

# SALC Biennial Report

March 2021-  
February 2023

Since 2005  
**SOUTHERN AFRICA  
LITIGATION CENTRE**  
Dignity | Equality | Justice | Freedom





“If you are neutral in situations of injustice, you have chosen the side of the oppressor.”

**Desmond Tutu**

---

Archbishop Desmond Tutu passed away in December 2021. He lived a life committed to equality, diversity, dignity, humility and freedom. His moral compass guided many human rights activists in the region, and we are committed to ensuring that his legacy is not forgotten.

About SALC	I
Strategic Focus	2
Thematic Focus	3
Our Cases	4
Socio-Economic Rights Cluster	6
Equality Cluster	8
Criminal Justice Cluster	11
International Justice Cluster	13
Civic Rights Cluster	15
Legal Empowerment	16
Sub-Granting	17
Our Partners	18
Our Staff	19
Our Trustees	21
Our Donors	22
Audited Statements	23



# Table of Contents

---

# About SALC

---



SALC's mission is to promote and advance human rights, democratic governance, the rule of law and access to justice in Southern Africa through strategic litigation, advocacy and capacity strengthening. We focus our work on marginalised communities and communities that face challenges in accessing legal, social and environmental justice. SALC strives to work in an inclusive, accountable, responsive, effective, consultative and empowering manner.

SALC works in partnership with lawyers, civil society, and community-based organisations at country level. Each partnership is context-, issue- and needs-specific as we work to draw links between social movements, activists, and legal process tools. SALC works closely with these partners to develop legal and advocacy strategies, conduct research, prepare litigation advice, draft legal submissions and court papers, collect and prepare evidence, draft submissions on policy and law reform, prepare advocacy interventions through the press and regional and international human rights bodies, and to strengthen capacity on human rights litigation and advocacy.

Consistent across these interventions is the objective to give meaningful support through quality professional research, advice and drafting to empower our partners and support their advocacy objectives. SALC uses experiences at the country level to inform and develop lessons and best practices regionally, including establishing a body of progressive jurisprudence on human rights in the region and more broadly.

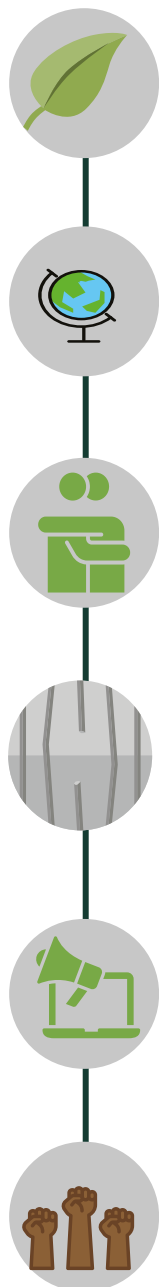


## Strategic Focus

---

- Reaching advocacy objectives through alliance-building and support to community-based organisations.
- Managing strategic litigation in a way that promotes self-care and legal empowerment, supports clients and utilises existing human resources and partnerships.
- Gradually increasing SALC's capacity to litigate corporate abuses, disability and climate change.
- Broaden our networks to support litigants who are part of the Global Campaign to Decriminalise Poverty, Status and Activism.

# Thematic Focus



## Socio-Economic Rights Cluster

Challenging large-scale agricultural and extractive land use that results in customary land dispossession without adequate consent, consultation and compensation, and increases poverty, environmental degradation and social inequality.

## International Justice Cluster

Seeking accountability for international crimes and grave human rights violations by challenging decisions that enable impunity, enforcing international law and by strengthening corporate accountability.

## Equality Cluster

Challenging lack of bodily autonomy, discrimination, unequal access and legal barriers to enjoyment of rights. Support and empower communities to assert their rights, obtain redress for rights violations and counter the anti-rights backlash.

## Criminal Justice Cluster

Challenging the use of the criminal justice system in a manner that targets poor and marginalised persons, wide-scale impunity for abusive policing practices, over-criminalisation and overcrowding in prisons.

