

Since 2005

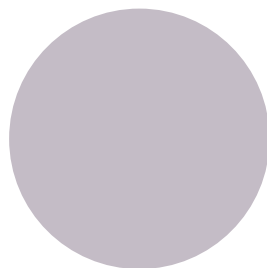
**SOUTHERN AFRICA
LITIGATION CENTRE**

Dignity | Equality | Justice | Freedom



BIENNIAL REPORT

MARCH 2019 TO FEBRUARY 2021



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Our Vision, Mission & Values

Our **vision** is that the rule of law and human rights are respected, protected, promoted and fulfilled throughout Southern Africa.

Our **mission** is to promote and advance human rights, democratic governance, rule of law and access to justice in Southern Africa through strategic litigation, advocacy and capacity strengthening.



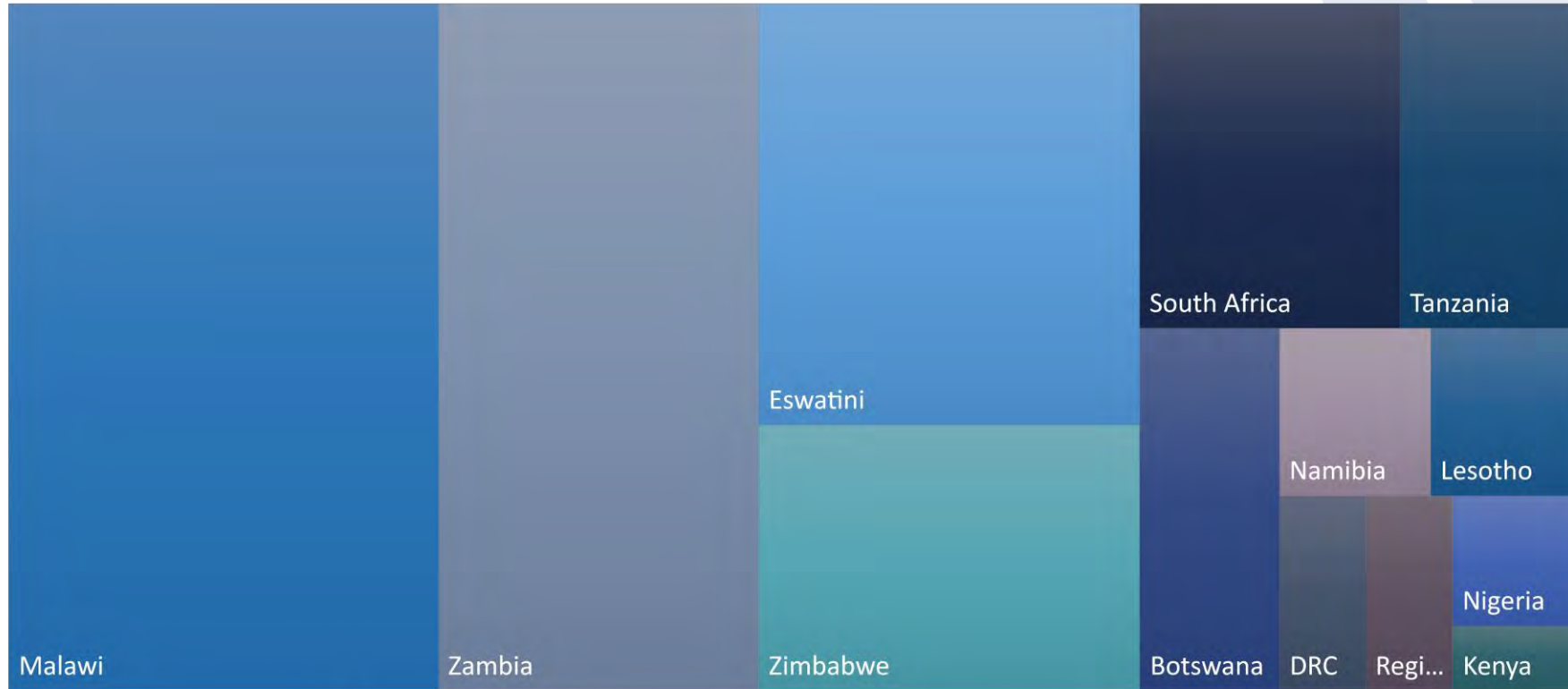
We believe in the promotion of democratic values, human dignity, substantive equality and non-discrimination.

We focus our work on communities who are marginalized and face challenges in accessing legal, social and environmental justice.

We strive to foster an environment which respects the physical, mental and social well-being of our clients, partners and staff and encourages human flourishing.

We strive to work in an inclusive, accountable, responsive, effective, consultative and empowering manner.

Overview of Litigation



■ Botswana ■ Eswatini ■ Malawi ■ Zambia ■ Zimbabwe ■ Namibia ■ South Africa
 ■ Lesotho ■ Tanzania ■ DRC ■ Kenya ■ Regional ■ Nigeria



Overview of Litigation

**Socio-Economic Rights
Cluster**

Equality Rights Cluster

**International Justice
Cluster**

**Civil & Political Rights
Cluster**

Criminal Justice Cluster



**128 Strategic
Litigation Cases**

**Countries in red on the map
represent our current cases**

Overview of Litigation



Land Rights

- ❑ Large-scale investments impacting on customary land rights (12)



Environmental Rights

- ❑ Extractive industries (3)
- ❑ Environmental impact assessments (1)
- ❑ Water pollution (2)
- ❑ Regulation of dump sites (1)



Labour Rights

- ❑ Rights of subsistence farmers (1)
- ❑ Health care workers' rights (1)



**Socio-Economic
Rights Cluster**

Overview of Litigation



Customary Law & Marriage Equality

- ❑ Chieftainship practices (3)
- ❑ Inheritance laws (3)
- ❑ Marital power (2)
- ❑ Marriage laws



Health Rights & SRHR

- ❑ Medical negligence (1)
- ❑ Abortion laws
- ❑ HIV criminalisation (4)
- ❑ Covid-19 criminalisation
- ❑ Age of consent laws (3)



Sexual Orientation & Gender Identity

- ❑ Decriminalisation of consensual same-sex sex (1)
- ❑ Right to associate (2)
- ❑ Police abuse (3)
- ❑ Hate speech (1), hate crimes (2)
- ❑ Legal recognition of gender identity (2)
- ❑ Immigration laws (1)



Overview of Litigation



Disability

- ❑ Discrimination based on hearing impairment (4)
- ❑ Forced treatment in mental health centres (1)
- ❑ Protection of persons with albinism (1)
- ❑ Mental health laws (1)



Children

- ❑ Right to education (3)
- ❑ Child marriage laws (2)



Gender-based Violence

- ❑ Sexual violence by the police (3)
- ❑ Police accountability (1)



Overview of Litigation



International Crimes

- ❑ Torture (3)
- ❑ Crime of Apartheid (3)
- ❑ Crime of genocide (2)



Holding War Criminals Accountable

- ❑ Refugee status of alleged war criminals (1)
- ❑ Immigration status of convicted war criminals (1)
- ❑ Reparations for victims of war (2)
- ❑ Arms trade (1)
- ❑ Blanket amnesties (1)



Regional Treaties

- ❑ Arrest of persons with ICC arrest warrants (1)
- ❑ ICC witness protection (1)
- ❑ SADC Tribunal (1)



International
Justice Cluster

Overview of Litigation



Expression

- ❑ Criminal defamation (4)
- ❑ Civil defamation (2)
- ❑ Sedition & terrorism laws (4)
- ❑ Media laws (2)
- ❑ Cybercrime laws
- ❑ Protection of human rights defenders (5)



Association

- ❑ NGO laws (2)
- ❑ Registration of LGBTQI and sex worker led organisations



Assembly

- ❑ Public order laws (2)



Overview of Litigation



Access to Information

- ☐ Access to information laws (1)
- ☐ Protection of whistle blowers



Democratic Governance

- ☐ Royal prerogative (1)
- ☐ Democratic elections (2)
- ☐ Public participation



Judicial Independence

- ☐ Protection of lawyers (1)
- ☐ Protection of judges (1)



Overview of Litigation



Petty Offences

- ❑ Idle & disorderly offences (2)
- ❑ Rogue & vagabond offences (2)
- ❑ Use of petty offences against persons with disabilities (1)
- ❑ Abuse of sex workers (3)
- ❑ Police arrest practices (1)



Detention

- ❑ Treatment of MDR-TB and Covid-19 in prisons (2)
- ❑ Nutrition in prisons (3)
- ❑ Pre-trial custody time limits (1) (39 individual cases)
- ❑ Children in prison (1)
- ❑ Migrant detention



Fair Trial

- ❑ Right to legal representation (1)
- ❑ Minimum mandatory sentences (1)
- ❑ Death penalty



Litigation Highlights

Throughout Southern Africa, large-scale land investments are accompanied by displacement, dispossession and environmental degradation. The dispossession of land for investment purposes is facilitated by weak customary land rights, and weak governance, including systemic corruption, unbridled capitalism and elite capture.

