch, 18-20 September 2019)

Steytler N, De Visser J and Chigwata T.C., *International Conference, National and Provincial Elections: 8 May 2019: Key questions: populism, provincialism, womxn and election credibility* (School of Public Health, University of the Western Cape, Cape Town, 25 April 2019)

## **Workshops hosted**

Adeniyi O, Organised as part of the SERP team and participated in the Advocacy Meeting on Right to food for students in South African Tertiary Institutions organised by Dullah Omar Institute and the Centre for Excellence on Food Security in South Africa (Johannesburg, 26 June 2019)

Adeniyi O, organised as part of SERP team and participated in the Advocacy Meeting on Right to food for students in South African Tertiary Institutions organised by Dullah Omar Institute and the Centre for Excellence on Food Security in South Africa (Cape Town, 25 July 2019)

Assim U.M., Facilitation of workshop on 'Access to Justice: Prospects and Challenges' for side event during the 65th session of the ACHPR (The Kairaba Hotel, Serrekunda, Banjul, The Gambia, 20 October 2019)

Chigwata T.C., SARChI Organised and attended the Metro OBS Questionnaire review workshop (University of the Western Cape, 6 March 2019)

De Visser J, Co-hosted (with D Gordon) Doctoral Colloquium (Cape Town, 31 October - 1 November 2019)

De Visser J, Co-hosted Metro OBS Launch (with Tinashe Chigwata and International Budget Partnership) (Pretoria, 27 November 2019)

De Visser J, Hosted in-house seminar with Multilevel Government Students and Staff on EU-RISE.

De Visser J, Convened *Conversation with Nelson Mandela Bay's Municipal Manager, Johann Mettler about local government, politics and administration* (15 March 2020)

Durojaye E, Side event on 'Access to Justice in Africa' at the *High Level Political Forum on Sustainable Development Goals* (Mott Foundation) (New York, 16 July 2019)

Durojaye E, Hosted Community Workshop on SDGs and Access to Justice (Cape Town, 28-29 May 2019)

Durojaye E, Hosted a workshop on 'Identifying the challenges people face in informal settlements in Cape Town' (Cape Town, 13 November 2019)

Durojaye E, Hosted Community leaders' workshop (OSF/DVC Research Office) (Cape Town, 6-7 August 2019)

Durojaye E, Hosted Community leaders' workshop (Cape Town, 2-3 October 2019)

Komote M, *Setting civil society's agenda for the 6th Parliament* with the aim of providing an opportunity to debate, expand and deepen our collective experiences and analysis of the 5th Parliament and to develop the basis of a letter/report containing our recommendations and demands which will be submitted to the 6th Parliament.

Komote M, *Three-day Budget training workshop*, for various civil society organisations. (11-13 March 2019)

Komote M, *SOE board appointments at PRASA, Eskom and the SABC* workshop convened (with J de Visser) (Cape Town, 11 June 2019)

Lorizzo T, With Muntingh co-hosted a seminar in Maputo with the Legal Training Centre to launch the article Powers of arrest curtailed by the Constitutional Council- the impact of the 2013 Decision (15 November 2019)

Mentor-Lalu V, Conducted separate constituency training with partners at their respective offices: Witzenberg Rural Development Centre, Women on Farms Project and R2K.

Mangwanda J, ACJR hosted a Roundtable discussion: Appointing the leadership of the NPA (Rosebank, Johannesburg, 20 November 2019)

Mentor-Lalu V, Provided training to 15 sex workers from SWEAT as part of political education training (23 April 2019)

Mentor-Lalu V, "Putting the People in People's Parliament Western Cape Roundtable: Scaling up inclusive participation in South African Legislatures to enhance democratic oversight", Activity led by V Mentor-Lalu, supported by Wellen, Komote, and Waterhouse. Purpose to contribute to improved relationships between WCPP and PPIPP partners was achieved. Discussions focused on how to increase meaningful public access to information and oversight by the Provincial Legislature. (13 November 2019)

Mezmur B.D., Convened a conversation session with Prof Christof Heyns on the upcoming General Comment No. 37 on article 21 of the ICCPR (the right to peaceful assembly).

Mezmur B.D., Co-Convened the regional consultation on the *Draft Principles on Surrogacy* (University of the Western Cape, Cape Town, 12-13 August 2019)

Mezmur B.D., Convened a *Conversation* session for PG students titled "The right to ingest anything? A reflection on the decriminalisation of cannabis" presented by Prof Pierre De Vos in August.

Mezmur B.D., CRP was one of the partners in the Convening of the Child Trauma Conference (Cape Town)

Mezmur B.D. Convened a Conversation session for Post Graduate students titled "A recently published study on the cognitive functions of Coloured women in South Africa: Gender, Race, Research Ethics from a human rights point of view".

Mirugi-Mukundi G, Organised as part of SERP team and participated in the Invitation: Africa and Asia Civil Society Workshop on the United Nations High-Level Political Forum (HLPF) on Sustainable Development Goals (SDGs) (Johannesburg, 27–29 March 2019)

Mirugi-Mukundi G, SERP organised as part of SERP team and participated in the two-day Community Leaders Workshop: Theme: Day1: the role and responsibilities that businesses have in ensuring human rights protection where issues such as labour relations, unfair dismissals, resource implementation and reparations (Cape Town, 6 March 2019)

Mirugi-Mukundi G, SERP organised as part of SERP team and participated in the two-day Community Leaders Workshop: Day 2: role of men in advancing women's sexual and reproductive rights, health care services, and service delivery within our communities (Cape Town, 7 March 2019)

Mirugi-Mukundi G, Organised as part of SERP team and participated in a preparatory meeting via skype / face-to-face on the regional meeting on access to justice: 17 January 2019; 25 February 2019; 26 March 2019.

Mirugi-Mukundi G, SERP organised as part of SERP team and participated in the two-day Community Leaders Workshop: Theme: Day 1: The link between elections, socio-economic rights and service delivery Day 2: Women and Elections in South Africa (Cape Town, 20 – 21 February 2019)

Mirugi-Mukundi G, SERP organised as part of SERP Team and chaired the ICESCR CSO Coalition meeting (Johannesburg, 11 March 2019)

Mirugi-Mukundi G, organised as part of SERP team and participated in Roundtable Discussion on Meaningful Engagement (Cap Town, 27 May 2019)

Mirugi-Mukundi G, As part of the SERP team, organised and hosted a side-event workshop on "Advancing Sexual and Reproductive Health and Rights in Africa: The Role of National Human Rights Institutions in Eliminating Sexual Harassment" (The Kairaba Hotel, The Gambia, 20 October 2019)

Mirugi-Mukundi G, As part of the SERP team in conjunction with African Centre of Excellence (ACE) for Access to Justice, organised and hosted a side-event workshop on Realizing Access to Justice in Africa (The Kairaba Hotel, The Gambia, 20 October 2019)

Mirugi-Mukundi G, Part of the SERP team, organised and participated in the two-day workshop on "Role of NHRIs in Advancing SRHR in Africa" (Johannesburg, 20–21 November 2019)

Mirugi-Mukundi G, On behalf of the SERP team participated in the "Colloquium on funding of the

Post-School Education and Training sector”, convened by the Parliamentary Portfolio Committee on Higher Education (6 November 2019)

Mirugi-Mukundi G, Organised as part of SERP team and participated in Community Dialogue on Concluding Observations by The Committee on Economic, Social and Cultural Rights (CESCR) To the Initial Report of the South African Government (3 June 2019)

Muntingh L, ACJR hosted the AGM of the Detention Justice Forum (University of the Western Cape, 19 March 2019)

Muntingh L, ACJR and REFORMA co-hosted a two-day workshop on democratic policing and arresting without a warrant (Maputo, 27-28 March 2019)

De Visser J and Muntingh L, "Human Rights in South Africa and Argentina: The experience of the Robben Island Prison and the ESMA Memory Site Museum Truth, memory and justice" Convened by Dullah Omar Institute & Embassy of Argentina (Cape Town, 29 March 2019)

Muntingh L, ACJR hosted a workshop on the NPA with speakers Lukas Muntingh (ACJR), Lawson Naidoo (Council for the Advancement of the South African Constitution - CASAC), Christine Botha (centre for Constitutional Rights - CCR), Jean Redpath (ACJR) and Miché Roberts (Institute for Security Studies - ISS) (3 April 2019)

Muntingh L, ACJR launched the report on the Socio-economic impact of pretrial detention "Liberty is not the only loss". The event was co-hosted with Sonke Gender Justice (28 May 2019)

Muntingh L, ACJR hosted a workshop on democratic policing in Lusaka (LM, JR and JM) ACJR co-hosted a workshop on democratic policing with Ubuntu Justice Initiative and Zambia Law Development Commission (Cresta Goldview Hotel, Lusaka, Zambia, 27-28 June 2019)

Muntingh L, ACJR hosted a workshop on democratic policing (Blantyre, Malawi, 24 July 2019)

Muntingh L, ACJR hosted a workshop on the enforcement of vagrancy by-laws and plans for litigation (27 August 2019)

Mezmur BD, Co-Convened with Human Rights Watch a panel on the Role of South African in advancing human rights in Africa (University of the Western Cape, 6 November 2019)

Omboto H, With Steytler hosted a DOI in-house seminar on Russian Federalism under Putin with Dr Evgeniya Kuznetsova from Ural Federal University (University of the Western Cape, 25 November 2019)

Powell D, Seminar Law and Government in the Digital Society co-hosted with the Law Faculty.

