



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Law

Fakulteit Regsgeleerdheid
Lefapha la Molao

2016 TuksLaw e-News

July — December 2016



Dear alumni, donors, friends, students and staff of the Faculty

2016 has been a rather tough year in higher education.

However, we are happy to report that the University was able to conclude the 2016 academic year successfully despite the challenges it faced. It is important to acknowledge our partners, alumni, staff, students and parents/guardians for their support during this period of instability.

As our newsletter reflects, we are nonetheless proud to confirm that our staff and students continued to excel in core academic endeavours in teaching, research and moot court competition, both at national and international level.

We wish our graduates farewell and congratulate them on the completion of their LLB degrees — a result of our staff's commitment to teaching and learning and our students' commitment to their studies. We wish them well and much success in their future careers!

Our appreciation to you all for your loyalty and support.

Prof André Boraine

Dean: Faculty of Law
University of Pretoria

Season's Greetings • Feestydgroete • Madume a Sehla

Make today matter

Articles:

December 2016

Celebrating 30 years of human rights education in Africa

During 2016, the Faculty of Law Centre for Human Rights celebrated its 30th anniversary, coinciding with the entry into force of the most important human rights treaty on the continent, the African Charter on Human and Peoples' Rights. This year is also the African Union's Year of Human Rights (with a focus on women's rights) as well as the 20th anniversary of the South African Constitution.

Law Clinic wins Yousif Badri Civic Engagement International Prize

The Faculty of Law at the University of Pretoria is proud to announce that its Law Clinic has been awarded the Yousif Badri Civic Engagement International Prize (YBCEIP) by the Afhad University for Women in Sudan.

Research review 2015 published

The recently published UP Research Review 2015 illustrates the importance of our claim at UP that research matters.

History made in Addis Ababa as the African Protocol on Disability is validated

The past ten years have ushered in a new sense of urgency in efforts to change the quality of life of persons with disabilities in Africa. The African Union and its agencies have made various efforts towards ensuring the rights of persons with disability including through developing an Africa-specific protocol for persons with disabilities.

HIV and discrimination: Lesbian, gay, bisexual, transgender and intersex persons and their unique HIV vulnerabilities in SA

On World Aids Day 2016, Geoffrey Ogwaro from the Centre for Human Rights at UP writes about levelling the plane for all vulnerable groups in South Africa in terms of disparities that fuel the discriminatory regime of HIV and Aids care.

Harmonising the legal environment for adolescent sexual and reproductive health and rights

A research project by researchers at the Centre for Child Law in collaboration with Enterprises UP, examined laws, policies and related sources that impact adolescent sexual and reproductive health and rights in 23 African countries.

Call to Action to end rights abuses against persons with albinism in Africa

Violence and discrimination against persons with albinism as well as trafficking and cross-border sale of their body parts continues to be a worrying trend on the continent.

November 2016

Dr Gustav Muller recipient of Faculty's 2016 teaching award

A proud Dr Gustav Muller in the Department of Private Law at the Faculty of Law of the University of Pretoria recently received the Faculty's teaching award for the 2016 academic year.

Centre for Human Rights hosts training for government, police, NHRIs and activists on the human rights of sexual minorities in Africa

The Sexual Orientation and Gender Identity and Expression Unit (SOGIE) of the Centre for Human Rights conducted a 'Sexual minority rights in Africa training and dialogue' from 23 to 25 November 2016 in Pretoria.

Deans host hearty send-off for the 2016 LLB class

Deans André Boraine and Anton Kok hosted a hearty send-off for the 2016 LLB class of the Faculty of Law at the University of Pretoria.

TuksLaw sole South African university to be represented on the African Mining Legislation Atlas' PIC

The Faculty of Law at the University of Pretoria is proud to announce that, following a competitive round, the University of Pretoria (in particular the Faculty of Law) has been selected as the sole South African university to be represented on the African Mining Legislation Atlas (AMLA) Project Implementing Consortium (Project Implementing Consortium (PIC)).

Centre for Human Rights hosts Fourth African Disability Rights Moot Court Competition

From 7 to 10 November 2016 the Centre for Human Rights, with the support of Open Society Foundations, hosted the Fourth African Disability Rights Moot Court Competition. Participants from the Network of Law Schools Disability Rights Programme participated in the fourth edition of this competition.

TuksLaw lecturer authors book on 'Real Security Law'

A senior lecturer in the Department of Mercantile Law, Dr Reghard Brits, has recently published a scholarly monograph in the field of property and credit law, titled "Real Security Law" as part of Juta's Property Law Library.