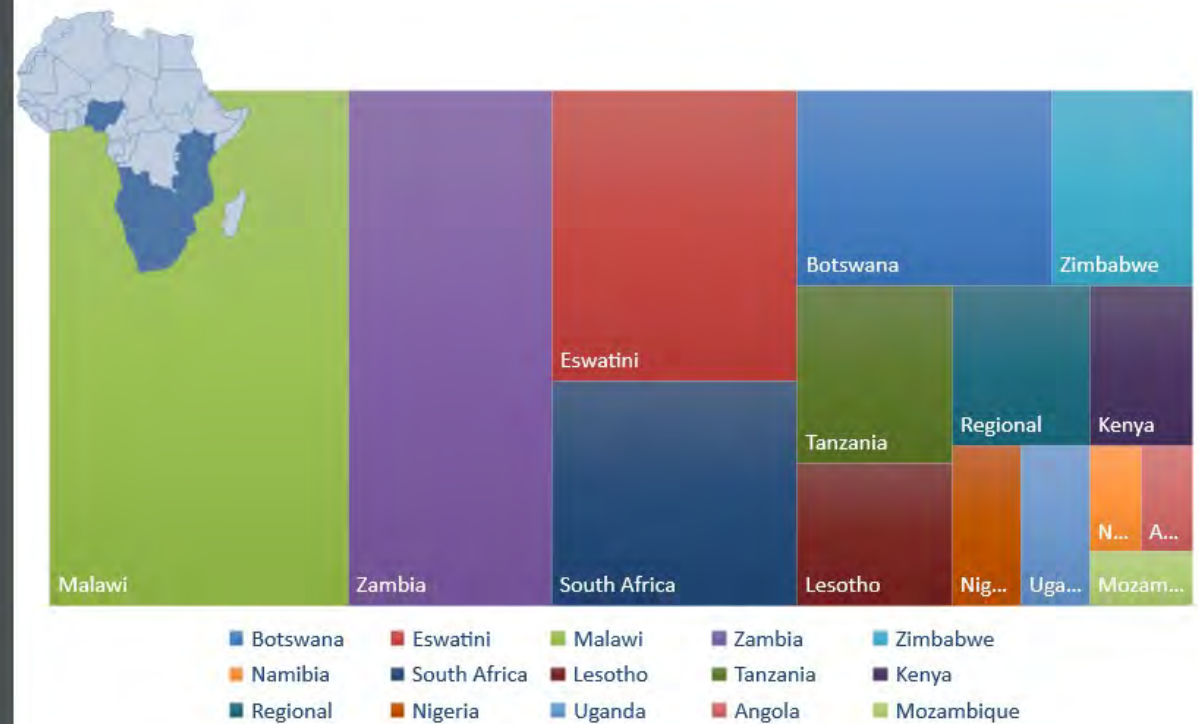
## Civic Rights Cluster

Challenging laws and policies that limit freedom of expression, assembly and association, including implementation of FATF Recommendations on money laundering and terrorist financing in an overly broad manner that limits civic rights.

## Legal Empowerment & Capacity Strengthening

Supporting community-based organisations through legal empowerment, sub-grants, and organisational capacity strengthening to advocate for human rights.

## Our Cases



108 Strategic Litigation Cases

# Street children bemoan abuse

In cities and towns, talk is of street-connected children and their little monsters with no regard for human dignity and life. But, as THOMAS KACHIRE writes, this conception is a slur in the flesh of the children, who claim to be suffering abuse themselves at the hands of law enforcers and have taken the bold action of reporting the 'atrocities' to the authorities.

George [not real name], 14, became a street child after losing his parents to HIV and has been struggling to get food and shelter.

To make matters worse, some of his parents' relations grabbed the little property his parents left.

# Sex abuse perpetrated by police irks rights groups

**PRECIOUS KUMBANI**  
STAFF REPORTER

Centre for Human Rights Education (CHRE) and the Southern Africa Litigation Centre (SALC) say they have received reports of sexual violence allegedly perpetrated by police officers.

They were reacting to a petition presented to the court in 2017, the court, in May 2022, the State recommended that all street-connected children be reviewed to ensure that they are in tandem with the Constitution and laws.

# Delayed justice affects CSOs, litigants

In a recent decision, the court, in May 2022, the State recommended that all street-connected children be reviewed to ensure that they are in tandem with the Constitution and laws.

The court, in May 2022, the State recommended that all street-connected children be reviewed to ensure that they are in tandem with the Constitution and laws.

# Weekend Nation

WEEKEND NATION  
WEDNESDAY, 28 MAY 2022

# Judge Ntoba declares police sweeps unconstitutional

Page 1

The following day they were taken to court where they were charged with rape and vagabondage under Section 184 (1) of the Penal Code and fined R3 000 each, in default, spend three months in jail.

The judge, however, stated that the three went to court in challenge the law enforcers' sweeping exercise, saying they were arrested for committing no crime.

The three appealed that the police should return the matter as it is conducted in a manner that has no parameters to ensure the protection of human rights.

"The court also prayed for compensation of human rights as they were infringed when they were arrested without being told the reasons of their arrest as well as the police forcing them to plead guilty to the offence."

# Driving Instructor Says Deaf Drivers Are Better Motorists, More Observant

By STRAT DOUTHAT  
INSTITUTE, W.Va. (AP)

Deaf motorists are more observant than those who can hear, and being a deaf person is not an advantage behind the steering wheel, says a driving instructor who specializes in teaching the handicapped.

"It's because they've always taken with running motors and burning headlights. If he didn't, a lot of people wouldn't be able to get home after work."

Teaching paraplegics and quadriplegics is the most rewarding thing, Ramsey ever done, he said.

"In our society, and dashboard in one of it computerized, driving simulators at the center. Seated at the controls, they must cope with driving situations in films projected in front of them."

"These films are so realistic that I've had students scream and duck when a car students pass their tests."

"And I mean on the first try. And as for safety, their accident rate is about the same as your so-called 'normal driver,'" Ramsey noted.

But he admits to the anguish of an occasional failure. "I take it as a re-

# AU to address silencing of dissent in region

By Hyacinth Mawani

In light of the commencement of the 42nd Ordinary Session of the Executive Council and the 36th Ordinary Session of the Assembly of the African Union (AU), in Addis Ababa, Ethiopia, between yesterday and tomorrow (19 February) SALC notes with grave concern the growing trend of attacks against human rights defenders, political activists and journalists in the region.

Southern Africa Litigation Centre (SALC) Civil Rights Cluster Programme Manager Melus Simelane.

He said that the AU should address the silencing of dissent in the region.

# FREE PRESS: CORNERSTONE OF DEMOCRACY

THE NATION

# ARCHAIC CLOG PRISONS

THE NATION

Archais clog prisons

# Government licenses 7 children's safe homes

THE NATION

# High Court okays dreadlocks for Rastafarian pupils

By ENELLESS NYALE  
STAFF REPORTER

The High Court in Zomba has granted parents of Rastafarian children an injunction against the Ministry of Education, Science and Technology from denying children with dreadlocks access to classes in government schools.

Women's Lawyers Association represented the community and lawyer Chikodi Chijoni said they asked for the injunction following several complaints from the parents who said their children were being forced out of school for wearing dreadlocks.