During the period under review, SALC supported 12 cases where communities sought to challenge their forced displacement from customary land without consultation or compensation. The communities represented by SALC are from areas where women had primary ownership or control of the customary land prior to eviction. Eight of these cases, involving communities in Botswana, Zambia and Eswatini, resulted in complex and prolonged court trials during the period. The Zambia cases alone comprise more than 263 households.

Socio-Economic Rights Cluster



Molosoni Chipabwamba & 12 Others v Yssel Enterprises & 7 Others

On 30 April 2020, the High Court of Zambia handed down a significant judgment on the land and property rights of rural communities. The case was brought by 13 community members, each representing her or his family. For seven years, the community lived in makeshift tents in a forest reserve following their forced displacement from their ancestral land and villages. The Petitioners challenged their eviction, destruction of their properties and assets, and the seizure of their customary land without consultation or compensation. The Court held the Commissioner of Land in dereliction of duty for unlawfully approving the conversion of the land. The Court found that the displacement violated their constitutional rights to life, freedom of movement and association, dignity, and equal protection of the law.

Litigation Highlights



Mlotshwa v District Administrator, Hwange N.O & Another

On 25 June 2020, the Bulawayo High Court affirmed a woman's right to succession to chieftainship. The applicant is the eldest daughter of late Chief Mvuthu Mlotshwa. After the Chief's death, the District Administrator seconded the applicant's uncle as the next Chief Mvuthu, side-lining the applicant, solely on account of her gender. The Court found that the District Administrator, being fully aware of the constitutional provisions of equality and non-discrimination, carried out his duties in terms of section 3 of the Traditional Leaders Act in a discriminatory manner. The Court compelled the Administrator to make lawful recommendations to the President regarding the appointee to the Mvuthu Chieftainship per the constitutional imperatives of human dignity, non-discrimination and equality.

Equality Rights Cluster



Sacolo and Women & Law Southern Africa v Sacolo, Ministry of Justice and Constitutional Affairs & Attorney General

On 30 August 2019, a full bench of the Eswatini High Court held that the common law doctrine of marital power offends women's constitutional right to dignity and equality. Under the doctrine, a wife cannot conclude contracts without her husband's permission, she cannot represent herself in civil suits, and she cannot administer property.

“To a larger extent, the marital power of the husband is alive and well in this country, pervasive in its discriminatory shackles. The common law marital power is hereby declared unconstitutional on the basis of being discriminatory against married women.”

Litigation Highlights



LM v Attorney General (LEGABIBO as Amicus Curiae)

On 11 June 2019, a full bench of the Botswana High Court decriminalised same-sex sexual conduct between consenting adults. The organisation, Lesbians, Gays and Bisexuals of Botswana (LEGABIBO) submitted expert evidence that illustrated how continued criminalisation of same-sex sexual conduct limits the ability of LGBTQI+ persons to access basic social services, exposes them to stigma and discrimination, and infringes on their basic human dignity.

“Sexual orientation is innate to a human being. It is not a fashion statement or posture. It is an important attribute of one’s personality and identity; hence all and sundry are entitled to complete autonomy over the most intimate decisions relating to personal life, including choice of a partner.”

Equality Rights Cluster



ON & 13 Others v Child Protection Society

On 14 March 2019, the Malawi High Court in Mzuzu held that the arrest and detention of pregnant learners and charging them with breaching by-laws was unlawful and in breach of the right to liberty. The Court also declared that there was a breach of the right to education, as the learners were prevented from writing examinations. The judgment set aside the decision of a magistrate to impose fines on learners and their parents for the learners’ pregnancy, and to detain them until the fines were paid.

“There is no provision in the Constitution of Malawi, in any legislation of parliament, or any recognized written law that prohibits or criminalises getting pregnant or making a girl pregnant. The action of the First Grade Magistrate to act under the by-laws and impose a fine through a court of law was against his jurisdiction and powers.”

Litigation Highlights



Attorney General v Rebeca Gyumi

In 2016, Rebeca Gyumi from Msichana Initiative filed a case on behalf of children at risk of child marriage, challenging the constitutionality of child marriage in Tanzania. The High Court declared sections 13 and 17 of the Law of Marriage Act unconstitutional for setting different minimum ages for marriage for boys and girls. The High Court ordered the State to amend the law within 12 months. On 23 October 2019, the Tanzania Court of Appeal dismissed an appeal filed by the State against the High Court judgment. The Court of Appeal's decision affirmed that regional and international human rights instruments require the eradication of child marriage and upholding of principles of equality and informed consent in marriage.

Equality Rights Cluster

TANZANIAN COURT OF APPEAL UPHOLDS 2016 RULING: CHILD MARRIAGE IS UNCONSTITUTIONAL

The Tanzania Court of Appeal has upheld the landmark 2016 ruling by the High Court which increased the minimum age of marriage for girls and boys from 14 and 15 years respectively to 18 years.



Fighting impunity for sexual violence committed by police

In October 2019, SALC obtained compensation for a 14-year-old girl who was raped in police custody. SALC provided technical support to the Malawi Women Lawyers Association in a case relating to the rape of women by police in Msundwe in 2019. A positive judgment in the case was received in August 2020.

The WLA, SALC and CHREAA engaged in advocacy to ensure the establishment of an independent police complaints body. In October 2020, the organisations met the newly appointed Independent Complaints Commissioner to discuss the conduct of police officers.

Litigation Highlights



Nathanson v Mteliso & Others

In January 2014, Zimbabwe police arrested a transgender woman after she entered a female restroom. She was subjected to inhumane and degrading treatment and eventually charged with ‘criminal nuisance’. She bravely sued the police for unlawful arrest and malicious prosecution. On 14 November 2019, Nathanson finally attained justice when the Bulawayo High Court affirmed her rights and held that she had been subjected to unlawful arrest, malicious prosecution and emotional distress.

“Transgender citizens are part of the Zimbabwean society. Their rights ought to be recognized like those of other citizens. Our Constitution does not provide for their discrimination. It is nothing but delusional thinking to wish away the rights of transgender [persons].”

Equality Rights Cluster



MM v Minister of Education & Others

On 14 January 2020, the High Court of Malawi in Zomba granted an interlocutory injunction compelling the Minister of Education to allow all children of Rastafari religion, who have dreadlocks, to enrol in government schools. The order is in line with Malawi’s current Education Act, which provides that the Minister of Education has a duty to promote education for all people in Malawi, irrespective of race, ethnicity, gender, religion, disability or any other discriminatory characteristics.

On 23 October 2020, the Ministry of Education issued a directive to all schools to not refuse access to children who have dreadlocks, wear hijabs or otherwise express their religion.

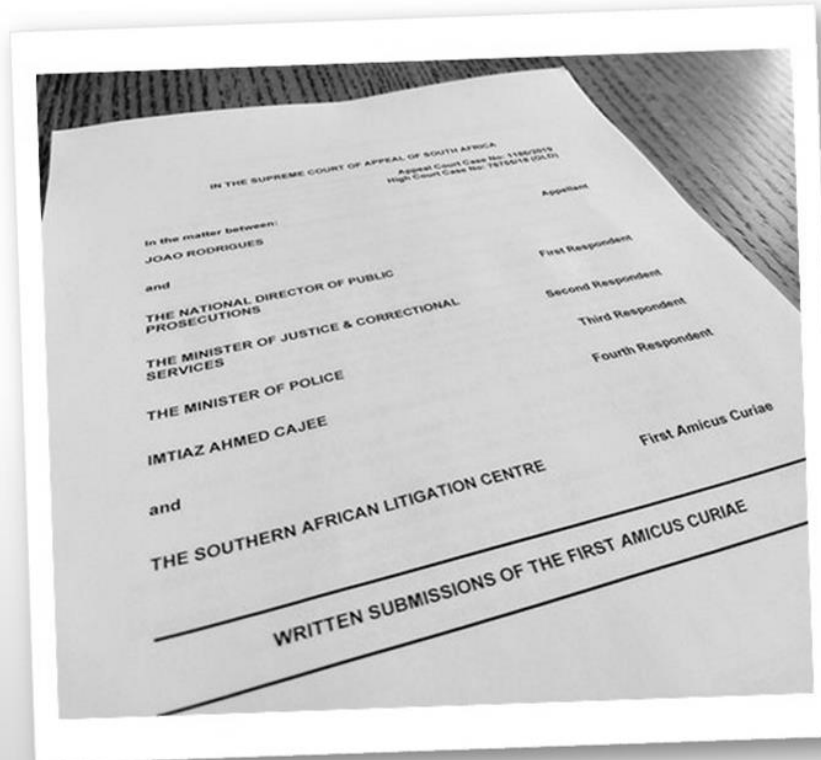
Litigation Highlights



Joao Rodrigues v National Director Of Public Prosecutions

On 6 November 2020, the Supreme Court of Appeal (SCA) heard the case of Joao Rodrigues, a former member of the Security Branch under the apartheid regime, who is accused of having murdered Ahmed Timol in 1971. The Appellant sought a permanent stay of prosecution based on an alleged violation of his constitutional rights and an alleged amnesty agreement. SALC, as amicus curiae, submitted that the killing of Mr Timol amounts to at least three categories of crimes against humanity; South Africa has a duty to investigate and prosecute crimes against humanity; and the alleged amnesty qualifies as blanket amnesty and may not be enforced in respect of crimes against humanity.