Youngest ever TuksLaw doctorate awarded

TuksLaw alumnus Emile Zitzke successfully defends his doctoral thesis earlier in November, setting the record for the youngest person to obtain a Doctor of Laws (LLD) degree in the Faculty.



Promotions in academic rank

Three TuksLaw staff members are promoted to the rank of associate professor: Jacolien Barnard, Hermie Coetzee (Department of Mercantile Law) and Philip Stevens (Department of Public Law).

Week of mourning for the demise of the SADC Tribunal

Instead of celebrating the 11th anniversary of this progressive mechanism, we mourn its demise.

Trump's victory is bad for Africa and for global stability

Professor Danny Bradlow, SARChI Professor of International Development Law at the University of Pretoria, writes about the recent Trump victory in the United States and what this could mean for Africa in an article published in *The Conversation*.

Professor Birgit Kuschke a member of Principles Drafting Committee of Transnational Insurance Law

Professor Birgit Kuschke, from the Department of Private Law in the Faculty of Law at the University of Pretoria, was invited to serve as one of only 15 principle members of the International Drafting Committee of the universal Principles of Reinsurance Contract Law, under the auspices of the University of Zürich, Switzerland.

Centre for Human Rights co-published litigation and advocacy tool on harmful practices with a focus on female genital mutilation and child marriages

The Centre for Human Rights, University of Pretoria and Equality Now, in collaboration with the Solidarity for African Women's Rights Coalition developed a tool on harmful practices: Litigation and Advocacy Tool: Litigating cases of harmful practices with a focus on female genital mutilation and child marriages.

In memoriam: Professor André J van der Walt (1956 – 2016)

The Faculty of Law of the University of Pretoria has learnt with great sadness of the passing of one of its Extraordinary Professors, André (AJ) van der Walt, one of the greatest legal minds in South Africa and internationally. The Faculty's staff and students extend their deepest condolences to his family and friends.

Impressive NRF ratings for law lecturers

The Faculty of Law of the University of Pretoria is proud to announce that Professor Dire Tladi in the Department of Public Law at the Faculty of Law of the University of Pretoria has been re-elected by 153 votes on Thursday, 3 November 2016, as Special Rapporteur of the United Nations International Law Commission (ILC) for the topic Jus Cogens.

October 2016

TuksLaw hosts 10th Anniversary Commemorative Regional Conference of the Africa Chapter of the International Association of Refugee Law Judges

To celebrate the Africa Chapter's 10th anniversary a Commemorative Regional Conference was hosted in collaboration with the Centre for Human Rights from the University of Pretoria (UP) and UNHCR from 24 to 28 October 2016 in Pretoria.

Expert in Law of Contract, Professor Birgit Kuschke, is of the opinion that 'continuance of Tshwane's PEU smart meter contract is undue and not in public interest'

Although the City of Tshwane is still paying R4.6 million a day in terms of the cancellation clause in the agreement with smart electricity meter contractor PEU, Professor Birgit Kuschke, a contract law expert in the Department of Private Law of the

Faculty of Law at the University of Pretoria is of the opinion that it is 'unacceptable and confusing' why the City of Tshwane, now under control of the DA, is still entangled in and making payments in terms of the R950m contract.

Withdrawal from the ICC: A sad day for South Africa and Africa

Prof Magnus Killander, Head of Research at the Centre for Human Rights at the University of Pretoria, discusses South Africa's withdrawal from the Rome Statute which established the International Criminal Court (ICC) in an article that recently appeared on *The Conversation*.

Professor Ann Skelton comments on a UN decision that SA's children need their own commissioner

Professor Ann Skelton, The Director of the Centre for Child Law in the Faculty of Law at the University of Pretoria, recently commented on a United Nations decision that South Africa's children need their own commissioner.

New Public Protector has to allay apprehensions

If some concerned South Africans still view Busisiwe Mkhwebane's appointment with some apprehension, it would be up to her to set suspicious minds at ease. Regrettably, there indeed seems to be some cause for caution.

25th African Human Rights Moot Court Competition hosted at the Constitutional Court of South Africa

The final round of the 25th African Human Rights Moot Court Competition was held at the Constitutional Court of South Africa on 8 October 2016.

September 2016

Faculty hosts 2nd University of Pretoria International Consumer Law Conference (UPICLC)

The Department of Mercantile Law's Consumer Law Cluster successfully hosted an international conference from 20 to 22 September 2016, themed "Towards Aligning Consumer Protection in a Global Consumer Market".

Law House rises to the top in the Annual Faculty House Awards

The 2015/16 Law House Executive Committee walked away with the laurels: they received the Professional Development Award, the Faculty Involvement Award, the Extra-curricular Activities Award and, to top it all off, the Faculty House of the year award for 2016.