"We received about 80 complaints from the community as women lawyers for our intervention."

COURT OUTLAW SWEEPING ARRESTS

Jeffrey questions DPP's endorsement

MRA collects K240 in H2

I am not quitting music-Solider

# STARVATION SENTENCE

● K213 per prisoner allocation irks committee

● Prison Dept gets K1.3 billion for fiscal year

Starvation sentence

# Mankayane resident seeks order for internet return

MANKAYANE - A resident of Mankayane has taken ICT Minister Prince Shabane to court to demand the return of his internet service.

# HEALTH

# The death sentence that is prison diet

Prisoners' diet is a death sentence, says a health expert.

# NATIONAL NEWS

# 'Thou shalt not sweep'

High Court gives Parliament 24-month ultimatum to amend rogue and vagabond law

# LGBTQ community emerges victorious

As court of Appeal dismiss judgment on decriminalization of same-sexual acts

# Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

# Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court

Free children from unlawful detention—High Court



# Socio-Economic Rights Cluster

## Challenging Land Inequality

Land inequality is at the core of almost every Sustainable Development Goal, yet it is often overlooked, and most land governance and policies throughout the region perpetuate inequitable distribution of land. 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 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. Recognising communities' rights to their collectively held land is critical to tackling the twin crises of climate change and inequality.

## Integrated Strategies

Through litigation, research, legal empowerment and advocacy, we seek to:

- Strengthen democratic land governance;
- Increase transparency and monitoring of land holdings;
- Protect common and customary land rights;
- Ensure the recognition of free, prior, and informed consent for all decisions affecting communities' land rights;
- Interdict practices of environmental degradation, pollution, deforestation, unlawful acquisition of natural resources; and
- Protect women and indigenous communities' land rights.

Zambia - Malawi - Eswatini - Zimbabwe - Botswana - Lesotho

A HANDBOOK FOR PRACTITIONERS | ZAMBIA

# Civil Liability for Human Rights Violations



## The Forum

Confronting Powerful Institutions

DCEFF

Panelists

Moderator



Gabriela Cowperthwaite

Nate Halverson

Shawn Bannon

Jamie Berger

Brigadier Siachitema

Sarah Graddy

Featuring subject and Producer

Director of

Producer and Writer

Senior Communications Advisor, Agriculture and Environment, Environmental Working Group

Saturday, March 13, 2021, 3:00 PM

Eaton

## THE GRAB OPENING NIGHT



AMANDA PIKE  
PRODUCER



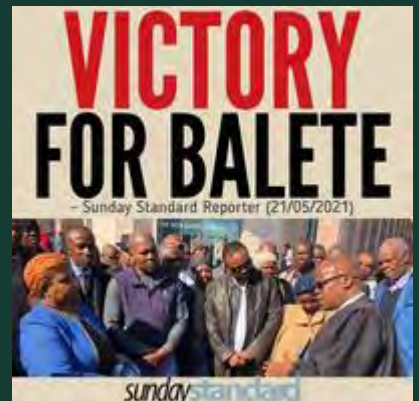
BRIGADIER 'BRIG'  
SIACHITEMA  
PROTAGONIST



NATE  
HALVERSON  
PRODUCER & PROTAGONIST

## Court halts land clearance on edge of protected park in Zambia

Conservationists welcome interim injunction to stop farm development they say threatens migration of 10 million fruit bats





# Equality Cluster

## Challenging Laws that Perpetuate Discrimination

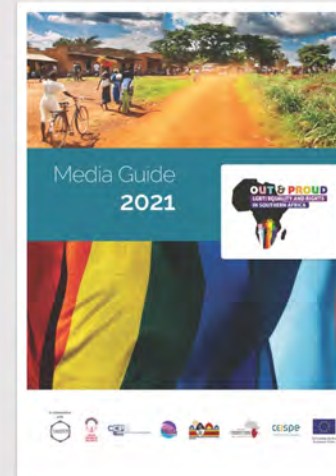
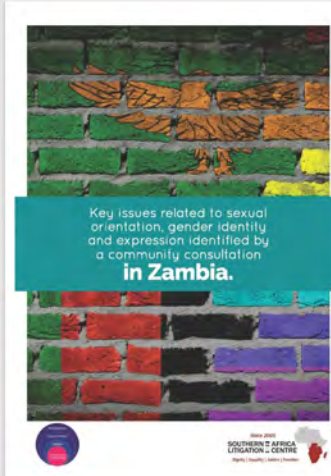
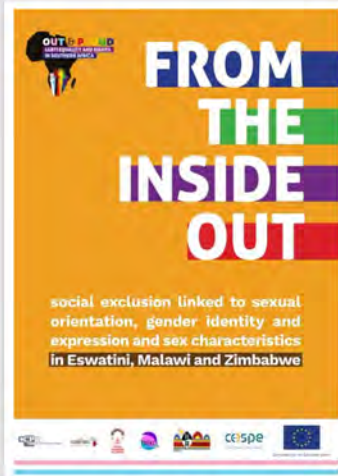
Discrimination continues unabated on many fronts, with economic status being the key locus of horizontal and vertical discrimination. Although most countries have policy frameworks that address sexual and reproductive health, the underlying legal frameworks create ambiguity and influence the extent to which well-intended policies are enforced. Often, Penal Codes do not have a gender-neutral rape offence, and so-called defilement offences are overly broad and contain derogatory references to persons with psycho-social and intellectual disabilities. The implementation of sexual offences has resulted in gross injustices, including boys' imprisonment for having had consensual sex with girls and the imprisonment of same-sex couples who engaged in consensual sex.