International Justice Cluster



Southern Africa Litigation Centre v Minister of Home Affairs & Others

In 2019, SALC launched an application in the Western Cape High Court challenging the decision of the Department of Home Affairs (DHA) to grant a visitor's visa to Kouwenhoven despite a previous conviction for complicity in war crimes in Liberia. SALC asked the High Court to review the DHA's failure to declare Kouwenhoven an undesirable person under the Immigration Act. Following a hearing of the case on 27 October 2020, the Department of Home Affairs on 5 November 2020 declared Kouwenhoven undesirable in terms of sections 30(1)(f) and (g) of the Immigration Act, and notified him of the decision to cancel his visitor's visa.

Litigation Highlights

Civil & Political Rights Cluster



HRDC & Others v President of Malawi & Others

On 27 August 2020, the Malawi High Court delivered a judgment in a case which challenged the President's decision prior to the elections to order the Chief Justice and another Supreme Court judge to take leave pending statutory retirement. SALC supported the Malawi Law Society's application.

"The existence of an independent judiciary is one of the core elements of modern constitutionalism and a cornerstone of democracy and good governance."



King v Goodwill Sibiya

In May 2019, an activist was charged with sedition, on the basis that court papers which he had filed risked raising disaffection amongst the King's subjects. The offence of sedition had been declared unconstitutional by the High Court in 2016. On 18 September 2019, the Court held that the interests of justice dictate that the Crown ought to stay prosecution for the offence of sedition, whilst the appeal against the 2016 was pending. The sedition charge against Sibiya was subsequently withdrawn but he remained in detention until May 2020 before the State withdrew the remaining charges against him. SALC subsequently also supported another activist who was arrested for sedition.

Litigation Highlights



Request for Advisory Opinion by PALU on Vagrancy Laws

On 4 December 2020, the African Court on Human and Peoples' Rights issued an Advisory Opinion on the extent to which laws that criminalise individuals' status as poor, homeless or unemployed violate their human rights. The African Court declared these offences contrary to the rights enshrined in the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on the Rights of Women.

“... vagrancy laws, effectively, punish the poor and underprivileged, including but not limited to the homeless, the disabled, the gender-nonconforming, sex workers, hawkers, street vendors, and individuals who otherwise use public spaces to earn a living.”

Criminal Justice Cluster



CN & 15 Others v Minister of Federal Capital Territory & Others

On 18 December 2019, the Federal High Court of Abuja found in favour of the applicants, who were arrested by a Joint Task Force comprising the military, police and the Abuja Environmental Protection Board, based on an alleged Abuja law banning prostitution. The Court considered whether the way the applicants were treated amounted to a violation of their constitutional rights and their rights under the African Charter on Human and Peoples' Rights. The Court held that the Task Force's actions amounted to an infringement of the applicants' rights to privacy. The Court emphasised that the procedures for effecting an arrest are stipulated clearly in the law and law enforcement agencies must always follow it. The Court held that all the parties in the Joint Task Force were liable for rights violations occurring during the operations of the Task Force, as it was a collective action. The applicants were awarded compensation and legal costs.

Litigation Highlights



State v Daudi

On 13 May 2019, a full bench of the Malawi High Court, held that there was a violation of the right to be informed of the right to legal representation. Mr Daudi had been convicted of robbery after a full trial. At the time of his trial, however, he was not informed of his right to legal representation, and he further did not benefit from the offer of legal aid. The Court unanimously held that the judiciary should set down guidelines to ensure that in every trial every accused person is informed of the right to legal representation.

Criminal Justice Cluster



Mwanza & Another v Attorney General

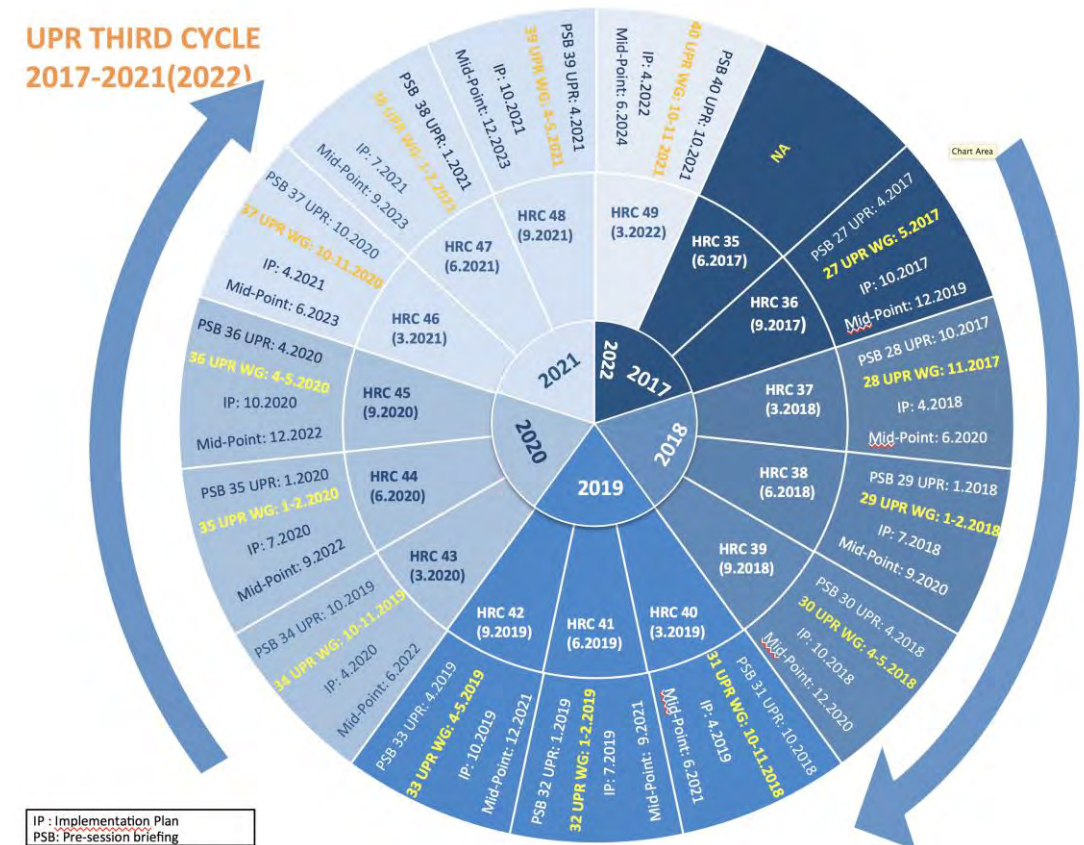
On 9 December 2019, the Supreme Court of Zambia handed down judgment in a case brought by two prisoners with HIV on antiretroviral treatment, who sought access to a balanced diet and improved prison conditions. The Court held that failure to provide prisoners with a balanced diet, and exposing them to congested prison conditions, violated their right to life and to protection from inhuman and degrading treatment. The Supreme Court ordered that the State immediately takes measures to decongest the Lusaka Central Correctional facility and increase the allocation of resources to Lusaka Central Prison for purposes of improving the dietary needs of prisoners.

“...the right to life must be interpreted liberally. It inevitably dovetails and is interlinked with other rights such as the right to food and the right to health.”