Redpath J, ACJR co-hosted a workshop with Legal Resources Foundation Kenya on democratic policing (Sarova Stanley Hotel, Nairobi, Kenya, 15 May 2019)

Redpath J, ACJR co-hosted a workshop in Johannesburg with the ISS on State Capture, Accountability and the Media, at which journalists, including Jacques Pauw, gave input (9 July 2019)

Steytler N, Workshop hosted Enid Slack, "Paying for municipal services and infrastructure in metropolitan areas" (Salga House, Cape Town, 5 March 2019)

Steytler N and De Visser J, Convened seminar on Commission of Inquiry into Land in Uganda: reflections of 18 months of investigation Seminar with Dr Douglas Singiza (Cape Town, 30 January 2019)

Steytler N, De Visser T and Chigwata T.C., *Retreat for doctoral students in Multilevel Government*, Leipzig (April 2019)

Steytler N, Theunis Roux, Discussion of his book, *The Politico-Legal Dynamics of Judicial Review: a Comparative Analysis* (University of the Western Cape, 21 February 2019)

De Visser J and Chigwata TC, Co-convened 2nd SALGA-DOI Research Colloquium Addressing inequality through inclusive, sustainable and viable local governments" (11-12 March 2019)

Petersen K, ACJR hosted a workshop on ACJR Draft Paper: Assessing the Prospects for the Decriminalisation and Declassification of Petty Offences (Cape Town, 4 December 2019)

Steytler N, SARChI Seminar presented by Prof. Zemelak Ayele on 'The rising demand for own ethnic-based State in Ethiopian federalism' (4 October 2019)

Waterhouse S, Facilitate workshop on feminist budget analysis for the BJC ahead of the 2019 MTBPS in preparation for BJC submissions to be made with feminist analysis. Developed pilot workshop materials. (29 October 2019)

Waterhouse S, Initiated Parly Watch in Joburg through a capacity building workshop of CSOs with an interest in the GPL and national parliament (20 November 2019)

Waterhouse S, CSO Consultative Workshop. Led by Waterhouse, with support from de Visser, Muntingh, Komote and Wellen. Prepared workshop objectives, programmes, speaker and general invitations, presentations (18 November 2019)

## **Conference papers presented**

Chigwata T.C. and Steytler N 'Regional and international experiences regarding making relevant policies and legislative instruments of frameworks for devolution implementation' Presented at the *Devolution Indaba* (Harare, 22-27 March 2019)

De Visser J 'Climate change and multilevel government in South Africa' Presented at *International Conference: Climate Change and Federative Governance* Forum of Federations / University du

Quebec a (Montreal 13-14 September 2019)(via Skype)

De Visser J 'Food security and municipal powers in South Africa' Presented at *International Conference Local and Urban Governance: Trends, Challenges and Innovations in a Globalizing World* IGU Commission Geography of Governance & University of Cape Verde (Cidade da Praia, 4-7 September 2019)

De Visser J 'Multilevel government, municipalities and food security' Presented at *Centre of Excellence Community of Practice* (Cape Town, 5 April 2019)

De Visser J 'Multilevel government, municipalities and food security' Presented at *Centre of Excellence Community of Practice* (Johannesburg, 17 April 2019)

De Visser J 'Multilevel government, municipalities and food security' Presented at *Urban Citizenship as a Verb* Isandla (Cape Town, 13 June 2019)

Durojaye E 'Addressing human rights challenges relating to non-communicable diseases in Africa' Presented at *Socio-Legal Aspects of Non-communicable Diseases in Africa* (Lagos, Nigeria 3-6 September 2019)

Durojaye E, Mirugi-Mukundi G, and Adeniyi O 'Legal Empowerment and Access to Justice for Women in South Africa: The Dullah Omar Institute's Experience' The abstract accepted for a *Conference on Engendering Access to Justice International*. The conference was organised by Faculty of Law, University of the Western Cape and Nordic African Institute (Cape Town, 28-29 October 2019)

Maziwisa M and Durojaye E 'Engendering Legal and Institutional Reforms to Ensure Access to Reproductive Justice for Women in Africa: A Case Study of the Decision in the Masingure case.' *Engendering Access to Justice International Conference* which was organised by Faculty of Law, University of the Western Cape and Nordic African Institute (Cape Town, 28-29 October 2019)

Mezmur B.D. 'Statelessness and children's rights' Presented at *World Conference on Statelessness* (The Hague, 26-28 June 2019)

Nanima R 'Access to justice for the girl child affected by armed conflict: An evaluation of the Approach of the African Committee of Experts on the rights of the child in the context of SDG 16.3' Presented at *Engendering Justice* (Bellville, 28-29 October 2019)

Nanima R 'Economic crimes in armed conflict: Does the African Charter on the rights and welfare of the child offer adequate protection?' Presented at *Economic Crimes* (Bellville, 1 November 2019)

Nanima R 'The sexual exploitation of children during armed conflict' Presented at *Social Economic Rights Project Colloquium on the role of non-state actors in the realisation of sexual and reproductive health and rights in Africa* (Johannesburg, 21-22 November 2019)

Nanima R and Sloth-Nielsen J 'Emerging jurisprudence on remedies and due diligence: Lessons for the CRC from the ACERWC?' Presented at the *Juris Diversitas Conference* (North West University, Potchefstroom, 16 April 2019)

Nanima R 'The enjoyment of the right to health beyond areas of armed conflict: an evaluation of Kenya's practice and jurisprudence on refugee children' Presented at *9th AISA Conference* (Nairobi, Kenya, 25-29 June 2019)

Nanima R 'The protection of the migrant child within the African human rights system' Presented at *Migration and Mobilities Conference* (University of the Western Cape, 29 May 2019)

Powell D, 'Informational privacy and mass biometric systems' Presented by W Grove at *Connected Life Conference 2019: Data and Disorder*, hosted by LSE, Oxford and Alan Turing Institute. This paper was written by W Grove, O Tsoumani, S van der Graaf, D Powell (Oxford and London, 25-26 June 2019)

Steytler N 'Constitutions, constitutionalism and the economy: Concepts and questions' Presented at *International Conference Constitutions, constitutionalism and the economy in Africa*, STIAS (Stellenbosch, 18 September 2019)

Steytler N 'Language, identity, and federalism in Africa' Presented at the *International Conference on Federalism and Language Policy for a Multi-Lingual Policy*, organised by the Centre of Federal and Governance Studies, Addis Ababa University, Dullah Omar Institute, Institute of Federalism, Fribourg, University, and EURAC (Addis Ababa, Ethiopia, 23 November 2019)

Steytler N 'Non-centralism in Africa: in search of the federal idea' Presented at *American Political Science Association Conference* (Washington DC, 30 August 2019)

Steytler N 'The 'federal solution' to diversity conflicts in South Africa and Kenya: partial at most' Presented at *Multidisciplinary Authors' Workshop, Federalism and Conflict Resolution Using the Federal Toolbox to Prevent and Solve Intra-state Conflicts at the Institute of Federalism* (University of Fribourg, 23 and 24 May 2019)

Steytler N 'The "federal character" of federal governments in post-conflicts societies' Presented at *International Political Science Conference (RC14), 'Diversity and Democratic Governance: Legacies of the Past, Present Challenges, and Future Directions?'* (University of Sarajevo, Bosnia and Herzegovina, 12-15 June 2019)

Steytler N and De Visser J 'South Africa: Wavering between homogeneity and diversity among civil services in provinces and municipalities' Presented at *Annual Conference of the International Association of Centers for Federal Studies* (Speyer, 17-18 October 2019)

Steytler N and Maziwisa M 'The Constitution, the economy and the vagaries of the developmental state in South Africa' Presented at *International Conference, 'Constitutions, constitutionalism and the economy in Africa*, STIA (Stellenbosch, 18 September 2019)

## Campaigns

Komote K, Attendance and participation in mobilising and planning meetings in Cape Town on 16-18 January 2019 and Johannesburg from 12-14 February 2019 with approximately 31 women representing trade unions, activists, civil society organisations and community based organisations. These meetings were hosted by Oxfam and other civil society organisations including WDI, to discuss and create a feminist manifesto and call to action.