Removing criminal laws contributing to stigma and discrimination is essential but not the only answer to systemic discrimination. Advocacy on the universality of human rights, dignity and diversity should accompany legal reforms and positive litigation outcomes. SALC works closely with women's rights organisations, LGBTQI+ rights organisations, and disability rights organisations throughout the region to engage in litigation, advocacy, public awareness, legal empowerment and policy reform processes to achieve change. The work has become more urgent in the context of increasing global anti-rights discourse, which has seeped into jurisprudence and resulted in parliaments trying to circumvent decisions from the courts that promote marginalised groups' rights.

## Focus Areas

- Disability-related discrimination;
- Protection of persons with albinism;
- Mental health laws;
- Gender-based violence;
- HIV criminalisation;
- Chieftainship succession;
- Inheritance and marriage laws;
- Sexual and reproductive health rights;
- Decriminalisation of consensual sex;
- Hate crimes; and
- Legal recognition of gender identity.

Zambia - Angola - Malawi - Eswatini - Zimbabwe - Botswana - Lesotho - Namibia - Uganda - Tanzania - Kenya



**SRHR**

**1st SRHR Summit** in an online format to be held in 2021 to address the challenges of SRHR in the Southern Africa region.

Join us for an interactive session facilitated by the Southern Africa Litigation Centre to explore how lawyers can play a strategic role in a bid to advance or challenge the legal environment affecting SRHR.

**SRHR Summit** - 2nd Round  
21 October 2021  
10:00-12:00 SAST  
Zoom Link to Register in Caption

**SALC & CHREAA INVITES YOU TO A**

**SEXUAL REPRODUCTIVE HEALTH & RIGHTS YOUTH DISCUSSION**

Discussions and talks on youth involvement in SRHR

**NOVEMBER 10, 2021**  
13:00-16:00 SAST  
ZWANGO HOUSE

**ESVP Lisa Tembe | Lucinda Chimbeni**  
+265 988 73 7542 | +265 953 79 7453

**SRHR**  
SOUTHERN AFRICA LITIGATION CENTRE

**Legal Empowerment Webinar:**  
What to expect when lodging criminal cases?

**October 27th 2021**  
14:00 - 15:30 SAST

**Speakers:**  
• **Mzwandile Msimuku**  
• **Chabweni Chigweni**  
• **Constance Chikwe**

**Zoom Link to Register in Caption**

**SOUTHERN AFRICA LITIGATION CENTRE**

**Mental Health Awareness Webinar**

**Friday 08 October**  
10:00 SAST

**Speakers:**  
• **Mzwandile Msimuku**  
• **Chabweni Chigweni**  
• **Constance Chikwe**

**Zoom Link to Register in Caption**

**SOUTHERN AFRICA LITIGATION CENTRE**

**ADOLESCENT SRHR**  
Learn how to use Strategic Litigation and Advocacy to improve Accessibility to Sexual Reproductive Health Rights for Young People

**24 Oct**  
09:00-12:00 SAST

**Chisomo Kaufulu**  
Lecturer

**Dr. Godfrey Kangaude**  
Lecturer

**Zoom Link to Register in Caption**

**SOUTHERN AFRICA LITIGATION CENTRE**

**PANEL ON GBV AND JUDICIAL STEREOTYPING**  
#15OAYS

**Judge Margaret Victor**  
High Court Judge  
South Africa

**Judge Fiona Mwale**  
High Court Judge  
Malawi

**Date: 6 December 2021**  
Time: 13:00 to 14:00 (SAST)  
Platform: Zoom (Link to Register in Caption)

**SRHR**  
SOUTHERN AFRICA LITIGATION CENTRE

**PANEL ON FEMICIDE**  
#15OAYS

**Commissioner Jambanja Kile**  
Deputy of Attorney General  
Tanzania

**Judge Amy Tsang**  
High Court Judge  
Tanzania

**Date: 1 December 2021**  
Time: 13:00 to 14:00 (SAST)  
Platform: Zoom (Link to Register in Caption)

**SRHR**  
SOUTHERN AFRICA LITIGATION CENTRE

**PANEL ON CRIMINAL LAW AND BODILY AUTONOMY**  
#15OAYS

**Judge Zione Ntshu**  
High Court Judge  
Malawi

**Commissioner Ntshu Ntshu**  
Deputy of Attorney General  
Tanzania

**Date: 29 November 2021**  
Time: 13:00 to 14:00 (SAST)  
Platform: Zoom (Link to Register in Caption)

**SRHR**  
SOUTHERN AFRICA LITIGATION CENTRE

**ICASA Satellite Session**

**Criminalisation of People Living with HIV who Breastfeed or Comfort Nurse an Infant**

**HIV JUSTICE WORLDWIDE**  
**ARASA ALLIANCE**  
**GNP+**  
**SOUTHERN AFRICA LITIGATION CENTRE**

**Date: 9 December 2021**

**Global Gag Rule and access to abortion: Impact on law reform in Zimbabwe, Zambia, Mozambique, Eswatini and Malawi**

**Tambudzi Gwasa-Munjanja**  
(Southern Africa Litigation Centre)  
EPF001

**The Global Gag rule is a US government policy that imposes a condition on foreign NGO recipients of US global health funding not to promote abortion as a method of family planning including providing counselling, advice, lobbying and advocacy for the liberalisation of abortion laws.**

**Introduction**

The Global Gag rule is a US government policy that imposes a condition on foreign NGO recipients of US global health funding not to promote abortion as a method of family planning including providing counselling, advice, lobbying and advocacy for the liberalisation of abortion laws.