Submissions to Governments and Human Rights Mechanisms

- ☐ Submission for Lesotho UPR, May 2019
- ☐ Submission for Angola UPR, May 2019
- ☐ Submission for Madagascar UPR, May 2019
- ☐ Submission for Malawi UPR, October 2019
- ☐ Presentation at Angola UPR pre-session, October 2019
- ☐ Submission for Mozambique UPR, October 2020
- ☐ Submission on List of Issues Prior to Reporting on Zambia, October 2020
- ☐ Submission on List of Issues Prior to Reporting on Zimbabwe, October 2020
- ☐ Submission on List of Issues for Malawi, Human Rights Committee, January 2021
- ☐ Submission to the Report of the Secretary General on the Question of the Death Penalty, April 2020
- ☐ Shadow Report on Zimbabwe, African Commission on Human and Peoples' Rights, October 2019 & side-event
- ☐ Submission to Eswatini Parliamentary Committee on the Computer Crime and Cybercrime Bill, October 2020
- ☐ Submission to Zambia Law Development Commission on the Review of the Penal Code, February 2021
- ☐ Submission on National Health Insurance Bill, South Africa, November 2019

UPR THIRD CYCLE 2017-2021(2022)



Advocacy Highlights

Socio-Economic Rights Cluster

WOMEN'S LAND RIGHTS AND EXTRACTIVE INDUSTRIES IN SOUTHERN AFRICA

- ❑ Anneke Meerkotter, Brigadier Siachitema, Tambudzai Gonese. 2021. “Marriage and succession regimes in Southern Africa: Has law reform addressed the rights of women and girls over customary land?” *Women's Land Rights and Extractives Industries in Southern Africa*, ARISA & SARW, 2021.
- ❑ A NEW DAWN FOR THE PROTECTION OF THE RIGHTS OF VULNERABLE COMMUNITIES WITH UNREGISTERED LAND IN ZAMBIA, Commonwealth Lawyers Association Newsletter, 26 June 2020, Brigadier Siachitema.

Linking Climate, Gender and HIV Justice

A Preliminary Report on Access To HIV Treatment and Care for People Living on Lake Chilwa Islands, Malawi



CLIMATE & ENVIRONMENTAL JUSTICE

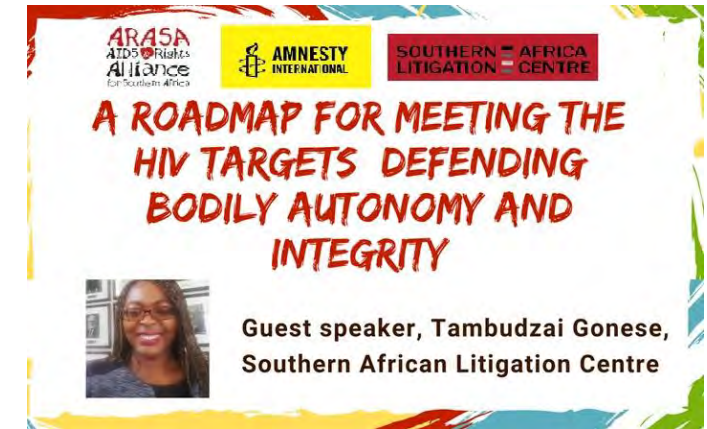
Advocacy Highlights

Equality Rights Cluster

RESPONDING TO THE GLOBAL GAG RULE

In 2019, SALC conducted training on strategic litigation and reproductive rights and responding to the Mexico City Policy, in Zimbabwe, Zambia and Malawi. SALC published a report on the Global Gag Rule and the legal framework on abortion in Southern Africa.

- Tambudzai Gonese-Manjonjo, Beirne Roose-Snyder and Brian Honermann. 2020. “Call in the lawyers: Mitigating the global gag rule,” *Sexual and Reproductive Health Matters* journal, October 2020



Law versus practice webinar series for magistrates:
A rights approach to the criminalisation of adolescent sex in Malawi
11 November 2020



Dr Shaheda Omar, Clinical Director, Teddy Bear Clinic
Professor Ann Skelton, University of Pretoria, member of
the UN Committee on the Rights of the Child
Justice Kalembera, Judge of the High Court, Blantyre
Dr Godfrey Kangaude, Director, Nyale Institute for Sexual &
Reproductive Health Governance



ASSERTING BODILY AUTONOMY

CHALLENGING HIV CRIMINALISATION

On 10 November 2020, SALC and ARASA launched its publication on HIV criminalisation in Angola. The webinar was co-hosted by SALC, ARASA, UNDP, UNAIDS, ANASO, and HIVJWW.

- ❑ Annabel Raw, Michaela Clayton, Tinashe Mundawawara and Lizwe Jamela. 2020. “Using Science for Justice: The Implications of the Expert Consensus Statement on Zimbabwe’s HIV Criminalisation Law” *U of OxHRH Journal*

DISCUSSION
DOCUMENT

THE CRIMINALISATION
OF HIV IN ANGOLA

ARASA
Alliance
for Southern Africa

HIV JUSTICE
WORLDWIDE

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In November 2019, SALC and MeHuca hosted training in Malawi on strategic litigation on mental health.

SALC drafted a range of plain language documents for partners relating to mental health laws.

In January 2021, SALC supported the making of a documentary by Zambia Deaf Youth and Women, which was aired on local television.

- ❑ ABUSIVE LAWS AND THE FIGHT FOR REFORM, AfricanLii, 28 June 2019, Annabel Raw
- ❑ IMPACT OF COVID-19 ON PERSONS WITH DISABILITY IN SOUTHERN AFRICA, Midweek Sun, Botswana, 14 October 2020, Anna Mmolai-Chalmers

ADVOCACY ON DISABILITY RIGHTS

Advocacy Highlights

Equality Rights Cluster

SALC is proud to have been part of the EU supported **Rights4All Project** which between 2018 and 2019 brought together civil society organisations across Eswatini to mobilise around common campaigns, including the My Body, My Rights campaign. As part of this campaign SALC supported the development of campaign materials and plain language guides on the new Sexual Offences and Domestic Violence Act, domestic workers' rights and sex workers' rights. SALC also launched a research report on human rights in Eswatini, which formed the basis for joint civil society submissions to the African Commission and UN human rights mechanisms.

SALC is now part of the EU supported **Out & Proud Project** which works with LGBTQI+ organisations in Malawi, Eswatini and Zimbabwe.



EUROPEAN UNION

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Advocacy Highlights

Equality Rights Cluster

In December 2020, SALC co-hosted a two-day **Regional Conference on LGBTQI+ rights**. The Conference took place both physically, with in-country national events hosted by LGBTQI+ organisations in 12 out of the 16 SADC countries in Angola, Botswana, DRC, Eswatini, Lesotho, Madagascar, Malawi, Mozambique, Namibia, Tanzania, Zambia and Zimbabwe, and virtually, with afternoon plenary sessions involving all participants gathered in SADC countries and individual activists also from Comoros, Mauritius, Seychelles, South Africa.

The Conference objectives included: Bringing together LGBTQI+ activists from across SADC to jointly assess the social, economic and political environment in SADC countries and the SADC region and its impact on the LGBTQI+ rights movement; assessing the impact of the Covid-19 pandemic on strategic litigation, law reform and activism in the SADC region; identifying opportunities for collaboration and solidarity with campaigns against police abuse; and developing new forms of advocacy and communication in the current environment.

VIRTUAL CONFERENCE
9 - 10 December 2020

Regional Conference on LGBTQI+ Activism in SADC



Global factors influencing LGBTQI+ rights in SADC Regional overview on LGBTQI+ rights and activism in SADC The impact of the COVID-19 pandemic on activism

Day 1: Wednesday, 9 December 2020
13h30-17h00 CAT (GMT+2)
Register now at <https://bit.ly/33DtpHP>

#StandUp4HumanRights
#ActivistsUnite
#WeBelongAfrica

VIRTUAL CONFERENCE
9 - 10 December 2020

Regional Conference on LGBTQI+ Activism in SADC



Developing new ways of communicating and building movements Key issues from each SADC country Reflections by donors on the changing economic and donor environment

Day 2: Thursday, 10 December 2020
13h30-17h00 CAT (GMT+2)
Register now at <https://bit.ly/33DtpHP>

#StandUp4HumanRights
#ActivistsUnite
#WeBelongAfrica

Hosted by:



Advocacy Highlights

This Friday
21 August 2020
12-2pm (SAST)

Register in advance for this meeting [here](#). After registering, you will receive a confirmation email containing information about joining the meeting.

How will the decriminalisation case affect respect for diversity and rights in Botswana?

**A MOMENT OF
NATIONAL PRIDE**

LOVE WINS



ABSOLUT.
ORIGINAL VODKA
40% ALC/VOL (80 PROOF) FROM
SWEDEN. 100% GRAIN NEUTRAL SPIRITS.
ABSOLUTLY SMOOTH.

ABSOLUT.



Equality Rights Cluster

Advocacy Highlights



Re-imaginingThe Future;

An Incremental Approach Towards LGBTI Protection



THE REFUSAL TO REGISTER AN ORGANISATION AFFECTS EVERYONE IN ESWATINI

In September 2019, the Registrar of Companies refused to register the organisation Eswatini Sexual and Gender Minorities (ESGM). ESGM's members are taking the refusal to register their organisation to court on the basis that it violates their constitutional rights to dignity, freedom of association and expression, and equality. The High Court will hear arguments in the registration case on 24 June 2020. The outcome of this case is important because the right to associate and express oneself freely is essential in any democracy.