Komote M, Civil Society Working Group meeting. 11 October 2019. and subsequent compilation, drafting and editing of key recommendations by 17 organisations forming part of the Working Group for the group's joint submission on State Capture to the Zondo Commission arising from the meeting for dissemination to Open Secrets and other member organisations.

Komote M, Civil Society Group leadership. 4 October 2019 Attendance at a discussion and workshop on the NHI Bill as part of collaborative efforts with more than 10 other civil society organisations that are based across various provinces with the aim of providing information to CSO's and planning for individual and joint written submissions to Parliament. This session was led by Section 27, DOI attended as one of the member organisations of the group based on our work and contribution to civil society spaces on board appointments at State Owned Entities.

Komote M, SOE Civil Society Working Group Meeting. 27 November 2019. Attended the final meeting of 2019 year of the Civil Society Working Group on State Capture which included discussions on our structure, presentations by the NPA.

Komote M, Unite Behind Coordination Committee. 5 December 2019. Attended the final UniteBehind meeting of the year as a representative of WDI/DOI where member organisations and affiliates were tasked with agreeing and possibly voting on the proposed way forward for the restructuring of the organisation as well as speaking to the current budget of the coalition.

Mangwanda J, with Muntingh met with the Safety Manager of the Cape Town Centre Improvement District (CCID) in connection with the powers and responsibilities of CCID officers.

Mangwanda J, ACJR together with other Civil Society Organizations launched the South African campaign on decriminalization and declassification of petty by-laws, 10 October 2019.

Mentor-Lalu V, #UniteBehind WDI participated in #UB 4-day strategic planning (30 May - 2 June) where collectively the future direction and campaigns were deliberated.

Mentor-Lalu V, Attended OSF-SA Colloquium on VAW. 18 and 19 November 2019. Purpose to participate in dialogue with a wide spectrum of CSOs, supported facilitator at key points of the workshop.

Mentor-Lalu V, Attended the President's speech on GBV in the National Assembly.

Mentor-Lalu V, Attended the Shayisfuba Cape Town meeting. WDI is a founding member and remains involved in the work of this feminist collective.

Mentor-Lalu V, Contribute and endorsed the statement released and participated in a picket outside Parliament as a member of #UniteBehind on 22 May calling for an end of corruption.

Mentor-Lalu V, Development and draft of key online messages based on some departmental annual performance plans and budget vote speeches for distribution on Twitter for Women's Day 2019. This was done in conjunction with two other members from Right2Know campaign, UniteBehind and Alicestine October.

Mentor-Lalu V, Endorsed, mobilised support and participated in a picket outside Parliament initiated by the Ahmed Kathrada Foundation that took place outside National Parliament on 22 May. The letter of demand called for accountable elected representatives.

Mentor-Lalu V, Participated in the Inaugural meeting of the National Gender Machinery Forum hosted by the Dept of Women, Youth, and People with Disabilities. The purpose of the meeting was to engage with the Diagnostic Review of the national gender machinery. The NGM Forum is aimed to serve as the government's nerve centre for effective coordination and accountability of the National Gender Programme.

Mentor-Lalu V, WDI staff participated in the provincial consultation on the NSP coordinated by the Interim Steering Committee on GBVF.

Mentor-Lalu V, WDI team participated in the protest and march against gender-based violence outside Parliament on 5 September 2019.

Mentor-Lalu V, WDI was approached by Equal Education for advice on advocacy strategies in approaching the legislature regarding their call to have the designated chairperson for the Portfolio Committee on Basic Education removed. In addition we endorsed Equal Education's letter in this regard.

Mentor-Lalu V, Mentor-Lalu and Waterhouse serve on the Shayisfuba coordinating and research committees and participated in regular telecons to plan and strategise Mentor-Lalu V, PPIPP. Through online searches and telephone calls documented the dates of the second SOPAs and sent it out to our partners and CSO database. Mentor-Lalu V, Conducted desktop searches and developed a table with contact details of MPs and which constituencies they are assigned to.

Mentor-Lalu V, With Alicestine October drafted a press release and released along with the briefs for the Department of WYPD and Department of Social Development.

Petersen K, Participated in the Detention Justice Forum Bi-monthly Teleconference, 21 May 2019.

Petersen K and Mangwanda J, Attended the civil society briefing on the case of Gelderbloem and Others vs City of Cape Town, 20 November 2019. (fining/confiscating personal belongings of homeless people)

Petersen K and Mangwanda J, participated in a campaign meeting on addressing the petty By-

laws in South Africa, Kenilworth, 21 November 2019.

Waterhouse S, Attend BJC MTBPS strategy workshop 29 to 31 October 2019.

Waterhouse S, BJC Finance and Fundraising Task Team. FFFT meeting 07 10 19 and ongoing communications. To ensure that BJC funding is sourced from donors and to consider the best measures for accountable fundraising in the collective.

Waterhouse S, Budget Justice Coalition. Steering Committee. Elected to serve on BJC SC. Meetings 07 10 19; 21 10 19. Steering Committee strategies on Civil Society interventions and advocacy on questions of public finance - focus end 2019 was on the deeper austerity measures announced in the 2019 MTBPS. BJC currently made up of about 13 partner organisations including: S27, PSAM, SPII, RHAP, IEJ, CI - UCT.

Waterhouse S, Budget Justice Coalition. Undertake to initiate and participate in the Ethics Committee to address conflict and questions of bullying among BJC three members. Meetings: 23 10; 11 11; 13 11; 21 11; 25 11; 03 12; 10 12. restorative justice sessions with the three individuals involved: 26, 28, and 29 11. Further regular communications among EC members for the purpose of ensuring a constructive, restorative approach to communications with the individuals involved and the BJC general membership.

Waterhouse S, Feminist Budgeting Task Team. WDI is a key member of this task team. Linking our 'indicating feminism' indicators to budget advocacy. FBTT meetings 04 10 19; 10 10 19, ahead of the announcement of the 2019 MTBPS.

Waterhouse S, Support and Endorse letter of concern drafted by Feminist CSOs to the new Speaker of the WCPP regarding the problematic tone of the WCPP debate on VAW 11 October 2019. Followed up with communications and meeting with WCPP speaker on 21 October 2019.

Waterhouse S, Work with FBTT members to develop a framework document for feminist budget analysis.

Waterhouse S, PPiPP is a project led by WDI including four other core partner organisations and around 30 project partner organisations. Funded by the EU. Waterhouse is the lead on the project with strong support from Mentor Lalu and Wellen. coordination meetings 01 10 19, 07 10 19, and 10 12 19.

Waterhouse S, Provide leadership support to the EC PPiPP team at the PSAM to develop the objectives, programme, and invitations for the ECPL Round Table and Capacity and Strategy development workshop that they very successfully hosted. Provide inputs and editing on the press release they subsequently prepared and released.

Waterhouse S, Sourced and circulated Provincial department annual reports - with help from PMG. Circulated these among CSO partners with certain orgs targeted specifically. Access to information of this nature is critical to enable CSO engagement in parliamentary oversight.

Waterhouse S, Waterhouse and Mentoor-Lalu communicate with Senior Council to Judge Zondo regarding issues of Parliamentary accountability related to State Capture. Consultations with PW members and arranged meeting with Adv Freund on 08 November 2019. Agreed that PW will support Adv Freund in research and establishing facts related to Parly's contribution to state capture.

## **Court cases**

Mezmur B.D., The Constitutional Court declared corporal punishment in the home setting unconstitutional- and DOI submitted an *amicus* brief in December 2018.

Redpath J, Submitted a draft affidavit on 23 September 2019 in the *SJC v Min of Police* Matter in response to SAPS' submission on the remedy.

## **Advocacy material**

Mentor-Lalu V, Attended a roundtable discussion convened by OSF on the NHI held on 18 June. We participated in a pre-roundtable telecom with OSF-NY as well as a pre-interview with the facilitators.

Mentor-Lalu, With the WDI team prepared input for conference based on our feminist research titled: Feminist Governance: Tracking Womxn-Centred Policy and Action.

Mezmur B.D., Recorded a podcast on "Children's rights and statelessness" for the institute on Statelessness and Inclusion.

