

**DRAFT MEMORUNDUM OF UNDERSTANDING
BETWEEN THE COMMUNITY LAW CENTRE (CLC), UNIVERSITY OF THE
WESTERN CAPE AND THE AFRICAN COMMISSION ON HUMAN AND
PEOPLES' RIGHTS (African Commission)**

The parties agree as follows:

Mandate of the Community Law Centre

The Community Law Centre (CLC), University of the Western Cape, has had observer status with the African Commission on Human and Peoples' Rights (the African Commission), since 2005. CLC has participated at various ordinary sessions of the African Commission since then at which it has presented statements on the situation of human rights in South Africa and Africa. Since its establishment in 1994, CLC has distinguished itself as one of the leading human rights research and advocacy organisations in South Africa and beyond. It is against this background that CLC signs this Memorandum of Understanding with the African Commission with the aim of putting its research and advocacy expertise at the disposal of the African Commission. CLC is made up of five projects being: Socio-Economic Rights Project; Gender Project; Civil Society Prison Reform Initiative; Local Government; and Children's Rights Project. Each of these projects has excellent research and advocacy expertise in its area of focus. This MOU will form the basis upon which subsequent detailed agreements focusing on specific issues will be concluded between the African Commission and one or more of the five CLC projects.

Mandate of the African Commission

The African Commission is empowered by the African Charter on Human and Peoples' Rights to promote and protect the rights and freedoms under the African Charter. One of the functions of the African Commission under Article 45 of the African Charter is to 'undertake studies and researches on African problems in the field of human and people's rights.' This MOU is aimed at furthering that function.

Undertakings by both parties to this MOU

The responsibility of the Secretariat of the African Commission is as follows:

1. Starting in _____ 2009, the African Commission, through its Secretariat will investigate suitable research projects falling within the scope of CLC's activities and agreed to by means of addenda to this MOU that specific research projects will be undertaken by CLC based on the availability of funding.

The responsibilities of CLC are as follows:

1. Starting in _____ 2009, CLC will provide research support to the African Commission on issues agreed to between the parties and falling within the mandate of CLC's expertise according to its five projects: Children's Rights Project, Civil Society Prison Reform Initiative, Gender Project, Local Government Project, and Socio-economic Rights.
2. The CLC will conduct comprehensive research and critical analysis of the various issues submitted to it by the African Commission.
3. CLC will ensure the confidentiality of the materials provided to it by the African Commission.
4. Depending on the nature of the research, CLC will submit to the African Commission the final version of the research results report within the agreed upon time frame.
5. After the coming into force of this MOU, CLC will send, at its own cost, three copies of each of its publications to the African Commission Headquarters in Banjul, The Gambia
6. CLC undertakes to permit researchers from the African Commission or Commissioners to use its Documentation Centre for research purposes provided that the African Commission will notify CLC within reasonable time prior to the arrival of the researcher or the Commissioners. CLC will also facilitate the African Commission researcher's or Commissioner's access to the University of the Western Cape Library.

Duration of agreement

The duration of this agreement is 5 (five) years, after which both parties will assess the agreement and make suggestions for its continuation and improvement, if both parties agree.

Contact details

For the purposes of this MOU, communication to the African Commission must be directed to:

The Secretariat
African Commission on Human and People's Rights
48 Kairaba Avenue,
P.O.Box 673
Banjul
The Gambia.

Tel: (220) 4392 962, 4372070, 4377721 – 23
Fax: (220) 4390 764

For the purposes of this MOU, communication to the CLC must be directed to:

The Director
Community Law Centre
University of the Western Cape
Private Bag X 17
Bellville, 7535
South Africa
Tel: (27) 21-959 2950
Fax: (27) 21 959 2411

SIGNED _____

For and on behalf of the African Commission

On the ____ day of _____ 2009 at _____.

SIGNED _____

For and on behalf of CLC

On the ____ day of _____ 2009 at _____.