ESGM is an organisation which aims to advance the protection of human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in Eswatini. The existence of such supporting organisations is vital to LGBTI persons who face higher levels of discrimination and violence compared to the general population. The National HIV Strategic Framework explains that LGBTI persons also experience torture, discrimination and stigma in healthcare settings. As a result of these negative experiences, LGBTI persons living in Eswatini rely on community-based organisations or non-governmental organisations for healthcare and social support.

Societies are not homogenous. Freedom of association and expression is essential to our well-being, sense of identity and social support.

communities through collective work (lilima). Our networks are as critical to our survival and resilience, whether we live in rural or urban areas. Depending on our individual, household or community needs, we might seek to join savings groups, burial societies, farming cooperatives, luhloswane, prayer groups, HIV support groups, mothers' groups, trade unions, political organisations, sports clubs or other peer support groups. These forms of organisations provide critical support during times of adversity, especially in the absence of a functioning social welfare system.

Deep inequalities exist in Eswatini. Marginalisation, oppressive gender norms, cultural imperialism and systemic violence, affect persons' ability to freely participate in society. The existence of associations where individuals can assert their rights as part of a collective is an essential criterion for achieving equal citizenship. It is much easier and far more effective to speak up against injustice by associating with others who share the same concerns.

It is for these reasons that freedom of association is a fundamental human right which should be protected and not weaponised for political ends. When the State disregards the right to associate freely, it should be of concern to the whole society. If we ignore the rights of persons in society to associate with other like-minded individuals, we create a



Advocacy Highlights

The impact of the Covid-19 pandemic on sex workers in Southern Africa

In October 2020, SALC conducted a mapping exercise in some countries in the SADC region (Botswana, Namibia, Eswatini, Tanzania, Zambia, Zimbabwe, Malawi) to assess the impact that COVID-19 has had on sex workers. The information reported here is from conversations with eight activists working for sex worker organisations in seven Southern African countries that participated in the mapping exercise.



Sex workers have been excluded from the pandemic response

The evidence highlights how continued perceived criminalisation of sex work is a major contributor to the exclusion of sex workers in epidemic responses. The epidemic has also severely impacted an already vulnerable population's socio-economic situation, further plunging them into poverty and exacerbated the already existing inequalities.

What are some of the consequences of a pandemic response that excludes **sex workers**?



Loss of income

Sex workers are often mobile populations, but with the COVID-19 movement restrictions and travel ban rules, it became impossible for sex workers to earn a living. With their income source taken away, sex workers lost income and could not buy food, pay rent, and other essentials. The consequences were hunger and evictions. Even though Southern African governments have food relief programmes, sex workers were indirectly excluded from government relief programs. The burden of arranging for food packages and emergency supplies lay with sex worker organisations.

LEGAL GENDER RECOGNITION IN BOTSWANA



POLICY BRIEF LAUNCH

| DATE: 10 NOV 2020 | TIME: 1400 HRS CAT |

TO REGISTER FOR THE EVENT CONTACT:
matlhogonolo@legabibo.org/toweras@salc.org.za

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Legal Gender Recognition in Lesotho

+ the launch of a research report

Join us for an engaging discussion on...

November 5 2020

Time: 10am

Venue: In-person in Maseru as well as virtually

To register for the event contact: lepotamasamo@gmail.com



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JOIN US FOR AN ENGAGING DISCUSSION ON...

Key issues relating to sexual orientation and gender identity in Malawi

+ the launch of a research report

November 10 2020

Time: 9.30am

Venue: In-person in Blantyre as well as virtually

To register for the event contact: toweras@salc.org.za



NYASA
RAINBOW
ALLIANCE

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LITIGATION CENTRE
Dignity | Equality | Justice | Freedom

Advocacy Highlights



6 Steps to Understanding LEGAL CAPACITY

Section 4 of the Mental Health Act 6 of 2019 removes the human right to legal capacity for persons with psychosocial disabilities. This is contrary to the Convention on the Rights of Persons with Disabilities (CRPD), the 2012 Persons with Disabilities Act and the Zambian Constitution. Disability activists and mental health users are calling for section 4 to be urgently repealed.

- What is legal capacity?**
Legal capacity is the right to make decisions and form legal relationships. It makes a person recognised in law and the holder of rights and duties.
- Who has it?**
Legal capacity is a human right. **Everybody** has a right to enjoy legal capacity. The CRPD confirms that it is 'a universal attribute inherent in all persons by virtue of their humanity.'
- How is it exercised?**
To "enjoy" legal capacity means you have the power to **do** things; To make choices that are respected by law.
- What is the difference between legal & mental capacity?**
Legal capacity is the formal right to make decisions and form relationships recognised by law. Everyone has a right to legal capacity.
Mental capacity is the understanding and reasoning abilities of a person. Mental capacity varies from person to person, depending on age, circumstances and societal expectations.
- Do persons with disabilities have legal capacity?**
YES!
Article 12 of the **UN Convention on the Rights of Persons with Disabilities (CRPD)** says that persons with disabilities (including persons with mental and psychosocial disabilities) have the human right to equal recognition before the law on an equal basis with others.
Some people may need **support** to make decisions and exercise their legal capacity. Under the CRPD, persons with disabilities have the right to access the support they may require.
- Why is legal capacity important?**
Without legal capacity, your community does not recognise you as a person before the law. You can't open a bank account, rent a home, sign an employment contract, buy or sell property, consent to medical treatment, or make any legally binding decisions about what happens to your body.
Enjoying the right to legal capacity, means you have a **voice**. You are able to make decisions that affect your life, to enter into legal relationships, and to be held accountable for your decisions.

Section 4 of the Mental Health Act inappropriately confuses mental capacity and legal capacity. It denies people the right to legal recognition on the basis of their mental abilities.

The Mental Health Users Network (MHUNZA) and Disability Rights Watch are calling for section 4 of the Mental Health Act to be repealed to protect the rights of persons with psychosocial disabilities.

MHUNZA MENTAL HEALTH USERS NETWORK OF ZAMBIA

DISABILITY WATCH

Advocacy Highlights

International Justice Cluster

SALC engaged in a range of advocacy relating to the ICC, universal jurisdiction, holding war criminals accountable and the SADC Tribunal, including television and radio interviews and presentations. SALC's articles include:

- ❑ Lungu, Suzgo. 2020 “An appraisal of the Draft Framework for Reporting and Monitoring Execution of Judgments of the African Court on Human and Peoples’ Rights”. *African Human Rights Yearbook* 2020
- ❑ Kisla, Atilla. 2020. “Namibia and Blanket Amnesties: Challenging the Namibian Blanket Amnesties on the Basis of International Law in the Namibian Courts”. *Comparative and International Law Journal of Southern Africa* 53 (2):37
- ❑ THE RECENTLY RENEWED NPA SHOULD SHOW ITS TEETH, Mail & Guardian, 29 January 2021, Atilla Kisla
- ❑ JOÃO RODRIGUES, APARTHEID-ERA CRIMES AND THE QUESTION OF A BLANKET AMNESTY, Mail and Guardian, 6 November 2020, Atilla Kisla
- ❑ GOOD NEWS AS SOUTH AFRICA AFFIRMS ITS COMMITMENT TO ACCOUNTABILITY FOR INTERNATIONAL CRIMES, The Daily Maverick, 26 June 2020, Kaajal Ramjathan-Keogh
- ❑ TORTURE IN ZIMBABWE, The Mail and Guardian, 23 May 2020, Atilla Kisla
- ❑ UNIVERSAL JURISDICTION – A USEFUL TOOL FOR PROSECUTING INTERNATIONAL CRIMES: COMPARING THE USE OF UNIVERSAL JURISDICTION IN GERMANY AND SOUTH AFRICA, The Polity, 7 May 2020, Atilla Kisla
- ❑ WHY IS SOUTH AFRICA PROVIDING A HAVEN FOR AN ARMS DEALER CONVICTED OF WAR CRIMES?, Daily Maverick, 18 March 2020, Kaajal Ramjathan-Keogh and Andrew Feinstein
- ❑ SOUTH AFRICA, APARTHEID, CRIMES AGAINST HUMANITY AND THE RULE OF LAW: QUO VADIS?, The Daily Maverick, 21 February 2020, Kaajal Ramjathan-Keogh
- ❑ PROSECUTING APARTHEID ATROCITIES - WHY AN INDICTMENT FOR A SINGLE MURDER IN THE AHMED TIMOL CASE IS NOT ENOUGH, Daily Maverick, 10 April 2019, Atilla Kisla



Advocacy Highlights

Civil & Political Rights Cluster

ADVOCACY & TRAINING ON INTERNET SHUTDOWNS

On 25 and 26 April 2019, SALC co-hosted a regional training with the Media Institute of Southern Africa entitled “Responding to Internet Shutdowns in Southern Africa”. The training comprised of lawyers and media activists from Angola, Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, Tanzania, Zambia and Zimbabwe. The training was in response to the spate of internet shutdowns in Southern Africa and the technical nature of litigation to challenge shutdowns.