Centre for Human Rights hosts training for LGBTI human rights defenders

The failure of domestic law makes it important that the avenues of international law be explored. To achieve this objective, the Centre for Human Rights, University of Pretoria hosted a training programme for LGBTI human rights defenders on making effective use of the United Nations and African human rights systems.

The changing role of central banks and what South Africans should look out for

Professor Danny Bradlow, SARChI Professor of International Development Law and African Economic Relations at UP, recently spoke to *The Conversation* Africa about the changing role of central banks and what South Africans should look out for.

Colloquium on 'Unmet adolescent sexual and reproductive needs in the African Region: What can human rights do?'

The Centre for Human Rights hosted a colloquium on adolescent sexual and reproductive rights. The colloquium, which focused on the theme 'Unmet adolescent sexual and reproductive needs in the African region: What can human rights do?' was part of scholarly activities celebrating the Centre's 30th anniversary.

August 2016

Advanced Human Rights Courses (AHRC) celebrates 30th anniversary of the Declaration on the Right to Development

The Advanced Human Rights Courses Programme (AHRC) held its annual short course on the right to development between 22 and 26 August 2016. The course aims to explore the content and scope of the right to development as enshrined in Article 22 of the African Charter as well as explore the challenges and opportunities of other international instruments in relation to development.

IDLU hosted a public lecture by Dr Andreas Dombret, Member of the Executive Board of the Deutsche Bundesbank

The International Development Law Unit in the Centre for Human Rights, in collaboration with the ABSA Chair in Banking Law, Faculty of Law and the Economics Department, Faculty of Economics and Management Sciences at the University of Pretoria and the South African Institute for International Affairs hosted a public lecture by Dr Andreas Dombret, Member of the Executive Board, Deutsche Bundesbank.

CHR hosts focus group meeting on the development of Guidelines on Access to Information and Elections

The Centre for Human Rights, in collaboration with the Special Rapporteur on Freedom of Expression and Access to Information in Africa Commissioner Pansy Tlakula, recently held a focus group meeting on the development of Guidelines on Access to Information and Elections.

UP PhD student selected for Dutch Visitors Programme for young future leaders

The Centre for Human Rights in the Faculty of Law at the University of Pretoria is proud to announce that Mr Josua Loots has been selected to participate in the fifth official Dutch Visitors Programme (DVP).

African Human Rights Court celebrates 10 years at Centre for Human Rights

Justice Bernard Ngoepe, the first and as yet only South African to have served as a Judge on the African Court on Human and Peoples' Rights (African Human Rights Court), recently lamented the lack of knowledge, awareness and interest among South African lawyers, and the public more generally, of this Court.

Possibility of electoral systems reform in South Africa discussed

The Centre for Human Rights, in collaboration with the Centre for Constitutional Rights and supported by the Konrad Adenauer Foundation, hosted a discussion on the theme 'The South African electoral system: time to revisit the Van Zyl Slabbert Report?'

Looking to hire a law student or have vacation work opportunities available?

Please allow TuksLaw to assist with your recruitment efforts. Complete our [online form](#) for prospective employers, submit your recruitment advertisement electronically, and we shall gladly distribute your calls for applications in the Faculty. Or contact Vuyisile.Smith@up.ac.za if you wish to participate in our annual Law Career Day.

July 2016

TuksLaw student wins 2015 Ismail Mahomed Law Reform Essay Competition

TuksLaw student Aadelah Shaik Yakoob is the winner of the South African Law Reform Commission's (SALRC) 2015 Ismail Mahomed Law Reform Essay Competition in the LLB category.

Mining Resilience Research Centre established at the University of Pretoria

The newly established Mining Resilience Research Centre will focus on multi-disciplinary research activities in the mining industry and developing lasting partnerships with leading international role players.

Centre for Human Rights honours Nelson Mandela at UN headquarters in Geneva

The 8th Nelson Mandela World Human Rights Moot Court Competition hosted in Geneva, Switzerland. For the past seven years, the competition was held in December to coincide with International Human Rights Day. From 2016 onwards the competition will be held on and around 18 July to celebrate the birthday of late South African President Nelson Mandela.

Centre for Human Rights regrets South Africa's global renunciation of domestic protection for sexual minorities

The Centre for Human Rights notes with regret that the South African government did not support the recent establishment of a United Nations watchdog to monitor and report on violence and discrimination world-wide against persons based on their sexual orientation and gender identity.

TuksLaw alumna a Mandela Washington Fellow in 'the cradle of liberty'

TuksLaw alumna Lechani Wothe selected as a member of the Mandela Washington Fellowship.