Muntingh L, Finalised the logo/ identity for the South African Campaign against petty by-laws. (4 October 2019)

Waterhouse S, Prepare plain language version of the BJC statement on the 2019 MTBPS. (1 November 2019)

## **Presentations**

Adeniyi O, 'The Judicialisation of the Right to Access Sufficient Food in South Africa: Unpacking the Legal Opportunities and Stricture of the Right To Food' Presented at Legal Resource Centre Consultative Seminar on the Right to Access Sufficient Food (Johannesburg, 25-26 March 2019)

Assim U.M., 'African Children's Charter Project' Presented at Sustainability/Exit Strategy Workshop (Report back on the DOI activities within the ACCP.) (Stockholm, Sweden, 13-15 May 2019)

Assim U.M., 'The protection of the migrant child within the African human rights system' Presented at Migration and Mobilities Research Niche Colloquium (With Nanima R) (University of the Western Cape, Cape Town, 29 May 2019)

Assim U.M., 'The SDGs and the realisation of children's rights in disadvantaged communities' Presented at SERP Community Leaders Training Workshop (Cape Town, 28-29 May 2019)

Assim U.M., 'Perspectives on Children and Statelessness' Presented at Pan-African Parliament CSO Forum on Year of Refugees, Returnees and IDPS: Towards durable solutions for forced displacement in Africa (Midrand, Johannesburg, 12 October 2019)

Assim U.M., 'The role of courts in protecting sexual and reproductive health and rights of women and girls: Decriminalization of abortion through strategic litigation' Presented at CSP Forum for the 65th ordinary session of the African Commission on Human and Peoples' Rights (Banjul, The Gambia, 20 October 2019)

Assim U.M., 'Addressing sexual abuse and violence on campus residences' UWC student residential services department (University of the Western Cape, Cape Town, 22 August, 2019)

Assim U.M., 'African specificities in rights and obligations in the ACRWC' Presented at Symposium on Harmonisation of Laws on Children in Africa (African Child Policy Forum (ACPF), Addis Ababa, Ethiopia, 16-17 September 2019)

Assim UM, 'Leveraging the SDGs for the advancement of children's rights' Presented at Inaugural Social Justice Summit & International Conference 201 (Stellenbosch University, Cape Town, 30 August 2019)

Chigwata T.C., 'Use or misuse of e-elections' Presented at International Conference on Elections organised by the SARCHI (University of the Western Cape, Cape Town, 25 April 2019)

Chonco T, Chaired one of the Commissions at SALGA's local government colloquium (Moses Mabhida, Durban, 12 March 2019)

Chonco T, 'One size does not fit all: An examination of the legal and policy framework for differentiated powers & functions of municipalities in South Africa' Presented at 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance (Northwest University, Potchefstroom, 27-28 November 2019)

De Visser J, 'Inclusive Executive Governance in the Western Cape' Presentation to Minister Bredell (with Nico Steytle) (Cape Town, 8 April 2019)

De Visser J, 'Inclusive Executive Governance in the Western Cape' Presented at Garden Route District / SALGA Good Governance Summit (George, 14 June 2019)

De Visser J, Chaired Plenary Session at Africa and Asia civil society workshop on the UN High-Level Political Forum on Sustainable Development Goals and Access to Justice / SDG goal (Johannesburg, 27 March 2019)

De Visser J, Chaired Plenary Session at 20 Years of Demarcation Conference of Municipal Demarcation Board Johannesburg: Municipal Demarcation Board (Johannesburg, 31 January 2019)

De Visser J, 'Local government and governance' Presented at Munich Federalism Days (Munich, 13 November 2019)

De Visser J, Co-facilitation of Workshop on Local Government and Governance at Munich Federalism Days (Munich, 13-14 November 2019).

De Visser J, 'SOEs and Democracy: Friends or Foes?' Presented at State Owned Entities Civil Society Consultation (Woodstock, Cape Town, 18 November 2019)

De Visser J, Respondent at in-house seminar City of Cape Town, convened by Dr Jane Battersby (UCT) on The Role of Local Government in the Urban Food System (Cape Town, 2 December 2019)

De Visser J, 'Ward Accountability' Presented at Development Action Group / CAPP Seminar (Mowbray, Cape Town, 14 August 2019)

De Visser J, Participant, with Benyam Mezmur, in panel discussion with Prof Pierre De Vos on legalisation of personal use of cannabis (Cape Town, 21 August 2019)

De Visser J, 'Writing a research proposal' Presented at Faculty of Law and Division of Postgraduate Studies (DPGS) Workshop on proposal writing/research methodology (Cape Town, 24 August 2019)

De Visser J, 'Multilevel government and federalism in Africa' Presented at International Seminar on Federalism National Institute of Public Finance and Policy (Kochi, India, 26 August 2019)

De Visser J, 'Deconstructing Municipal Planning By-laws for Effective Spatial Planning' Presented at SALGA/SACPLAN Planning Law Conference (With Poswa, X) (Ballito, Durban, 26 September 2019)

Durojaye E, Moderated one of the sessions at the consultative meeting on the Study 'HIV, the Law and Human Rights in the African Human Rights System: Key Challenges and Opportunities for Rights Based Responses to HIV' (Nairobi, Kenya, 4-5 October 2019)

Durojaye E 'The right to food under international and national law' Presented at Advocacy Meeting on Right to food for students in South African Tertiary Institutions organised by Dullah Omar Institute and the Centre for Excellence on Food Security (Johannesburg, 26 June 2019)

Durojaye E, 'Emerging issues on right to health in Africa' Presented at Conference on Global Law hosted by the University of Cape Town (University of Cape Town, Cape Town, 8 April 2019)

Durojaye E, 'ILO Convention C 190 on Sexual Harrassmentn: An opportunity for advancing women's sexual and reproductive health and rights' Presented at Colloquium on the Role of National Human Rights Institutions in Addressing Sexual Harassment in Africa during the 64th Ordinary Session of the African Commission on Human and Peoples' Rights (Banjul, The Gambia, 20 October 2019)

Durojaye E, 'Regional and International Framework on Non-state actors and the Realisation of SRHR' Presented at Colloquium in Non-state actor and the Realisation of SRHR in Africa (Johannesburg, 21-22 November 2019)

Durojaye E, 'The Role of the African Commission in addressing HIV in Africa' Keynote Address delivered to International Conference on AIDS in Africa (ICASA) (Kigali, Rwanda, 2-7 December 2019)

Durojaye E, 'Non-communicable disease and human rights in Africa' Presented at Community Workshop organised by DOI (University of the Western Cape, Cape Town, 6 August 2019)

Komote M, 'Women and elections in 2019', Presented at Socio-Economic Rights Project community leaders workshop (Cape Town, 20-21 February 2019)

Komote M, 'Politics of womxn and the gender agenda of political parties' Presented as part of a panel with Samantha Waterhouse, Prof. Amanda Gouws and others at SARCHI International Conference on Elections 2019 (University of the Western Cape, Cape Town, 25 April 2019)

Komote M, 'The Meaning, Nature and Context of Sexual Harassment' Presented at African Commission side panel on Advancing Sexual and Reproductive Health and Rights in Africa: The Role of National Human Rights Institutions in Eliminating Sexual Harassment, with other panel members from various parts of Africa. This side panel was part of a joint collaboration by SERP (DOI), ISLA and KELIN. My presentation was based on discussions with and contributions by Samantha Waterhouse and Vivienne Mentor-Lalu (WDI) (The Gambia, 17-22 October 2019)

Komote M, Presented a research paper written by Lukas Muntingh and subsequent discussion on SOEs and preparation (communication with stakeholders) as part of the SOE project team for the final consultative workshop with civil society organisations, government departments, Parliamentary portfolio committees and other stakeholders (Woodstock, Cape Town, 18 November 2019)

Lorizzo T, Presented the study on children in conflict with the law at the workshop organised by the Mozambican organization Meninos de Moçambique. (Maputo, 20 March 2019)

Lorizzo T, 'Research on Children in Conflict with the Law, Access to Justice and Programs of Rehabilitation and Reintegration' Presented at the event for the 30 years celebration of the Convention on the Rights of the Child (Hotel Rovuma, Maputo, 20 November 2019)

Lorizzo T, 'The role of community courts for the criminal justice system' Presented at International Human Rights Day organised by the Centre for Human Rights of the University Eduardo Mondlane (Sede TDM, Maputo, 10 December 2019)

Lorizzo T, 'Progresses and Challenges' Presented at the event on Human Rights and Fundamental Freedoms in Mozambique organised by the Ministry of Justice with the support of the UNDP and DIAKONIA (Centro Conferência Joaquim Chissano, Maputo, 16-17 December 2019)

Lorizzo T, 'Prevention of Torture, International and National Framework and its implementation' Presented to Commissioners of the National Commission of Human Rights, the event was organised by the OHCHR (Office of the NCHR, Maputo, 4 December 2019)

Lorizzo T, 'The relevance of victimology in the justice administration system' Presented at District Conference on Sexual Violence Against Women and Girls (Hotel Radisson, Maputo, 22 September 2019)

Mangwanda J, 'Campaign on decriminalising petty offences in South Africa' Presented at Seminar on Policing, Safety and Marginalization hosted by APCOF (Lagos, Nigeria, 11 December 2019)

Maziwisa M, 'Business and human rights' Presented at SERP Community Leaders Training Workshop (University of the Western Cape, Cape Town, 6 March 2019)

Maziwisa M, 'Intergovernmental Relations of South African Local Governments' Presented at EURAC in-house seminar (Bolzano/Bozen, Italy, 28 August 2019.)