- ❑ NAVIGATING LITIGATION DURING INTERNET SHUTDOWNS IN SOUTHERN AFRICA, 14 August 2019, SALC Litigation Manual, Tyler Walton & Anneke Meerkotter
- ❑ THE INTERNET SHUTDOWNS CAST DOUBT ON ELECTION INTEGRITY: MALAWI AND MOZAMBIQUE SHOULD NOT REPEAT BENIN’S MISTAKE, 20 May 2019, Tyler Walton
- ❑ Christoph Seiler, Max Chaffetz and Anneke Meerkotter, “The Effects of Internet Shutdowns on Societies” SALC paper at Southern Africa Regional Dialogue on Internet Access 2019, SANGONeT, OSISA, November 2019.



In October 2020, SALC made written and oral submissions to Eswatini’s Parliamentary Portfolio Committee on ICT on the Computer Crime and Cybercrime Bill. SALC’s detailed submission resulted in the Bill’s withdrawal and correction.

MONITORING CYBERCRIMES LAWS, PROTECTING DIGITAL RIGHTS

Advocacy Highlights

Civil & Political Rights Cluster

ADVOCACY ON FREEDOM OF EXPRESSION AND RULE OF LAW

- ❑ MALAWI: HUMAN RIGHTS DURING A LOCKDOWN, The Weekend Nation, 25 April 2020, Victor Mhango, Anneke Meerkotter and Chikondi Chijozi
- ❑ ESWATINI'S CITIZENS CONDEMN LAVISH SPENDING BY THE MONARCHY AT THEIR PERIL, Daily Maverick, 17 December 2019, Anneke Meerkotter
- ❑ SEDITION CHARGES IMPACT ON FREEDOM OF EXPRESSION IN ESWATINI, Polity, 22 July 2019, Anneke Meerkotter
- ❑ HATE SPEECH AND LGBTI RIGHTS: PERSPECTIVES FROM THE JON QWELANE CASE, Mail & Guardian, 18 September 2020, Atilla Kislá
- ❑ DOES UGANDA'S HUMAN RIGHTS (ENFORCEMENT) ACT SET THE GOLD STANDARD?, HRP AF Human Rights Advocate, December 2020, Anneke Meerkotter

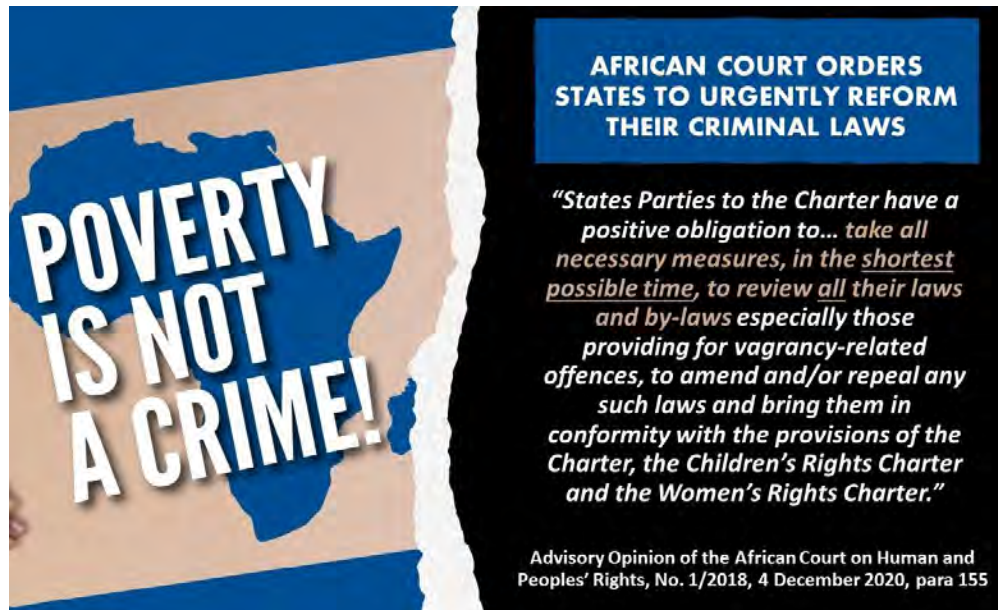


ADVOCACY STATEMENTS SUPPORTING HUMAN RIGHTS DEFENDERS

Advocacy Highlights

Criminal Justice Cluster

THE REGIONAL CAMPAIGN TO DECRIMINALISE PETTY OFFENCES IN AFRICA



SALC supported Campaign partners to challenge laws which criminalise persons based on their economic or other status. As part of this work, SALC has presented on the use of litigation to challenge such offences, and on the need to challenge abusive policing practices.

The Covid-19 pandemic has added urgency to the calls to decongest prisons throughout Africa and to stop the incarceration of persons for petty offences. As part of this work, SALC trained magistrates in Malawi and produced the Campaign newsletter.

- ❑ Anneke Meerkotter. 2020. "Litigating to Protect the Rights of Poor and Marginalized Groups in Urban Spaces", 74 *University of Miami Law Review*, Caveat 1.
- ❑ Anneke Meerkotter. 2019. "Unjust cities and the institutional failure of punitive solutions to poverty" Chapter 1 in Simon Howell (ed) *Policing the Urban Periphery in Africa*, APCOF.
- ❑ AFRICAN COURT CHALLENGES STATES TO RETHINK THE BASIS OF THEIR CRIMINAL LAWS, Africa.com, 22 January 2021, Anneke Meerkotter

ADVOCACY ON THE DECONGESTION OF PRISONS

Advocacy Highlights



MALAWI'S PRISONS ARE AT 260% OF THEIR CAPACITY WITH 14,000 PEOPLE INCARCERATED IN PRISONS SUITABLE FOR 5,000.

Play (4)

STAND UP FOR RIGHTS & JUSTICE FOR PRISONERS

DEC 10 2019 9AM-11AM

TUNE IN FOR THE DISCUSSION

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ICC WITNESSES AND THE REVIEW OF THE ROME STATUTE: THE MISSING LINK

SALC Policy Brief
No. 5 of 2020
Dr. Suzge Lungu

SOUTHERN = AFRICA
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RULE BY LAW AND THE ATTACK ON CIVIC FREEDOMS IN TANZANIA

SALC Policy Brief
No. 4 of 2020
Amanda Shivamba & Anneke Meerkott

SOUTHERN = AFRICA
LITIGATION = CENTRE



AN ANALYSIS OF ZIMBABWE'S PROPOSED CONSTITUTIONAL AMENDMENTS RELATING TO THE LEGISLATIVE AND EXECUTIVE ARMS OF GOVERNMENT

SALC Policy Brief
No. 2 of 2020 (May 2020)
Amanda Shivamba & Nicholas Buga

SOUTHERN = AFRICA
LITIGATION = CENTRE



AN ANALYSIS OF ZIMBABWE'S PROPOSED CONSTITUTIONAL AMENDMENTS RELATING TO THE JUDICIARY

SALC Policy Brief
No. 3 of 2020
Amanda Shivamba

SOUTHERN = AFRICA
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THE DEMISE OF A LEGITIMATE SOUTHERN AFRICAN REGIONAL COURT

SALC Policy Brief
No. 6 of 2019
Amanda Shivamba

SOUTHERN = AFRICA
LITIGATION = CENTRE



THE RECOGNITION OF CUSTOMARY MARRIAGES IN ZIMBABWE AND THE PROPOSED MARRIAGE BILL

SALC Policy Brief
No. 5 of 2019
Tambudzai Gonesse-Marjono

SOUTHERN = AFRICA
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A LEGAL OVERVIEW OF THE IMPACT OF COVID-19 ON JUSTICE AND RIGHTS IN SOUTHERN AFRICA

SALC Policy Brief
No. 1 of 2020 (May 2020)
Tambudzai Gonesse, Amanda Shivamba
& Anneke Meerkott

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An Analysis of Zambia's Proposed Constitutional Amendments Relating to the Judiciary

SALC Policy Brief
No. 2 of 2019
Amanda Shivamba

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LITIGATION = CENTRE



An Analysis of Zambia's Proposed Constitutional Amendments Relating to National Assembly Oversight

SALC Policy Brief
No. 4 of 2019
Amanda Shivamba

SOUTHERN = AFRICA
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IN DEFENSE OF CONSTITUTIONAL MORALITY

RECENT JURISPRUDENCE FROM THE GLOBAL
SOUTH ON LGBTI RIGHTS AFFIRMS
CONSTITUTIONAL MORALITY

SALC Policy Brief
No. 3 of 2019
Anneke Meerkott

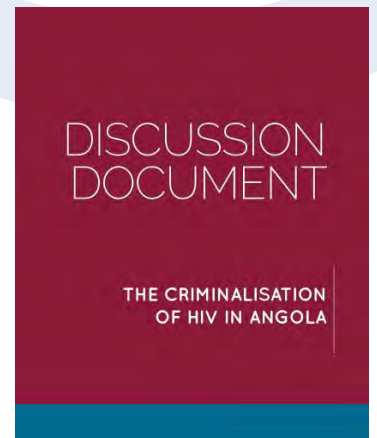
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THE IMPOSITION OF INTERNATIONAL SANCTIONS ON ZIMBABWE