**Methodology**

The study found that the laws on abortion in the five countries were highly restrictive and/or unclear, leading to an increase in unsafe abortions. However, the Global Gag Rule effectively acted as a barrier to effective mobilisation by civil society to advocate for law reform. It also led to fragmentation of civil society, with the real risk of affecting general health outcomes, including the HIV response.

**Recommendations**

States should enact legislative and policy measures to provide access to safe abortion in order to ensure the highest attainable standard of health for women. Policies like the Global Gag Rule impose uneven and unfair barriers to achieving these obligations, which have not only negatively affected regional health outcomes but also threatened state sovereignty when states are hindered from fulfilling their national and international obligations. Although the Global Gag Rule is no longer in force, it is likely to return with a change in government in the US, with dire consequences.

**Findings**

The study found that the laws on abortion in the five countries were highly restrictive and/or unclear, leading to an increase in unsafe abortions. However, the Global Gag Rule effectively acted as a barrier to effective mobilisation by civil society to advocate for law reform. It also led to fragmentation of civil society, with the real risk of affecting general health outcomes, including the HIV response.

**Recommendations**

States should enact legislative and policy measures to provide access to safe abortion in order to ensure the highest attainable standard of health for women. Policies like the Global Gag Rule impose uneven and unfair barriers to achieving these obligations, which have not only negatively affected regional health outcomes but also threatened state sovereignty when states are hindered from fulfilling their national and international obligations. Although the Global Gag Rule is no longer in force, it is likely to return with a change in government in the US, with dire consequences.

**SALC POLICY BRIEF**  
No. 1 of 2022

**AN OPPORTUNITY FOR LAW REFORM ON CHILD MARRIAGES IN ESWATINI**

**Who is paying attention? The impact of COVID-19 laws on sex workers in Southern Africa**  
Anna Mmolai-Chalmers  
(Southern Africa Litigation Centre)  
A-AIDS-2022-10465

**Introduction**

In 2020 as COVID-19 hit the world, governments across the globe introduced movement restriction laws and travel bans to control infections. These laws affected the provision of HIV services for sex workers. The research explored the impact of COVID-19 laws on sex workers accessing HIV services and how sex worker organisations/ movements policy responses to reach an already marginalised population.

**Methodology**

The purpose of the research was to assess the impact of COVID-19 laws on sex workers in 7 SADC countries (Botswana, Namibia, Lesotho, Tanzania, Zambia, Zimbabwe, Malawi). The research also assessed how sex worker organisations/ movements policy responses to reach an already marginalised population.

**Lessons Learned**

Conversations conducted with eight active leading sex worker organisations revealed that COVID-19 regulations involved the progress made in reaching sex workers to access services in a stigma-free environment. Movement bans restricted access to community drop-in centres to collect medications. Organisations providing mobile services could not track clients to link them to services. The focus on reducing access to HIV services provision for sex workers shifted to providing low-cost condoms to sex workers.

**Addressing the impact of pandemic responses:**

- Loss of income
- Domestic violence
- Police violence
- Unsafe spaces
- Stigma and discrimination
- Reduced access to HIV services
- No access to protective measures
- Little access to information
- No access to relief services

**Human rights approaches:**

- Law reform
- Non-discrimination
- Access to health services
- Support to sex worker organisations

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

**SRHR**  
SOUTHERN AFRICA LITIGATION CENTRE

**Legal gender recognition is a fundamental human right, and is essential to guarantee the dignity, privacy and wellbeing of transgender and gender non-conforming people. Legal gender recognition is also one of the elements of gender affirmation, as well as gender affirming healthcare.**

**Introduction**

In 2020, in partnership with LGBTQ+ Rights, and the Southern Africa Litigation Centre (SALC), the Southern Africa Litigation Centre (SALC) developed policy briefs to inform governments on their legal gender recognition and change of gender markers in the Botswana and Lesotho.

**Methodology**

The policy briefs were developed to provide governments with the information of legal gender recognition. The research was informed by participants' shared their experiences of the impact of legal gender recognition on their lives.

**Findings**

In Lesotho, a contemporary representation of the legislation of Botswana and Lesotho Act of 1977 ought to allow a person to change their identity documents to reflect their gender. A change of sex on gender in the Passport, as the National Identity Cards Act of 2011, was the barrier for gender recognition. In Botswana, the High Court has ruled that gender marker change should occur under the National Registration Act of 1980, as a gender change is a material change according to section 18 of the Act.

**Recommendations**

States should take legislative and policy measures to facilitate legal gender recognition based on self-determination. Such regulations and provisions should not require medical interventions and should not be subject to third-party approval.

**Legal Gender Recognition Policy Briefs (Botswana and Lesotho): A Guide for Inclusion**  
Anna Mmolai-Chalmers  
(Southern Africa Litigation Centre)  
A-AIDS-2022-10465

**SRHR**  
SOUTHERN AFRICA LITIGATION CENTRE

**Dr. FRANKSON MUSUKWA**  
Executive Director - Zambia Youth & Women

**Challenges facing deaf people in Zambia**



## Criminal Justice Cluster

### Challenging Over-Criminalisation, Incarceration Practices & Abusive Policing Practices

SALC works with prisoner rights organisations and prisoners to ensure that prisoners' voices are heard and that they are supported to recommend improvements in prison conditions, disease control and access to health care services in places of detention. In partnership with the Centre for Human Rights Education, Advice and Assistance (CHREAA), this work forms part of the Stop TB Partnership Challenge Facility for Civil Society.