Maziwisa M, 'The gendered impacts of international trade: South African perspectives on inequality, women farm workers and AfCFTA' Presented at Gender and Trade Advocacy Meeting at the CSW, (14 March 2019.)

Maziwisa M, 'Women and public-private-partnerships in Africa' Presented at United Nations Commission on the Status of Women FEMNET side event. (New York, 12 March 2019)

Mentor-Lalu V, 'Women and the elections and the work of Shayisfuba' Presented at Cape Flats Women's Movement strategic planning meeting (Pelican Park, 15 April 2019)

Mentor-Lalu V, 'Feminist Institutionalism: What spaces left for women in the South African state?' Presented at Conference on Gender Politics organised by SARChI (with Komote)(Stellenbosch University. 26 - 27 July 2019)

Mezmur B.D., 'Migration and violence against children' Presented at The cross regional meeting on violence against children hosted by SRSG VAC (Addis Ababa, Ethiopia, 28 February 2019)

Mezmur B.D., Presented/chaired panel on child participation at the EU European Development Days (Brussels, 18 June 2019)

Mezmur B.D., 'Children's rights and the SDGs' Presented at The launch event of the Child Rights Now report at the UN HQ (New York, 26 June 2019)

Mezmur B.D., 'A multi-religious study of the Convention on the Rights of the Child' Presented at The global launch of faith and children's rights (Geneva, 19 November 2019)

Mezmur B.D., 'Minority language rights for children's education' Moderated and presented at The Social Forum (Geneva, 29 November 2019)

Mezmur B.D., 'Children Deprived of their Liberty: Reflection based on the African Children's Charter' Presented at Regional Launch of the Global Study (University of Pretoria, Pretoria, 9 December 2019)

Mezmur B.D., 'Engagement with human rights treaty bodies' Presented at Human Rights Watch Webinar (Webinar/Online, 19 December 2019)

Mezmur B.D., 'Children and armed conflict in Africa' Keynote Address delivered at The Child Trauma Conference (Cape Town, 11 August 2019)

Mezmur B.D., '30 Years of the Convention on the Rights of the Child' Presented at The European Inter-University Centre for Human Rights and Democratisation (EIUC) (Venice, 28 September 2019)

Mezmur B.D., 'The right to education in emergencies and armed conflict' Presented at Roundtable organized by the Qatar Development Fund and Education Above All (Geneva, 2 October 2019)

Mezmur B.D., 'Child justice and the African Children's Charter' Presented at Side-event of the Human Rights Council organized by African Ambassadors (Geneva, 23 September 2019)

Mezmur B.D., 'Female Genital Mutilation and the Joint General Comment harmful practices' Presented at Experts meeting on FGM organized by the OHCHR (Addis Ababa, Ethiopia, 18 July 2019)

Mezmur B.D., 'Children and armed conflict' Presented at Conference on The Changing Nature of Armed Conflict in Africa: The African Children's Charter (Addis Ababa, Ethiopia, 15 October 2019)

Mirugi-Mukundi G, 'International Covenant on Economic, Social And Cultural Rights: The role of civil society in monitoring the implementation of the ICESCR' Presented at SAHRC workshop on International Covenant on Economic Social and Cultural Rights: a Background, South Africa's Country Report and a Response by the South African Human Rights Commission (Braampark, Johannesburg, 27 November 2019)

Muntingh L, 'The elections and what parties state in their manifestos regarding corruption' Presented at Seminar on Elections 2019: who is saying what about corruption? Hosted by ISS & CBC (Cape Town, 19 March 2019)

Muntingh L, 'The ACHPR principles for decriminalisation of petty offences' Presented at Workshop on Police Human Rights Dialogue hosted by SAHRC & APCOF (Johannesburg, 12 September 2019)

Nanima R, Facilitation of seminar on 'Children in armed conflict' by the South African Local Government Association and the Royal Danish Embassy at the residence of the Ambassador (Pretoria, 25 September 2019)

Nanima R, 'The position of the Dullah Omar Institute and Children Rights Project' Presented a statement by the Dullah Omar Institute at 33rd Session of the African Committee of Experts on the Rights and Welfare of Children (Addis Ababa, Ethiopia, 18 March 2019)

Nanima R, Facilitation of conference on Strategic Litigation in the African Human Rights System (Mombasa, 16-20 September 2019)

Nanima R, Facilitation of a workshop on 'Validation Workshop of the draft General Comment on Article 22 of the African Charter on Children affected by armed conflict' (Cape Town, 29-30 July 2019)

Nanima R, Facilitation of panel discussions chair at 9th interdisciplinary conference (Multimedia University, Nairobi, Kenya, 25-29 June 2019)

Nanima R, Facilitation of a knowledge event exchange on Children in Armed Conflict on 'Pushing Boundaries on CAAC Accountability' (Entebbe, Uganda, 22-24 September 2019)

Redpath J, 'Indicators for the NPA and SAPS' Presented at a closed meeting hosted by the ISS (with Muntingh L) (Institute for Security Studies office, Pretoria, 10 December 2019)

Stevens C, 'Business tax for metropolitan cities in South Africa: principles and prospects' Presented at 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance (Northwest University, Potchefstroom, 27-28 November 2019)

Steytler N, Presentation to delegation from Myanmar, members of Parliament and justices of the Constitutional Tribunal (Cape Town, 8 March 2019)

Steytler N, 'Comparative perspectives on implementing devolution' Presented at Devolution Implementation Indaba, Midlands State University, Department of Local Government Studies, (With Chigwata TC) (Harare, Zimbabwe, 26 March 2019)

Steytler N, Panel discussion: 'Federalism as a tool of conflict resolution – Bosnia in comparative perspective', International Political Science Conference (RC14), Diversity and Democratic Governance: Legacies of the Past, Present Challenges, and Future Directions? (University of Sarajevo, Bosnia and Herzegovina, 12-15 June 2019)

Steytler N, 'Constitution-building in South Africa: Lessons from South African political and constitutional transition' Presented at International IDEA (Naypyitaw, Myanmar, 11-12 May 2019)

Steytler N, 'The place of local government in federal systems' for the Ethnic Armed Organisations, International IDEA (Chiang Mai, Thailand, 13-14 May 2019)

Steytler N, 'South Africa's transition to democracy and multilevel government' Presented to members of Myanmar Parliament (3 November to 1 December 2019, Naypyitaw, Myanmar) and ethnic armed organisations (26-27 September 2019, Mai Sot, Thailand), International IDEA

Steytler N, 'What does good supervision require/entail?' Presented at Supervision Capacity Building Workshop, (University of the Western Cape, Cape Town, 4 September 2019)

Waterhouse S, 'Multi sectoral working session on the development of a collaborative effort to address VAW and Children in the Western Cape' and '25 Years on, a multilevel government analysis of the National GBV F Emergency Plan and NSP and the WC draft Safety Plan: Are we doing it differently? Leadership, Politics and People' Presented at WC Government: led by MEC Social Development (Cape Town, 11 December 2019)

## Database

Chonco T, Database of metropolitan municipalities' committee systems for the IBP project's Metro Open Budget Index.

Stevens C & Beukes J, Database all court cases relating to local government for the period of April 2019 – September 2019.

## Peer review conducted

Assim U.M., Reviewed article for *Comparative and International Law Journal of Southern Africa*, April 2019.

Assim U.M., Reviewed article for *Law Democracy and Development*.

Assim U.M., Reviewed article for *Eleven International Publishing*.

Assim U.M., and Nanima R, review meeting on the *African Child Rights Monitoring Assessment Tool*, convened by ACPF and the Children's Institute, 11 June 2019.

Chigwata T.C., Overseen the peer review process as well as the selection of chapters (together with Jaap de Visser) for the *Second DOI-SALGA book on Local Government* to be published by Juta.

Chigwata T.C., Reviewed an article for the *International Journal of Peace and Development Studies*.

Chigwata T.C., Reviewed an article for the *Commonwealth Journal of Local Governance*.

Chigwata T.C., Reviewed a book manuscript for *Juta*.

De Visser J, Peer review for *Hague Journal on Rule of Law*.

De Visser J, Reviewed article for *Commonwealth Journal on Local Governance*.

De Visser J, Reviewed NRF Funding Application.

Steytler N, reviewed publications of an Associate Professor to full Professor, Addis Ababa University.

Durojaye E, Reviewed article for *Afrika Fokus*.

Durojaye E, Reviewed two book chapters for a book to be published by PULP.

Durojaye E, Reviewed an article for *Commonwealth Law Bulletin*.

Durojaye E, Reviewed a chapter of a book on *Constitutionalism and Elections in Africa*.

Durojaye E, Reviewed article for *Law Development and Democracy*.

Durojaye E, Reviewed two book chapters for Pretoria University Press.

Durojaye E, Reviewed article for *African Human Rights Law journal*.

Durojaye E, reviewed paper on rights of sex workers submitted to *BMC International Health and Human Rights*.

