

Friends of Community Law Centre

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Note from the Editor

Dear Friends,

The Centre welcomes you to the third issue! The second semester is almost half way over and the students from the University of Pretoria's class of 2007 have settled into a rhythm of juggling course work commitments and completing their dissertations.

This year the students at CLC are Rino Kamidi (Democratic Republic of Congo), Mizanie Tadesse (Ethiopia), Tikikel Alemu (Ethiopia), Akinola Akin-tayo (Nigeria) and Douglas Singiza (Uganda). We wish the class of 2007 best wishes as they produce high quality research in the area of human rights and democracy in Africa.



Class of 2007

A special call is made to our Friends to submit articles to the newly launched Malawian Law Journal before 15 November. For more details about this journal and who to contact, read page 4.

Best wishes and please stay in touch.

Regards
Jill Claassen

News and events

New Staff

The Centre welcomed two new staff members to the Socio-Economic Rights Project in May and August respectively, Mr Siyambonga Heleba (researcher) and Mrs Renchia Du Plessis (administrator). The Project bid farewell to Ms Unathi Mila (administrator) who had been awarded a scholarship to complete her post graduate studies full time. We wish her well in her endeavours.



The Centre also welcomes Jody Bevie as the bookkeeper. Some of you might already know her as she has been with the Centre for the last two years.

Project News

Children's Rights Project has assisted in designing a poster on **Children Used by Adults to Commit Crime (CUBAC)**. This poster has been distributed to children's courts and police stations in South Africa so as to make the public more aware of this crime. The Project has also completed the **Final Report on Pilot Programme Implementation**, which constitutes the narrative account of the implementation of the pilot programmes on children used by adults to commit crime (CUBAC). [Download this Report](#) from the Children's Rights Project.



Civil Society Prison Reform Initiative (CSPRI) hosted a seminar releasing the plain language summary of the Jali Commission's final report on 4 June 2007 in Cape Town. The seminar was well attended and received significant media attention. The full report of the Jali Commission (corruption in prisons) is a lengthy document, some 1800 pages long. It's assumed that only the most dedicated researchers and officials will read and study it in its entirety. CSPRI hopes that the summarised version of the report will draw more readers and encourage discussion and debate on key recommendations made by the Commission.

CSPRI has also held three training workshops with civil society organisations on 8-19 July (Durban), 25-26 July (Port Elizabeth) and 7-8 August (Bloemfontein). The workshops focused on prisoners' rights, parole, the prevention of torture and dealing with prison corruption. The workshops involved approximately 60 participants from civil society.

The **Gender Project** launched the website on Gender-based Violence and HIV/AIDS in Southern Africa. The aim of the website is to create awareness of the links between gender-based violence and HIV/AIDS, and to encourage the exchange of information and resources between organisations working in this field in Southern Africa. The aim of the website is to provide a platform for debate about contentious issues such as the compulsory HIV testing of sexual offenders, the criminalization of harmful HIV-related behaviour and related topics. In addition, you can access and download the Project's newsletter, [Iminyango](#). The website is <http://www.gbvhiv.org.za/>



Dr Jaap de Visser, from the **Local Government Project**, was commissioned by the Department of Provincial and Local Government to produce a discussion document, outlining the key challenges in local government. This document formed the basis for the Minister of Provincial and Local Government's announcement of a public participation process towards reviewing local government. According to the Minister, "There is a need to optimise the impact of our system of provincial and local government system and to improve and strengthen the coordinated actions of national, provincial and local government in key areas of delivery" [taken from the [Policy Process: Provincial and Local Government](#)].

Project News (cont.)

The long awaited textbook, **Local Government in South Africa** has been finalised and is expected to be published in November 2007. This textbook, written by Prof Nico Steytler and Dr Jaap de Visser, will be a loose-leaf publication, which will be updated annually.

The **Socio-Economic Rights Project** is currently involved in two *amicus*: old age pension and eviction of housing.

Old Age Pension case: *Christian Roberts and Others v Minister for Social Development and Others* (Case No: 32838/2005) (T). The applicants (4 men) argue that section 10 of the Social Assistance Act 2004 and Regulation 2(1) thereto, are unconstitutional for they require men to attain the age 65 to access social grant, as opposed to women who access it at 60. The differentiation is based on sex and age, two of the prohibited grounds of discrimination listed in section 9(3) of the constitution 1996. The case will be heard on 11 and 12 of September 2007 at the Pretoria High Court.