SALC Policy Brief
No. 1 of 2019
Kajjal Rangathan-Kaogh

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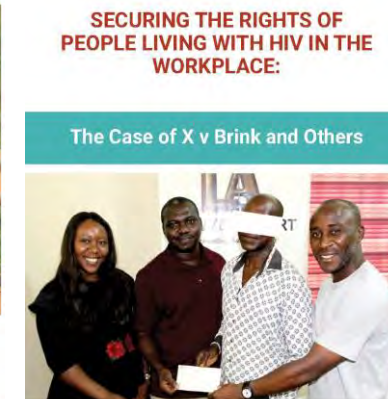
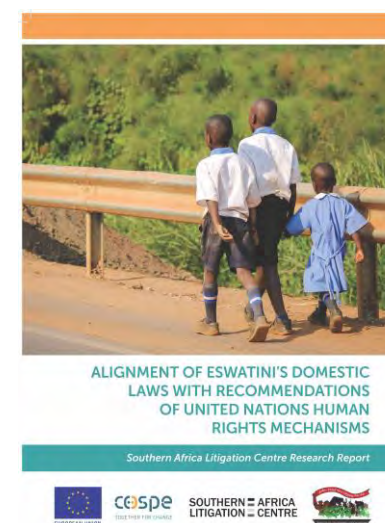
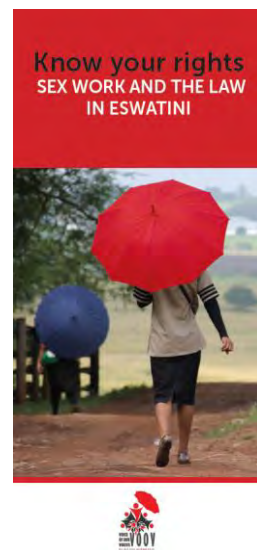
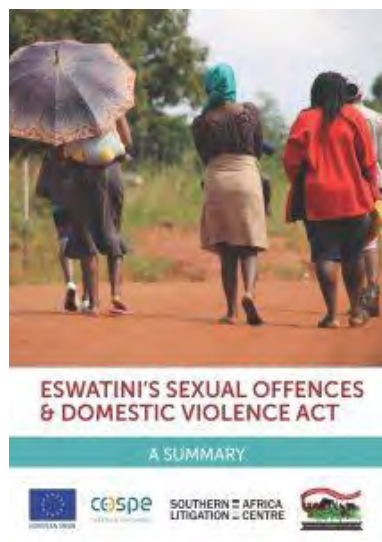
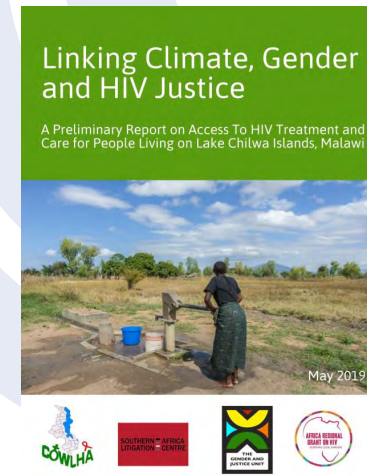
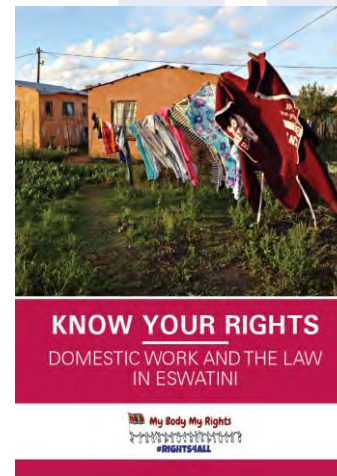
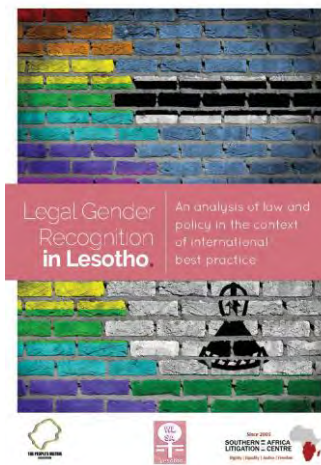
DISCUSSION DOCUMENT

THE CRIMINALISATION
OF HIV IN ANGOLA

ARASA
Alliance
for Rights
in Southern Africa

HIV JUSTICE
WORLDWIDE

Since 2005
SOUTHERN = AFRICA
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Dignity | Equality | Justice | Freedom



SALC Board of Trustees



STERNFORD MOYO

Sternford Moyo has been a legal practitioner in Zimbabwe for 34 years. He is the President of the International Bar Association and the Chair and Senior Partner of Scanlen & Holderness. He is the former President of the Law Society of Zimbabwe and the SADC Lawyers Association, and former co-chair of the International Bar Association's Human Rights Institute.



**SANJI MMASENONO
MONANGENG**

Judge Sanji Mmasenono Monageng served as a Judge of the International Criminal Court from 2009 to 2018. She was the 1st Vice President of the Court from 2012 to 2015. Judge Monageng was a member of the African Commission on Human and Peoples' Rights between 2003 and 2009. She is a member of the International Association of Women Judges, the International Commission of Missing Persons and the International Commission of Jurists.



MARK ELLIS

Dr. Mark Ellis is the Executive Director of the International Bar Association (IBA). Prior to joining the IBA, Dr. Ellis spent ten years as the first Executive Director of the Central European and Eurasian Law Initiative (CEELI), providing technical legal assistance to twenty-eight countries in Central Europe and the former Soviet Union, and to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague.



ZOHRA DAWOOD

Zohra Dawood has a degree in law and a Master's degree in economic history. She worked for a decade as chief researcher for a land rights organisation. After 1994, she worked with the South African Department of Land Affairs and Agriculture, where she was involved in policy formulation and settlement of land claims. She has been an adviser to cabinet members and to the Presidency of Nelson Mandela. In 1999, she joined the Open Society Foundations and was the Executive Director from 2001 to 2012.

SALC Board of Trustees



BEATRICE MTETWA

A prominent media lawyer and human rights defender, Beatrice Mtetwa has appeared in numerous high-profile cases in Zimbabwe. In a country where the law is often used as a weapon of persecution, she has defended those targeted, at great personal risk. She is a past president of the Law Society of Zimbabwe and is the recipient of numerous human rights awards.



ANNE RAMBERG

Anne Ramberg was a practicing lawyer until 2000, when she was appointed Secretary General of the Swedish Bar Association, a position she held for twenty years. She serves as ad hoc judge at the European Court of Human Rights and is co-chair of the International Bar Associations Human Rights Institute (IBAHRI).



RAHIM KHAN

Abdool Rahim Khan has been in private practice in Botswana from 1982. He is a member of the Legal Aid Board. He has been acting as a judge in Botswana, former honorary Swedish consul to Botswana (2007 to 2012) and a member of various boards in the region.

SALC Management Team



ANNEKE MEERKOTTER
Executive Director

Anneke Meerkotter is a qualified attorney with B. Proc and LL.B. degrees from the University of the Western Cape and an M.Sc. in Sociology on Gender and Society from the University of Amsterdam. She previously worked as Executive Director at Tshwaranang Legal Advocacy Centre and was the Litigation Director at SALC until March 2021. She has 22 years' experience working in public interest law firms.



KWENZEKILE NGWENYA
Finance Director

Kwenzekile Ngwenya-Masuku, ACCA, is a Chartered Certified Accountant whose financial accounting career began in 2008 with experience from diverse industries. Prior to joining SALC, she worked at SOS Children's Villages International as a Regional Accountant – Finance & Controlling Coordinator.



PAMELA TIMBURWA
Operations Manager

Pamela Timburwa graduated with a bachelor in business administration from the University of South Africa. Prior to joining SALC, she worked at the Nelson Mandela Institute for Rural Education and Development, and at Africa University.



SUZGO LUNGU
**Lawyer, International
Justice Cluster Lead**

Dr. Suzgo Lungu has over 17 years' experience in the provision of legal advice to governments, international organisations and civil society in the area of public international law including international criminal law. He holds a Doctorate of Philosophy in Law from the University of Witwatersrand, an LL.M in International Trade Law (Cardiff Uni. UK), an LL.M in International Human Rights Law (Notre Dame, USA), a Bachelor of Laws (Hons) degree (University of Malawi).