Durojaye E, reviewed paper submitted to *Oxford Human Rights Journal*.

Durojaye E, reviewed an article for *Comparative and International Law Journal of Southern Africa*.

Durojaye E, reviewed an article on Experiences of forced sterilisation and coercion to sterilize among Women Living with HIV (WLHIV) in Namibia: An analysis of the psychological and socio-cultural effects for *Sexual and Reproductive Health and Matter*

Mezmur B.D., Reviewed a draft book- *Commentary on the Convention on the Rights of the Child*.

Mezmur B.D., Reviewed article for the *Journal of African Law*.

Mezmur B.D., Global report: *Child Rights Now* (member of advisory team reviewing the report)

Mezmur B.D., reviewed article on SDGs and best interests in September.

Muntingh L, reviewed article for *Acta Criminologica*

Muntingh L, reviewed article on recidivism for *Law, Democracy and Development*.

Muntingh L, Reviewed article for the journal *BMC International Health and Human Rights*.

Muntingh L, Reviewed article for *ISS* on less lethal weapons.

Muntingh L, Reviewed article for the journal *BMC International Health and Human Rights*

Muntingh L, Reviewed article for *SA Crime Quarterly*.

Nanima R, reviewed book chapter for a Book on Writing Centres.

Nanima R, Auditing a Human Rights Course at the Siracusa Institute of Criminal and International Law in Italy from 1- 10 June.

Maziwisa M, reviewed chapter on 'Adjudication of disputed presidential elections and the impact on democracy and constitutionalism', editorial on footnotes and creating a bibliography.

Maziwisa M, reading and revising LoGov Dossier Entry with Lungelwa Kaywood (from LoGov partner SALGA).

Maziwisa M, reviewed paper on: 'Electoral Corruption and the Adjudication of Disputed Presidential Elections in Africa' for SASCA 2018 publication

Chonco T, reviewed chapter for book on courts in federal systems for Dr Karl Kossler of Eurac Edu.

Steytler N, Co-facilitator of Informal Process, Faculty of Law, UWC.

Steytler N, reviewed chapter of a book by Professor Daniel Platjies (ed).

Steytler N, reviewer for NRF for Research Project on Cities in Southern Africa.

Steytler N, reviewed publications of an Associate Professor to full Professor, Addis Ababa University.

Steytler N, reviewed paper for Law School, Addis Ababa University.

## Media – Print

Assim U.M., Endorsement of Letter to President Cyril Ramaphosa, 'Time for a Radical Approach to End Violence Against Children', *Sunday Times*, 2 June 2019.

Assim U.M., Press Release by the Children's Institute on a joint CSO Letter to President Cyril Ramaphosa on 'Ending Violence Against Children' - renewed call for action, 4 September 2019.

De Visser J, Interview *Business Day* 12 June 2019 on SOEs.

Lorizzo T, interview for the Mozambican newspaper ZAMBEZ, on the right to vote for prisoners. The article was published on 14 March 2019.

Lorizzo T, Published Fact sheet 23 into the newspaper SAVANA on 8 November 2019.

Mangwanda J, Contributed to Detention Justice Forum opinion piece "The death penalty - the go-to but ineffective solution for a nation under siege, Mail and Guardian, 13 September 2019.

Mentor-Lalu V, interview Netwerk24.

Redpath J, Article quoting Report on the Socio-economic Impact of Pre-trial detention in the Western Cape in *Daily Maverick* 28 May "Remand Detention in South Africa outstrips rest of South Africa".

Redpath J, Article quoting Report on the Socio-economic Impact of Pre-trial detention in the Western Cape on *News24* 29 May. "Damning new study suggests Western Cape Police target the poor".

Redpath J, On 30 July 2019, JR gave extensive comment on a story about bail for the *Cape Argus* for journalist Madelyn Winchester, from Cape Argus.

Redpath J, interview Rapport 12 July 2019.

Waterhouse S & Mentor-Lalu press release subsequent to WCPP round table with support from October. 14 November 19

## Media – Radio/TV

Adeniyi O, live radio interview *Channel Africa* on student food insecurity in preparation for human rights day 2019 19 March 2019.

Adeniyi O, live radio interview on *873FM* (20 March 2019) to discuss student food insecurity in preparation for Human Rights Day.

Adeniyi O, live radio interview (21 March 2019) *Capricorn FM*.

Adeniyi O, radio interview with *UJ FM* on the outcomes of DOI's Advocacy Meeting held in Johannesburg and the future of the Access to Food for Students Project.

Adeniyi O, Adeniyi, radio interview in the run up to and after the Advocacy Meeting on Right to food for students in South African Tertiary Institutions - *Capricorn FM* - 8.20 am on 23 July 2019.

Adeniyi O, conducted a radio interview on Right to food for students in South African Tertiary Institutions - *SAFM*- 6.50am on 25 July 2019.

Adeniyi O, conducted a TV interview on Right to food for students in South African Tertiary Institutions - *SABC TV*- 25 July 2019.

Adeniyi O, O Adeniyi held TV interview with *Aljazeera TV* on the right to food for students in SA tertiary institutions - 19 September 2019.

Chigwata TC, Radio interview on *CapeTalk* on electronic voting, 13 May 2019.

De Visser interview *eNCA* on SOEs, On 10 April 2019.

De Visser J, Radio Interview *Smile FM* on SOEs 10 April 2019.

De Visser J, Radio Interview *Radio 786* on SOEs 10 April 2019.

De Visser DOI Radio Interview *PowerFM* on SOEs 11 April 2019.

De Visser J, Interview on *ENCA* on coalition politics in Tshwane (2 December 2019).

De Visser J, Interviewed by *Radio786* on District Service Delivery Model.

Komote M, 5 May 2019 radio interview on *EWN/ Cape Talk* regarding the state of womxn in South Africa and political party manifestos.

Komote M, Feminist Manifesto Analysis. 6 May 2019 recorded television interview on *ENCA* regarding political party election manifestos and our gendered analysis of the manifesto's based on our analysis and research on feminist manifestos.

Komote M, Feminist Manifesto Analysis. 6 May 2019 live television interview on *ENCA* on 'Tonight with Jane Dutton' regarding the elections manifestos, the economy and how political party manifestos speak to or make promises regarding womxn and the gender wage gap.

Komote M, radio interview on *Radio 702 'The Eusebius Mckaiser Show* on our submission on the National Health Insurance Bill 5 December 2019.

Lorizzo T, was interviewed for the Mozambican TV SUCESSO and STV (Quid Juris) on the right to vote for prisoners. The programs were broadcasted on 10 March 2019.

Lorizzo T, TL gave a recorded interview for *Radio Deutsche Welle* on 10 July 2019 on the development of prisoners rights to vote in Mozambique and the decision of the Justice Ombudsman that all prisoners shall vote next elections.

Lorizzo T, interviewed for the Mozambican *Radio Mozambique*, on the right to vote for prisoners.

Mangwanda J, was interviewed by *Smile FM* on the seminar hosted by Dullah Omar Institute and the Embassy of Argentina - Human Rights in South Africa and Argentina - The experience of the Robben Island Prison and the ESMA Memory Sight (27 March 2019).

Mentor-Lalu V, Feminist Manifesto Analysis. On 6 May 2019 interviewed on *Radio 702* on the *Karima Brown show*.

Mentor-Lalu V, With Alicestine October wrote and released a press release before SONA titled: SONA should reflect a feminist agenda in government plans. As a result, Vivienne was interviewed for *SABC TV*. <https://dullahomarinstitute.org.za/news/sona-should-reflect-a-feminist-agenda-in-government-plans>.

Mentor-Lalu V, Radio interview on *Khaya FM* on sexual harassment

Mentor-Lalu V, Radio interview Voice of the Cape on feminist analysis of political parties and departments.

Mentor-Lalu V, With Waterhouse did a radio interview with *BBC World Service* on South Africa's GBV emergency plan.

Mentor-Lalu V, Interview to *AFP* pre and post the president's speech.

Muntingh L, interviewed by *eNCA* on SOEs on 10 April 2019.

Muntingh L, interviewed on *Voice of the Cape* regarding corruption on 2 July 2019.

Muntingh L, Interview on *SABC 2 TV* regarding prison overcrowding. 25 Sep 2019.

Muntingh L, Interview on *eNCA TV* on life imprisonment. 10 Sep 2019.

Muntingh L, interviewed on *Cape Talk (J Maythem Show)* on the recently announced sentence remissions, 17 December 2019.

Muntingh L, interviewed on *Cape Talk (Africa Melane Show)* on the recently announced sentence remissions, 24 December 2019.

Nanima CRP Interview on *ETV's Open News* on the Traditional Courts Bill on March 6 2019.

Nanima R, Media interview on *ETV* on constitutional court decision on corporal punishment in the home setting September 2019.

Redpath J, Radio interview on policing on "mediated conversation" on *SAFM Sunrise* with Stephen Grootes 3 June.