Using a range of tools, including litigation, advocacy, paralegals, legal education and participatory action research, SALC and CHREAA seek to support communities who often experience police abuse, including persons with disabilities, LGBTIQ+ persons, sex workers, informal traders and children who live and work on the streets. This work forms part of the legal empowerment network convened by Namati aimed at fostering and documenting legal empowerment strategies globally.

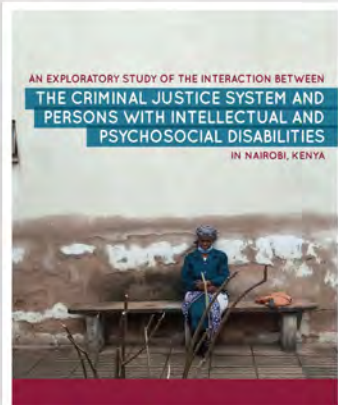
SALC supports partners in the Global Campaign to Decriminalise Poverty, Status and Activism, to engage in strategic litigation to challenge outdated offences that criminalise poverty and status.

### Focus Areas

Through litigation, research, legal empowerment and advocacy, we seek to encourage independent prison and policing oversight mechanisms and challenge human rights violations throughout the criminal justice system, including:

- Conditions in detention;
- Mass arrest practices;
- Impunity for police abuse;
- Imprisonment and detention of children;
- Police abuse of sex workers, informal traders, refugees and children living on the streets;
- Laws that criminalise poverty and status; and
- Treatment of persons with intellectual and psycho-social disabilities by the criminal justice system.

**Zambia - Malawi - Eswatini - Zimbabwe - Botswana - Kenya - Uganda - Nigeria - Tanzania - Mozambique**



# AN EXPLORATORY STUDY OF THE INTERACTION BETWEEN THE CRIMINAL JUSTICE SYSTEM AND PERSONS WITH INTELLECTUAL AND PSYCHOSOCIAL DISABILITIES IN NAIROBI, KENYA



## HEALTH CARE & HUMAN RIGHTS

A TRAINING GUIDE FOR PEOPLE WORKING IN PLACES OF DETENTION IN MALAWI

## The ties that bind us



"My humanity is bound up in yours, for we can only be human together."

Archbishop Desmond Tutu, South Africa (1931 - 2021)



## SADC REGIONAL MEETING ON INDEPENDENT PRISON OVERSIGHT MECHANISMS

27 - 28 October 2022  
Johannesburg



## The ties that bind us



More than one million people are in prisons in Africa - in conditions that too often amount to cruel, inhuman and degrading treatment.

Time to rethink criminal law and incarceration on our continent.

Join us for cocktails and a thought-provoking, vivid exhibition. Opening remarks by South Africa's Deputy Minister of Justice, John Jeffery, and welcome by the Prison Inspectors of South Africa, Malawi and Namibia - Justices Edwin Cameron, Kenan Manda and Sylvester Mainga.

27 October

17h30 - 19h30  
Sandton

"It is said that no one truly knows a nation until one has been inside its jails."  
- Nelson Mandela

Hosted by:

Exhibition photographs generously supplied by:

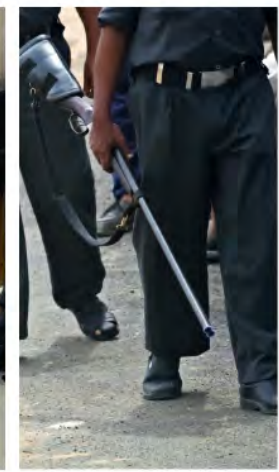


RSVP to [exhibition@salc.org.za](mailto:exhibition@salc.org.za) before 25 October 2022. Venue details will be sent to persons who RSVP.



BEYOND THE HEADLINES 10 JUNE 2022





## International Justice Cluster

### Combatting Impunity for International Crimes such as Torture, Crimes against Humanity and the Crime of Apartheid

SALC seeks to utilise international law and principles such as universal jurisdiction in its strategic litigation and advocacy to address impunity for acts that constitute international crimes and other grave human rights violations. In order to fight impunity for acts of torture, crimes against humanity, war crimes, genocide or the crime of apartheid, prompt and independent investigations and prosecutions are essential.

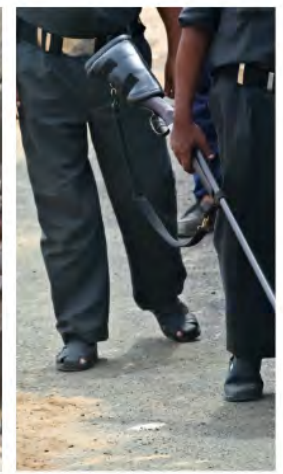
SALC's expert knowledge of the international criminal justice framework and mechanisms as well as its experience in litigating international criminal justice cases in domestic and international courts, make SALC an impactful partner in the fight against impunity. By training and supporting lawyers in South Africa and the region to undertake strategic litigation in the area of international criminal justice, SALC seeks to increase the application of international law standards in domestic settings.

### Promoting Corporate Accountability

SALC's objective is to advance corporate accountability through advocacy and strategic litigation. SALC's intersectional approach of bringing together its various clusters allows it to provide a tailored approach to a wide range of corporate accountability issues that range from the extractive industry in Southern Africa to arms trades from the region to belligerent parties in a conflict.