Evictions case: The Inner City case arose from evictions carried out from buildings the City considers to be "bad buildings" by the City of Johannesburg. This is in pursuit of its City Regeneration Strategy aimed at revamping Johannesburg and putting it on the map as a world class city. The problem, however, is that no provision has been made for the poor people evicted from these buildings who are left homeless as a result. In the Constitutional Court, the applicants, as supported by a number of organisations, including the Community Law Centre, are arguing that unless alternative accommodation is made available for the occupants of the so called bad buildings, any evictions would violate the housing rights of such people. This is in addition to violating their human dignity by violating their living space and rendering them homeless. The Court has reserved judgment.



Team representing the *Amicus* at the

Centre's Publications

New issues of **Article 40**, **Article 19**, **Iminyango**, **30 Days/Dae/Izinsuku**, **Local Government Bulletin** and **ESR Review** are now available on the Centre's website. Spend some time perusing these lay journals.



News about Friends



Christopher Mbazira ('03) will be awarded his PhD at the spring graduation ceremony on 20 September 2007. Chris' topic was *Enforcing the economic, social and cultural rights in the South African Constitution as justiciable individual rights: the role of judicial remedies*. We are very proud of your latest achievement, Chris!

Danwood Chirwa ('01) is the founder and the editor-in-chief of the Malawian Law Journal.

Benson Chinedu Olugbuo ('03) got married on 25 August 2007 and brought his new wife, Susan, to South Africa on honeymoon, including a visit to CLC. Benson has been working for the Coalition for the International Criminal Court since 2004.

Benyam Mezmur ('04) and **Lilian Chenwi ('02)** attended an "Advanced Course on the Protection of Human Rights" at the Institute for Human Rights, Abo Academy University, Turku, Finland, from 13-24 August. The course aimed at providing an analysis of the system of international human rights protection in the light of contemporary problems & relevant case law. **Tesfamichael Negash ('06)** was also at the course. He is currently working at the International Criminal Court, The Hague as an intern.

Friends' News (cont.)

Yonatan T. Fessha ('04) is currently at the Institute of Federalism's Summer University in Switzerland. This is an annual three week course on the topic of "Federalism, Decentralisation and Diversity". The Nineteenth Session, with the theme "**Federalism, Constitutionalism, and Democratic Governance in Multicultural Societies**," will take place from 27 August to 14 September. There are 39 students from 27 countries participating this year.

Jamil Mujuzi ('04) will visit the Institute for Human Rights, Abo Academy University from 15 October to 15 December 2007. During this period, he will be carrying out research on life imprisonment in international law.

Maurice K. Ndri ('06) has returned to his job as magistrate, Tribunal of BOUAFLE, Ivory Coast.

We need your help

Articles needed for a new African Law Journal

The Malawi Law Journal (MLJ) is a peer reviewed academic journal that publishes cutting edge, original and previously unpublished work. It is published bi-annually in June and December. Submissions must be received by 15 November for the June issue, and by 15 May for the December issue.

The MLJ was founded in February 2007 primarily to address the shortage of academic and practice-oriented literature on legal developments and the law practice in Malawi and Southern Africa in general. It publishes articles that explore the interface, tension and congruence between law, human rights, democracy, and development in Malawi and other developing countries, especially those from Africa. It also accepts submissions analysing recent judicial decisions, new legislation and current law reform proposals in the region. Articles of a comparative nature, which are locally relevant, and those dealing with current legal issues of regional importance are considered.

A Reminder ...

If you have access to Local Government legislation in the countries in Africa, please email, fax or post it.

The Civil Society Prison Reform Initiative (CSPRI) would also like to build up their legislation with regards to prison laws. If any of you have access to copies of prison laws in the SADC region, please let me know.

If you would like to write an article for the Projects' lay journals, please contact the various people concerned:

Article 40 – Ms Jacqi Gallinetti

Article 19 – Ms Daksha Kassan

CSPRI Newsletter – Mr Lukas Muntingh

Iminyango – Ms Helene Combrink

Local Government Bulletin – Mr Reuben Baatjies

ESR Review – Mr Sibonile Khoza

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