Redpath J, Radio interview on Report on the Socio-economic Impact of Pre-trial detention in the Western Cape with *Umhlobo Wenene* (midday).

Redpath J, Redpath radio interview on 31 July 2019 on the deployment of the army in the Cape Flats on *HeartFM*.

Steytler N, Radio interview, *Radio Sonder Grense*, on Appointment of Cabinet after an election, 27 May 2019.

Steytler N, Media interview: *Radio Sonder Grense*, on Bram Fisher, 26 April 2019.

## **Interview (Not media)**

Assim U.M., Took part in the PEN SA's Young leaders Q&A response to profile their thoughts on Youth Day.

De Visser J, Interviewed by Social Surveys Africa on public participation in municipalities.

De Visser J, Interviewed/focus group discussion for book chapter by "The Responsive University" by L Dippenaar and N Badsha (Bellville, 22 November 2019).

De Visser J, Interviewed by consultant of the ESMA Foundation.

De Visser J, Interview for evaluation of Konrad Adenauer Foundation.

Mentor-Lalu V, Komote M, and Waterhouse S, interviewed by a documentary filmmaker on the status of women in politics and political parties in South Africa. Mezmur B.D., Academic interview for the book *International Human Rights Law and Practice* published by Cambridge University Press.

Nanima R, Conversation with Dr Mary Hames on the Human Rights implications of the recent study on Cognitive Function, 9 May 2019.

Nanima R, Media interview at the ICRC Humanitarian on the War and Children left behind, focusing on the challenges and initiatives to engage the issues of child soldiers in Africa on 28 November 2019.

Redpath J, was interviewed on 12 February by members of the National Civilian Secretariat on Policing for her views to inform their policy position on e-policing.

Redpath J, was consulted by the Western Cape Police Ombud regarding their proposed consultation on community police forums.

Redpath J, with Muntingh met with Jim Goldstone regarding the state of the NPA and the civil society group on the NPA on 29 July 2019 in Cape Town.

Redpath J, With Muntingh met with Cheryl Frank and Martin Schonteich regarding the development of indicators for the NPA.

Redpath J, provided the Western Cape Department of Community Safety with data (generated by ACJR) on public safety positions at local government level in the Western Cape on 8 August 2019.

Waterhouse S, Interview with Helen Suzmann Foundation on issues of legislatures and executive accountability.

## **Newsletters**

Chigwata T.C. & De Visser J, *Local Government Bulletin* Vol 14, Issues 1 and 2

De Visser J, and Nthoiwa J, 2019 Edition 1 of *Dullah Omar Institute Newsletter*.

Mentor-Lalu V, with Alicestine October *ParlyBeat*. March/April and June edition

Mirugi-Mukundi G, Co-editor of *ESR Review* coordinated and managed the call for contribution to the Special Issue on Access to Justice.

## **Outcome/Impact**

Adeniyi O, and Durojaye E, attended a meeting with Commissioner Andre Gaum of the South African Human Rights Commission (SAHRC), to discuss submission of official petition to the SAHRC, 24 June 2019.

Adeniyi O, and Durojaye E, attended a meeting with Commissioner Sibanyoni of the South African Human Rights Commission, to discuss submission of official petition to the SAHRC, 25 June 2019.

Powell D, Civic Protest Barometer to form basis for PHD from economics department Stellenbosch.

Redpath J, National Minister of Police admits there is inequality in policing provision in relation to Equality Court Case where JR was an expert.

## Key citations

Powell D, Civic Protest Barometer data cited in GGLN's State of Local Government Report 2019

Powell Civic Protest Barometer to form basis for PHD from economics department Stellenbosch.

Powell D, Civic Protest Barometer data cited in GGLN's State of Local Government Report 2019.

## Appointment/Memberships

*Mezmur B.D.*

- Appointed to the Editorial Board of the *International Journal of Children's Rights*
- Appointed to *Pontifical Commission for the Protection of Minors*

*Steytler N*

- Appoint as expert consultant by the Secretary of the Parliament of Trinidad and Tobago to give comments and advice on the financial provisions and civil service of Tobago, in terms of the Constitutional Amendment Bill of 2017, Jan-March 2019
- SARChI Founding member of Research Group on "Diversity Governance" for the International Association of Constitutional Law (IACL)
- SARChI Project Leader, South African Law Reform Commission's Committee on Review of regulatory, compliance and reporting burdens imposed on local government by legislation
- SARChI External member of Appointments Committee, SARChI Chair in Security and Policy, UCT February 2019

## Teaching, examination and supervision

*Ande M.K.*

Examination:

Co-supervision - I reviewed and gave feedback on an LLM proposal with Benyam Mezmur

*Adeniyi O*

Teaching:

Adeniyi lectured LLM Students on the seminar on African Human Rights System on 22 August 2019

Adeniyi lectured LLM Students on the seminar on the Right to Food on 11 September 2019

*De Visser J*

Teaching:

Teaching Local Government Module as part of the LLM/Mphil on Multilevel Government

Teaching on Multilevel Government (Local Government) in Constitutional Law 202

Examination:

Mphil External Examination UCT Faculty of Humanities

PhD Examination: Developing a cost model for financial compliance in local government: a case study on budget in-year compliance reporting by Wessel Crayford Stellenbosch University

Examination LLM Nelson Mandela Metropolitan University

Supervision

Lucille Damon *Municipal regulation of food and waste pickers on landfill sites in South Africa: what should municipalities (dis)allow?* (2019, with Prof Schenck)

*Chonco T*

Teaching:

Lecturing Con Law 202 which is a second year, year long module. I also prepare tutorials, hold consultations with the students, compile exam papers and have compiled a MLG based assignment for the third term. Lecturing commences in the second week of April 2019.

Co-supervision of LLM student (Yolanda Bam-Mguye)

Examination:

Marking the Con Law 202 main exam

Marking the Con Law 202 supplementary exam

*May A*

Teaching:

'The role of local government in the realisation of socio-economic rights as part and parcel of its broader service delivery mandate' (Cape Town, April 2019) at the University of Cape Town.

'Responsive and participatory governance' (Cape Town, May 2019) at the University of Cape Town.

*Durojaye E*

Teaching:

Taught LLM in Sexual and Reproductive Health and Rights Center for Human Rights, University of Pretoria

Co-supervisor for two LLM students in SRHR dissertations, University of Pretoria- (1) FGM and the Violence against Persons Prohibition Act of Nigeria (2) Implications of the Kenyan Constitution for the realisation of access to abortion.

Supervisor for a LLM Dissertation on the Impact of Nuclear power on the enjoyment of the right to health in South Africa

Review of funding application from the NRF for two potential LLM scholars at UWC.

Guest lecturer and made a presentation on Sexual and reproductive health and rights in Africa to LLM Students in Sexual and Reproductive Health of the Center for Human Rights, University of Pretoria, at the University of Kigali-Amplify

Guest lecturer and made a presentation on Non-communicable diseases as a human right challenge in Africa at the Faculty of Law and Management University of Mauritius 11 August 2019-DVC Research/Amplify

Taught the LLM Module in Socio-economic Rights. July-August 2019

Taught the LLM Module in Right to Health, University of Free State, July 2019-Mott

Taught the LLM in Sexual and Reproductive Health and Rights Center for Human Rights, University of Pretoria August 2019-Amplify Change

Examination:

External examiner for LLD thesis, Nelson Mandela Metropolitan University. October 2019

External examiner for LLM Dissertation on health, University of KwaZulu-Natal. November 2019

External examiner for LLD thesis, University of Pretoria 2019

*Mirugi-Mukundi G*

Teaching:

Taught socio-economic rights of refugees and asylum seekers in South Africa: health care & housing at the UWC LLB Course IRL401: module in Migration and Refugee Law.

*Mezmur B.D.*

Teaching:

Convening the LLM module *International Protection of Human Rights Law*

Recorded a segment for a Massive Open Online Course (MOOC) on *The rights of children deprived of liberty: learning from the UN Global Study* for the Global Campus on Human Rights (a network of more than 100 universities), March 2019

Completed co-lecturing the LLM module on children's rights with Prof J Sloth-Nielsen

Lectured online a LLM class at the University of Potchefstroom on *Restorative justice and children's rights*

Guest Lectured at the Short Course on Children's Rights that DOI Co-Organizes in July

Convening the LLM module *International Protection of Human Rights Law* - completed

Guest Lectured at the Centre for Human Rights, University of Pretoria on children's rights in Africa in April

Guest Lectured summer school- end June- in The Hague at Leiden University on children's rights and climate change

Guest Lectured Summer School University of Geneva - end June- on regional organizations and children's rights

Examination:

Served on panel for oral defence of proposal by a LLD candidate at University of Pretoria

LLM student Danielle Coetzeer submitted thesis for examination

N Diallo "Reflections on the centrality of procreation and the preference for the male child in Senegal"

E Trachsel "The mandate of National Human Rights Institutions to enforce environmental clauses – appropriate institutions to protect human rights against climate change?"