South Africa - Zimbabwe - Malawi - Lesotho - Mozambique - International Criminal Court





## Civic Rights Cluster

### Protecting Human Rights Defenders, Civic Space and Civic Rights

On 11 January 2021, a prominent political activist in Eswatini, Mario Masuku, passed away. Cumulatively, he spent more than five years in prison on charges of sedition and terrorism without ever being convicted. He challenged the constitutionality of these offences, and a final decision remains pending by the Supreme Court. On 21 January 2023, Thulani Maseko, Mario's lawyer and co-applicant in the constitutional case, was assassinated. Thulani was a recognised human rights lawyer, SALC colleague and activist, and his death reverberated throughout Africa. SALC honoured Mario and Thulani through a documentary on the fight for democracy in Eswatini, which won the Best Social Impact Award at the African Human Rights Film Festival in 2022.

PStates are increasingly using even blunter instruments to curb expression, such as simply disrupting the internet and social media during critical periods. External push for legal reforms on terrorism, money laundering, and cybercrimes, has further resulted in laws passed without public participation and the insertion of provisions limiting civic space. SALC provides technical support throughout the region to challenge repressive laws and the persecution of human rights defenders.

### Focus Areas

Through litigation, research and advocacy, we seek to challenge overly broad criminalisation and regulation of freedom of expression, assembly and association:

- Criminal defamation offences, including the offence of insulting the President;
- Sedition offences and overly broad terrorism laws;
- Cybercrimes that infringe on expression and privacy rights;
- Media laws that overregulate the media industry;
- Refusal to register organisations that work on the rights of marginalised groups; and
- Overly broad public order laws and NGO laws and the use of such laws to limit criticism of the State.

**Zambia - Malawi - Eswatini - Zimbabwe - Botswana - Tanzania - Lesotho**

# Legal Empowerment



Participatory action research on effective legal empowerment approaches in Malawi.



Training and support of health committees in Malawi prisons.



Support organisational strengthening of community-based organisations to effectively engage in advocacy and litigation.



Online legal empowerment certificate course for community-based organisations.



Regional training courses for lawyers, judges and activists.



Information and education materials for communities to report human rights violations to complaints mechanisms.



Community workshops on police abuse and detention of children.

## Research on Legal Empowerment Approaches to Reduce Impunity for Police Abuse in Malawi

SALC and CHREAA have embarked on a project to document effective legal empowerment strategies, supported by the IDRC and Namati. As part of the research, we will support documentation by empowered communities of abusive policing practices; support increased reporting of such abusive practices to internal and external accountability mechanisms; support community-based paralegals; and facilitate dialogue between marginalised communities and the police at local and national levels.



## II Sub-Granting



Provide litigation funds and technical support to organisations and lawyers in Africa who seek to challenge offences that criminalise poverty, status and activism.



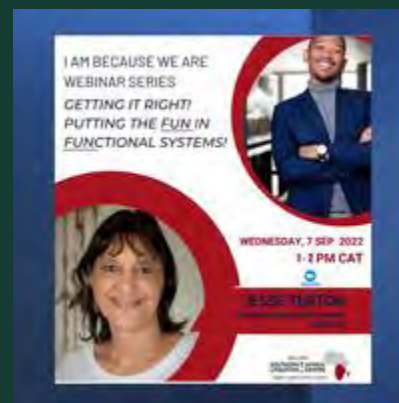
Provide small grants to nascent community-based organisations that were adversely affected by the Covid-19 pandemic and support strengthening of organisational capacity and financial resilience.



Act as fiscal host for partners under the IDRC, DRL and StopTB grants and the UN Independent Expert on Albinism.



Provide small grants to LGBTQI+ organisations engaged in advocacy towards decriminalisation.



# Our Partners



# Our Staff

**Anneke  
Meerkotter**  
Executive  
Director, SA



**Tambudzai  
Gonese-  
Majonjo**  
Deputy  
Director &  
Equality  
Cluster Lead,  
SA



**Pamela  
Timburwa**  
Operations  
Manager



**Kwenzekile  
Ngwenya-  
Masuku**  
Finance  
Director, SA



**Towera  
Sichinga**  
Sub-grants  
Manager, SA



**Adries Legae**  
Finance  
Officer, SA



**Daniel Digashu**  
Psychosocial  
Support Officer,  
LGBTI+ Sub-  
Cluster, Namibia



**Emmanuela  
Sikala**  
Researcher,  
Socio-  
Economic  
Rights Cluster,  
Zambia



**Patience  
Ndlovu**  
Office  
Assistant, SA



# Our Staff

**Brigadier  
Siachitema**  
Socio-  
Economic  
Rights Cluster  
Lead, Trainer,  
Zambia



**Chikondi  
Chijozi**  
Criminal  
Justice Cluster  
Lead, Malawi



**Luntha  
Chimbwete**  
Criminal  
Justice  
Researcher,  
Malawi



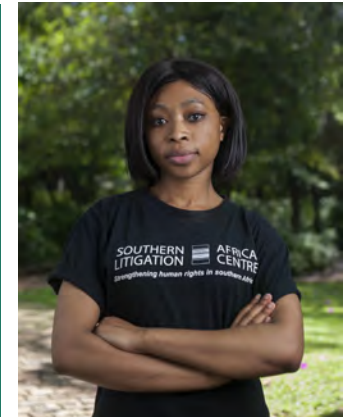
**Dr Atilla Kiska**  
International  
Justice Cluster  
Lead, Trainer,  
SA



**Anna Mmolai  
Chalmers**  
Programme  
Manager,  
LGBTIQ+ Sub-  
Cluster,  
Botswana



**Agnes Mondlane**  
Environmental  
Justice  
Researcher,  
Socio-Economic  
Rights Cluster, SA



**Melusi  
Simelane**  
Civic Rights  
Cluster Lead,  
Trainer, Eswatini



**Bradley  
Fortuin**  
Programme  
Officer,  
LGBTIQ+ Sub-  
Cluster,  
Botswana



**Thabo  
Buthelezi**  
Social Justice  
Researcher,  
Equality  
Cluster, SA



# Our Trustees

---



**ZOHRA  
DAWOOD//**

Former grantmaker, South  
Africa [term ended 2022]