TAMBUDZAI GONESE
**Lawyer, Equality Cluster
Lead**

Tambudzai Gonese-Manjonjo holds an LL.B from the University of Zimbabwe. She previously worked as a Prosecutor and in private practice in Zimbabwe. She has over 16 years of experience in litigation including litigating and advocating for women's rights.



AMANDA SHIVAMBA
**Lawyer, Civil & Political
Rights Cluster Lead**

Amanda Shivamba has an LL.B from the University of Witwatersrand and Masters in Public International Law from the University of Pretoria. She completed her articles in Eswatini and South Africa. She previously worked for the South African Human Rights Commission and Corruption Watch.



ATILLA KISLA
**International Justice
Lawyer**

Atilla Kisla is a qualified lawyer from Germany and joined SALC as a legal consultant in the International Justice cluster. He completed his study of law at the University of Frankfurt and has an LL.M in Public International Law from the University of Cape Town. He previously worked as a researcher to the Chief Justice of the Supreme Court of Namibia. He is currently studying for a PhD at the University of Cape Town.

SALC Country Offices

MALAWI



CHIKONDI CHIJOZI
Lawyer, Criminal Justice
Cluster Lead

Chikondi Chijozi holds a Master of Laws in International Human Rights Law from the University of Sussex and a Bachelor of Laws (Hons) from Chancellor College, University of Malawi. She has been practicing law in Malawi for the past 7 years. Before joining SALC, she worked as the Deputy Executive Director and Litigation Manager for Centre for Human Rights Education, Advice and Assistance (CHREAA). Chikondi serves as Commissioner for the Malawi Human Rights Commission.

ESWATINI



MELUSI SIMELANE
Communications
Consultant

Melusi is highly motivated, disciplined with good interpersonal skills and enjoys a challenge. Melusi's life goal is to contribute towards a positive change in society and inspire those around him through outreach programmes and individual participation in social initiatives. He is passionate about social justice for marginalised groups and aims to use his skills to support change.

ZAMBIA



BRIGADIER SIACHITEMA
Senior Lawyer, Socio-economic
Rights Cluster Lead

Brigadier Siachitema has 13 years of experience litigating land rights disputes, property grabbing and gender-based violence. Before joining SALC, he was an advocate at the International Justice Mission (IJM). He is an Expert Member of the African Commission on Human and Peoples' Rights Working Group on Extractive Industries, Environment and Human Rights Violation in Africa. He holds an LL.B degree from the University of Zambia, an LL.M degree in Extractive Industries Law in Africa from the University of Pretoria, and an LL.M degree in International Business and Economic Law from Georgetown University Law Center.

BOTSWANA



ANNA MMOLAI CHALMERS
LGBTQI, Sex Work & Disability
Rights Programme Officer

Anna Mmolai-Chalmers is a qualified researcher holding an M.Sc in Human Rights and Research Methods from the University of Essex. She also holds a M.Ed. (Gender) from the University of Botswana. Before joining SALC, Anna was the CEO of LEGABIBO in Botswana.

SALC Administrative Team



TOWERA SICHINGA
Office Administrator

Towera Sichinga joined SALC in August 2020 and has over 20 years' experience working in the NGO sector. Before joining SALC, Towera worked for the Open Society Foundation-SA, Centre for the Study of Violence and Reconciliation and the Tshwaranang Legal Advocacy Centre.



ANDRIES LEGAE
Finance Assistant

Andries Legae holds a B.Com Accounting degree from the University of Johannesburg and he is currently studying towards a Postgraduate Diploma in Management Accounting with UNISA. Before joining SALC, he worked at an audit firm.



AGNES NHLANHA MASUKU
Research Assistant

Agnes Nhlanhla Masuku joined SALC in 2021. Agnes is a final year Bachelor of Laws student at UNISA. She has worked in multiple legal environments whilst completing her studies, including interning at Lawyers for Human Rights, and participating in the UNISA National Moot Court Competition. She plans to get admitted as an attorney in the future.



PATIENCE NDLOVU
Office Assistant

Patience Ndlovu joined SALC in 2012 as a general office assistant.

Former SALC Staff

We would like to express our thanks to former staff members, fellows and interns.



**KAAJAL RAMJATHAN
KEOGH**

Kaajal was Executive Director at SALC from 2015 to 2020. She left SALC for the International Commission of Jurists, where she is the Africa Director.



ANNABEL RAW

Annabel joined SALC as a Health Rights Lawyer in 2014. She left SALC in January 2020 to do her pupillage at the Johannesburg Bar.



**TASHWILL
ESTERHUIZEN**

Tashwill joined SALC as a Sexual Orientation and Gender Identity Lawyer in 2016. He left SALC in March 2020 and took up a position at Amnesty International.



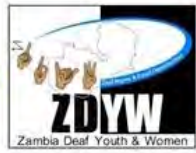
TYLER WALTON

Tyler worked as the Freedom of Expression Lawyer at SALC during his fellowship from 2018 to 2019. He is currently a fellow at the Bernstein Institute for Human Rights.



THULANI MASEKO

Thulani joined SALC in August 2020 as a part-time lawyer under the Civil & Political Rights Cluster. He resumed full-time practice in May 2021.



IRISH RULE OF LAW
INTERNATIONAL



REPRIEVE



Alliance for
community
action

ARASA
AIDS & Rights
Alliance
for Southern Africa



ZELA (Zimbabwe Environmental Law Association)
Protecting the rights of communities and conserving the environment and natural resources



cospe
TOGETHER FOR CHANGE



LAWYERS FOR
HUMAN RIGHTS



HIV JUSTICE
WORLDWIDE





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SUPPORTING SEXUAL &
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FOR SOUTH AFRICA



THE SOUTHERN AFRICAN HUMAN RIGHTS LITIGATION CENTRE TRUST
(TRUST NO: I TRUST 3935/05)

STATEMENT OF FINANCIAL POSITION AT 29 FEBRUARY 2020

	Note	2020 R	2019 R
ASSETS		29 749 628	12 053 796
Non-current assets		434 498	209 082
Equipment	3	434 498	209 082
Current assets		29 315 130	11 844 714
Accounts receivable	4	615 549	108 425
Accrued income	5	18 571	179 527
Cash and cash equivalents	6	28 681 009	11 556 763
Total assets		29 749 628	12 053 796
RESERVES AND LIABILITIES		29 749 628	12 053 796
Reserves		10 369 747	5 180 559
Accumulated funds		239 016	344 159
Equipment fund		434 498	209 082
Sustainability reserve	7	9 696 233	4 627 319
Current liabilities		19 379 881	6 873 237
Accounts payable	8	989 654	149 644
Deferred income	9	18 142 491	6 549 477
Provision for leave pay	10	247 736	174 116
Total reserves and liabilities		29 749 628	12 053 796

THE SOUTHERN AFRICAN HUMAN RIGHTS LITIGATION CENTRE TRUST
(TRUST NO: I TRUST 3935/05)

STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 29 FEBRUARY 2020

	Note	2020 R	2019 R
INCOME		24 386 062	18 962 114
Grants and donations	11	19 749 689	18 310 968
Consulting income		17 500	40 175
Interest received	12	1 044 803	590 971
Legal cost awards		296 197	20 000
Retrospective VAT refunds		3 277 874	-
EXPENDITURE		19 196 868	17 011 657
Assets expensed directly		9 002	5 015
Audit fees		40 335	47 074
Bank charges		36 404	20 221
Consultancies		745 515	608 026
Depreciation	3	125 414	79 812
Equipment rental		36 070	41 891
Foreign exchange loss		24 387	12 553
Insurance		14 446	13 267
IT expenses		246 277	165 636
Meetings costs		50 451	24 594
Office supplies		100 662	80 407
Printing, courier and stationery		60 249	78 829
Project expenses	13	13 008 782	11 487 203
Publications, brochures and reports		48 284	3 304
Rent, water electricity and security		718 825	557 935
Repairs and maintenance		30 823	28 190
Salaries and contributions		3 498 889	3 263 346
Subscription fees		27 949	54 869
Telephone and fax		50 572	38 541
Transport costs - local		43 489	50 253
Travel and accommodation		272 486	345 250
Workmen's compensation		7 556	5 443
SURPLUS FOR THE YEAR		5 189 194	1 950 457

16 PEACE, JUSTICE AND STRONG INSTITUTIONS



A word cloud centered around the theme of 'Rule of Law'. The words are arranged in a circular pattern, with 'Rule of Law' being the largest and most central. Other prominent words include 'Democracy', 'Dignity', 'Fairness', 'Access', 'Equity', 'Human Rights', 'Freedom', 'Participation', 'Transparency', 'Accountability', 'Good Governance', 'Openness', 'Recognition', 'Empowerment', 'Climate Justice', 'Gender Justice', 'Environmental Justice', 'Social Justice', and 'Human Rights'. The words are in various shades of blue and green, and are oriented in different directions, creating a dynamic and interconnected visual.