Served as internal examiner for one LLM thesis

*Nanima R*

Teaching:

Lecturing of Master's Class IHR 814

Co-Supervision of Ms Sideen Louw's Master's thesis

Supervision of Ms Charmain Botman's Master's thesis

Guest Lecturer - Centre for Human Rights- University of Pretoria on children's rights (22-26 July 2019)

Guest Lecturer - Information Computer Technology- University of the Western Cape on children's rights (8 August 2019)

Examination:

Internal examination of Mr William's Thesis

Internal examination of Mr N. Gobeni's Master's Thesis

*Assim U.M.*

Teaching:

Children's Socio-Economic Rights (LLM Class on Socio-Economic Rights)

Realising the socioeconomic rights of children under international and regional human rights instruments, SER 811 LLM Module, 26 September 2019

Advanced Short Course on Children's Rights in Africa 22-26 July 2019

The rights of children living with their incarcerated mothers' by 2936654 (NM Ntshikaniso)- fourth review of research proposal

Documentation for the protection USMC and the realisation of their SER' by 3061546 (B Thomas) - review of chapters 1-3.

Colloquium Respondent for Ms Sheena M (3079075) (LLD Thesis) 'Judicial corporal punishment of children' (chapter four), May 2019

The rights of children living with their incarcerated mothers' by 2936654 (NM Ntshikaniso)- third review of research proposal.

Documentation for the protection USMC and the realisation of their SER' by 3061546 (B Thomas)- review of research proposal

The Anglophone crisis and the child's right to education in Cameroon' by 3783095 (S Wandji)- review of workplan

Colloquium Respondent for Ms A Petersen (3248420) (LLD Thesis) 'Human Rights Framework and Corporal Punishment' (chapter two), May 2019

Examination

LLM mini-dissertation for Sode I.O 'The sexual rights of older women in Africa'

Examination of mini-dissertation 'the right to education of undocumented children in South Africa' for UP

Internal Moderator, second semester examination papers for Welfare Law (WEL 321).

External Examination, Gender and the Law (LLM), University of Venda, May-June 2019

External Examination, LLM in Child Law, University of Pretoria, June 2019

*Chigwata TC*

Teaching:

Organised and attended the induction workshop for the 2019 LLM/MPHIL class which took place on 04 February 2019 at UWC

Administered the Masters Programme in Law, State & Multilevel Government

Taught seminars in the Local Government Module

Supervised Jennica Beukes' LLM thesis on corporate governance in municipalities

Organised a research workshop for our masters students on 29 May 2019

Examination:

Acted as an external examiner for LLB module on Local Government Law offered by UCT

*Redpath, J*

Reviewed Masters thesis for UCT student

*Ziswa M*

Teaching:

Assisting LLM student with his mini-thesis.

Examination:

Did a first reading of a combined research paper for a 2018 LLM student. I also provided comments on how the student can improve on her paper before submitting it to her supervisor, Prof Nico Steytler.

*Maziwisa M*

## Teaching:

Commented on Siphatise Dyongo's draft proposal for an Mphil thesis

Lectured on 'Non-state actors and the enjoyment of socio-economic rights' at LLM Seminar (3 October 2019)

Presented an LLM class in Business and Human Rights for the LLM in Human Rights

Reviewed draft of LLM proposals for several MLG programme students.

Reviewed LLM combined thesis- Henrico

Reviewed LLM student's chapter 3 on food security

Reviewed LLM student's chapter 3 on food security

Reviewed LLM student's chapter 4 on AG's role under the Public Audit Amendment Act

Reviewed LLM student's combined thesis on AG's role under the Public Audit Amendment Act

Reviewed one draft of LLM combined thesis for Henrico under the MLG programme.

Reviewing LLM (MLG) - Chapter 3 and 4 Candice

Reviewing LLM (MLG) Chapter 2- Candice

Reviewing LLM (MLG) Chapter 2- Nwabisa

Sending LLM thesis support materials to LLM students.

## Examination:

Pre-graded LLM weekly assignment 1 in Multilevel Government Module

Invigilated LLM exam in Local Government Law module

Graded an LLM exam for the LLM in International Human Rights

Assisted with coordinating final language edit and submission for LLM- Asiphe

Reviewed two further drafts of LLM proposal by Candice under the MLG programme

Attended Meeting with LLM student and Professor Steytler via Skype

Reviewing four drafts of LLM Chapter 2- Candice

Reviewing LLM Chapter 2- Nwabisa

Pre-graded LLM weekly assignment 1 in Multilevel Government Module

Pre-graded LLM weekly assignment 3 in Multilevel Government Module

*Steytler N*

Teaching:

Supervised Jean Redpath a doctoral student who handed in her thesis.

Supervised Alois Madhekeni doctoral student who handed in his thesis

Supervised Omar Eisa (UP) masters student who handed in a mini-dissertation

Supervised Asiphe Funda, a masters student who handed in her research paper

Supervised Henrico Alkaster, a masters student who handed in his mini-dissertation

Supervised Paul Mudau, a masters student who handed in a mini-dissertation

Supervised Candice James, a masters student who handed in a mini-dissertation

Supervised Gaopalelwe Mathiba, a masters student who handed in a mini-dissertation

LLM in Multilevel Government – April-May

Examination:

Internal examiner, LL M research paper, UWC

*Stevens C*

Teaching:

Reviewed Mathiba's LLM Mini Thesis

Assisting Steytler with supervising Osman: Research Paper

*Omboto H*

Teaching:

Assisted with the review of Chapter 5 of Mathiba's Thesis

Edited the LLM Thesis for Paul Mudau, a student in the Institute's LLM program

Reviewed LLM proposal and chapters for Lesley Mathiba an LLM student in the Institute's LLM program

With Steytler, Stevens, Maziwisa, Hlati, Nthoiwa, Cupido, Osman planned the launch for the African School on decentralisation (website, created a database of contacts)

*Muntingh L*

Teaching:

On 17 July 2019 taught Missouri students.

On 16 April lectured on OPCAT and CAT to M Students (Benyam Mezmur's class, International Protection of Human Rights Law [IHR814])

|   | 2015 | 2016 | 2017 | 2018 | 2019 |
|---|------|------|------|------|------|
| <b>Chapters in books</b>                      | 28   | 10   | 15   | 10   | 15   |
| <b>Conference hosted</b>                      | 2    | 4    | 4    | 5    | 2    |
| <b>Conference presentations/papers</b>        | 9    | 17   | 21   | 19   | 24   |
| <b>Doctoral degrees awarded</b>               | 3    | 1    | 3    | 2    | 1    |
| <b>Fact sheets</b>                            | -    | -    | 1    | 12   | 10   |
| <b>Handbooks</b>                              | -    | 1    | 1    | -    | -    |
| <b>Manuals</b>                                | -    | 1    | -    | 1    | -    |
| <b>Masters degrees awarded</b>                | 7    | 10   | 11   | 13   | 8    |
| <b>Media appearances (TV/Radio)</b>           | 46   | 31   | 27   | 14   | 42   |
| <b>Newsletters</b>                            | 4    | -    | 4    | 9    | 4    |
| <b>Opinion pieces and newsletter articles</b> | 8    | 6    | 3    | 5    | 19   |
| <b>Peer reviewed articles</b>                 | 33   | 23   | 9    | 13   | 16   |
| <b>Presentations</b>                          | 89   | -    | -    | 72   | 81   |
| <b>Published books</b>                        | 4    | 4    | 2    | 3    | 4    |
| <b>Research reports</b>                       | 22   | 11   | 16   | 39   | 40   |
| <b>Submissions</b>                            | 23   | 27   | 7    | 10   | 24   |
| <b>Videos and infographics</b>                | 3    | 2    | -    | 6    | -    |
| <b>Workshops hosted</b>                       | 22   | 44   | 52   | 34   | 61   |

# 2019 FUNDERS LIST

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

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

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

- Charles Stewart Mott Foundation
- Ford Foundation
- Open Society Foundation - South Africa

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

- Konrad Adenauer Stiftung
- Plan International
- Save the Children International
- University of Pretoria, Centre for Human Rights

## **Core**

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

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

- Amplify Change
- Charles Stewart Mott Foundation
- DST-NRF Centre of Excellence in Food Security – University of the Western Cape
- DVC: Research and Innovation - University of the Western Cape
- Ford Foundation

- Konrad Adenauer Stiftung
- Open Society Foundation - South Africa

### **South African Research Chair in Multilevel Government**

- DST-NRF Centre of Excellence in Food Security - University of the Western Cape
- European Union (EU-RISE)
- Hanns Seidel Foundation
- International Budget Partnership
- Konrad Adenauer Stiftung
- National Research Foundation (NRF)
- South African Local Government Association
- Western Cape Department of Local Government

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

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