**MARK  
PETERS//**

Strategy and governance  
consultant and lecturer, South  
Africa [term started 2022]



**STERNFORD  
MOYO//**

Lawyer, Zimbabwe

**ROSELYN  
HANZI//**

Executive Director, Zimbabwe  
Lawyers for Human Rights  
[term started 2023]



**BEATRICE  
MTETWA//**

Lawyer, Zimbabwe  
[term ended 2022]



**RAHIM  
KHAN//**

Lawyer, Botswana  
[term ended 2023]



**MULEYA  
MWANANYANDA//**

Director, Influence and Partnerships,  
UNAIDS, Zambia [term started 2023]



**ANNE  
RAMBERG//**

Co-chair International Bar  
Association Human Rights  
Institute, Sweden



**MARK  
ELLIS//**

Executive Director of the  
International Bar  
Association, UK

# Our Donors



The Oak Foundation funds our work on corporate accountability and international criminal justice

Sigrid Rausing Trust is a core donor.

SIGRID  
RAUSING  
TRUST



The European Union supported the Regional Out & Proud Programme.

The Robert Carr Fund, through the HIV Justice Network, supports our work on HIV criminalisation.



The Global Equality Fund, through DRL, funds our work on LGBTIQ+ rights.

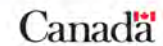
The Ford Foundation is a core donor and enables SALC to also sub-grant to CBOs.

The Regional SRHR Fund, through HIVOS, supported our work on sexual and reproductive health rights



The IDRC funds a joint research programme in Malawi on legal empowerment and police abuse.

The Wellspring Philanthropic Fund supports our work on women's land rights.



Open Society Foundations supports litigation to decriminalise poverty, status and activism.

OSF-SA supported our work on corporate accountability, impunity and expression.

OPEN SOCIETY  
FOUNDATIONS



The Stop TB Partnership, hosted by UNOPS, supports a joint legal empowerment project for prisoners in Malawi.

LexAfrica provides pro bono and financial support



# Audited Statements



Page 6

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

STATEMENT OF FINANCIAL POSITION AT 28 FEBRUARY 2023

	Note	2023 R	2022 R
<b>ASSETS</b>		<b>43 385 490</b>	<b>41 382 033</b>
<b>Non-current assets</b>		<b>334 980</b>	<b>381 887</b>
Equipment	3	334 980	381 887
<b>Current assets</b>		<b>43 050 510</b>	<b>41 000 146</b>
Accounts receivable	4	185 043	267 412
Accrued income	5	1 300 121	579 500
Cash and cash equivalents	6	41 565 346	40 153 234
<b>Total assets</b>		<b>43 385 490</b>	<b>41 382 033</b>
<b>RESERVES AND LIABILITIES</b>		<b>43 385 490</b>	<b>41 382 033</b>
<b>Reserves</b>		<b>20 635 609</b>	<b>15 703 085</b>
Accumulated funds		490 643	(606 447)
Equipment fund		334 980	381 887
Sustainability reserve	7	19 809 987	15 927 645
<b>Current liabilities</b>		<b>22 749 881</b>	<b>25 678 948</b>
Accounts payable	8	796 119	302 999
Deferred income	9	19 429 197	23 217 794
Funds managed on behalf of fiscal partners	10	2 287 007	1 890 409
Provision for leave pay	11	237 558	267 686
<b>Total reserves and liabilities</b>		<b>43 385 490</b>	<b>41 382 033</b>

Page 7

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

STATEMENT OF COMPREHENSIVE INCOME  
FOR THE YEAR ENDED 28 FEBRUARY 2023

	Note	2023 R	2022 R
<b>INCOME</b>		<b>41 095 275</b>	<b>26 520 288</b>
Grants and donations	12	39 072 870	24 685 783
Consulting income		-	60 666
Foreign exchange gain		70 308	830 301
Other income		213 955	-
Interest received	13	1 738 142	943 538
<b>EXPENDITURE</b>		<b>36 108 354</b>	<b>23 649 183</b>
Advertising		23 494	7 356
Assets expensed directly		3 940	4 746
Audit fees		50 585	51 545
Bank charges		167 199	56 305
Consultancies		144 148	85 892
Depreciation	3	192 893	223 408
Equipment rental		49 275	43 714
Insurance		38 257	29 201
Interest paid		15 161	-
IT expenses		331 360	276 306
Lawyers' fees		-	41 566
Meetings costs		137 882	33 423
Office supplies		323 116	143 965
Printing, courier and stationery		109 981	68 744
Project expenses	14	28 783 452	15 932 885
Rent, water electricity and security		1 471 699	1 049 425
Repairs and maintenance		253 422	17 437
Salaries and contributions		2 980 638	4 961 991
Subscription fees		202 854	153 565
Telephone and fax		29 671	32 997
Transport costs - local		151 046	44 293
Travel and accommodation		642 132	382 349
Workmen's compensation		6 148	8 069
<b>SURPLUS FOR THE YEAR</b>		<b>4 986 920</b>	<b>2 871 105</b>



**DIGNITY**  
**EQUALITY**  
**JUSTICE**  
**FREEDOM**



FIND US ON SOCIAL MEDIA



Southern Africa  
Litigation Centre



@Follow\_SALC



salcvideo



@salc75



@southernafricalitigationcentre



@Follow\_SALC

[www.southernafricalitigationcentre.org](http://www.southernafricalitigationcentre.org)