"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.
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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.

About SALC
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
Sex abuse perpetrated by police irks rights groups

Delayed justice affects CSOs, litigants

Judge Ntaba declares police sweeps unconstitutional

High Court okays dreadlocks for Rastafarian pupils

Government licenses 7 children’s safe homes

Free children from unlawful detention—High Court
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.
Civil Liability for Human Rights Violations

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.
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.

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
The gravity requirement inherent in ‘an other inhumane act’ is met by internal harm that impacts the body and mind of the victim, as well as external harm in the form of communal exclusion after the victim is released.

Dr. Alfia Kaba
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.

States 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.
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.

Current Sub-Grantees
Our Partners
Our Staff

Anneke Meerkotter
Executive Director, SA

Kwenzekile Ngwenya-Masuku
Finance Director, SA

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

Pamela Timburwa
Operations Manager

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

Towera Sichinga
Sub-grants Manager, SA

Adries Legae
Finance Officer, SA

Emmanuela Sikala
Researcher, Socio-Economic Rights Cluster, Zambia

Patience Ndlovu
Office Assistant, SA
Our Staff

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

Dr Atilla Kisla International Justice Cluster Lead, Trainer, SA

Melusi Simelane Civic Rights Cluster Lead, Trainer, Eswatini

Chikondi Chijozi Criminal Justice Cluster Lead, Malawi

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

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

Luntha Chimbwete Criminal Justice Researcher, Malawi

Thabo Buthelezi Social Justice Researcher, Equality Cluster, SA

Agnes Mondlane Environmental Justice Researcher, Socio-Economic Rights 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)

**Beatrice Mtetwa** // Lawyer, Zimbabwe (term ended 2022)

**Rahim Khan** // Lawyer, Botswana (term ended 2023)

**Mark Ellis** // Executive Director of the International Bar Association, UK

**Muleya Mwananyanda** // Director, Influence and Partnerships, UNAIDS, Zambia (term started 2023)

**Anne Ramberg** // Co-chair International Bar Association Human Rights Institute, Sweden

**Sternford Moyo** // Lawyer, Zimbabwe

**Roselyn Hanzi** // Executive Director, Zimbabwe Lawyers for Human Rights (term started 2023)

**Zohra Dawood** // Former grantmaker, South Africa (term ended 2022)

**Rahim Khan** // Lawyer, Botswana (term ended 2023)
Our Donors

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

Sigrid Rausing Trust is a core donor.

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 European Union supported the Regional Out & Proud Programme.

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

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.

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

LexAfrica provides pro bono and financial support.

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

**THE SOUTHERN AFRICAN HUMAN RIGHTS LITIGATION CENTRE TRUST (TRUST NO: 1 TRUST 395/200)**

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<td>Cash and cash equivalents</td>
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<td>Total assets</td>
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**RESERVES AND LIABILITIES**

| **Note** | **2023** | **2022** |
| **R** | **R** |
| Reserves | 40 385 490 | 41 382 033 |
| Accumulated funds | 490 543 | (656 417) |
| Equipment fund | 334 960 | 381 887 |
| Sustainability reserve | 18 939 983 | 15 927 445 |
| Current liabilities | 22 740 881 | 25 978 946 |
| Accounts payable | 795 116 | 302 959 |
| Deferred income | 19 429 197 | 23 717 194 |
| Provision for lease pay | 2 597 007 | 1 950 409 |
| Total reserves and liabilities | 40 385 490 | 41 382 033 |

**Statement of Comprehensive Income for the Year Ended 28 February 2023**

| **Note** | **2023** | **2022** |
| **R** | **R** |
| Income | 41 095 275 | 26 520 288 |
| Grants and donations | 39 012 810 | 24 685 193 |
| Consulting income | -- | 60 069 |
| Foreign exchange gain | 70 306 | 83 301 |
| Other income | 213 955 | |
| Interest received | 1 738 142 | 943 538 |
| Expenditure | 36 106 354 | 23 649 103 |
| Advertising | 23 494 | 3 259 |
| Assets expended directly | 3 940 | 4 746 |
| Audit fees | 50 585 | 51 545 |
| Bank charges | 167 199 | 56 320 |
| Consultancies | 144 148 | 60 852 |
| Depreciation | 3 | 51 092 |
| Equipment rental | 49 275 | 43 714 |
| Insurance | 30 287 | 28 201 |
| Interest paid | 15 161 | |
| IT expenses | 351 360 | 276 305 |
| Lawyers’ fees | 41 568 | |
| Meetings costs | 137 892 | 33 423 |
| Office supplies | 332 116 | 143 005 |
| Printing, courier and stationary | 159 581 | 58 744 |
| Project expenses | 28 763 452 | 15 932 685 |
| Rent, water electricity and security | 1 471 699 | 1 046 425 |
| Repairs and maintenance | 253 432 | 17 437 |
| Salaries and contributions | 2 990 038 | 4 961 191 |
| Subscription fees | 302 854 | 153 505 |
| Telephone and fax | 29 831 | 32 997 |
| Transport costs – local | 151 046 | 44 233 |
| Travel and accommodation | 842 112 | 382 349 |
| Women’s compensation | 6 148 | 8 009 |
| Surplus for the Year | 4 996 920 | 2 571 165 |