



## AGENDA

### SOUTHERN AFRICA SOCIO-ECONOMIC RIGHTS CAMP: ECONOMIC, SOCIAL AND CULTURAL RIGHTS ADVOCACY AND LITIGATION IN SOUTHERN AFRICA

BIRCHWOOD HOTEL, JOHANNESBURG, 30 AUGUST – 2 SEPTEMBER 2010

#### DAY ONE: 30 AUGUST 2010

8:30 - 9.00 Arrival and Registration of Delegates

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#### SESSION ONE: OPENING CEREMONY

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Session Chair: Martin Okumu-Masiga, Senior Legal Adviser

9.00 - 9.30 Welcome Address and Introduction of ICJ: Arnold Tsunga, Director, ICJ Africa Regional Programme

9.30 - 10.00 Introduction of OSISA and of the Symposium: Deprose Muchena, OSISA Deputy Director

10.00 - 10.30 Key Note Address by Prof N Barney Pityana, Principal and Vice-Chancellor of the University of South Africa

*"The Realization of Economic, Social and Cultural Rights in the SADC Region: Using the Rule of Law as an Instrument of Effective Advocacy and Litigation"*

10.30 - 10.45 Vote of thanks followed by Group Photo Session

10:45 - 11.00 **TEA BREAK**

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#### SESSION TWO: ECONOMIC, SOCIAL AND CULTURAL RIGHTS UNDER INTERNATIONAL HUMAN RIGHTS LAW

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Session Chair: Justice Unity Dow, ICJ Commissioner

11.00 - 11.30 **Conceptual and International Legal Framework for the Protection of Economic, Social and Cultural Rights** –Professor Michelo Hansungule, Centre for Human Rights, UP & ICJ Commissioner

11.30 - 12.00 **Economic, Social and Cultural Rights in the African Regional System: Opportunities for Litigation and Advocacy by Human Rights and Social Justice Organisations** – Commissioner Mumba Malila, Deputy Chairperson, African Commission on Human and Peoples' Rights

12.00 - 12.30 **Protection and Promotion of Socio-economic Rights in the SADC Legal and Institutional Framework: Issues, Challenges, and Opportunities**, Justice Charles Mkandawire, Registrar of the SADC Tribunal and ICJ Commissioner

12.30 – 13.30 **DISCUSSION AND EXPERIENCE SHARING**

13.30 - 14.30 **LUNCH BREAK**

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#### SESSION THREE: REGIONAL ADVOCACY AND LITIGATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS: PRACTITIONERS' EXPERIENCES

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Session Chair: Irene Petras, Zimbabwe Lawyers for Human Rights

- 14.30 - 15.00 **Litigating Economic, Social and Cultural Rights Before the African Commission on Human and Peoples' Rights: From the selection of cases to the implementation of rulings: Issues, Challenges and Strategies** - Ms Angela Naggaga, Institute for Human Rights and Development in Africa
- 15.00 - 15.30 **Litigating Economic, Social and Cultural Rights before the SADC Tribunal: Issues, Challenges and Possible Strategies** - Norman Tjombe, Legal Assistance Centre
- 15.30 - 16.00 **Triggering and Building up Regional and Social Support for an Economic, Social and Cultural Right Litigation and Advocacy** - Roshnee Narrandes, OSISA Policy and Advocacy Manager
- 16.00 - 17.00 **DISCUSSION AND EXPERIENCE SHARING**
- 17.00 - 17.30 **HOUSEKEEPING AND CLOSE OF DAY ONE**

*DAY TWO: 31 AUGUST 2010*

**SESSION FOUR:  
DOMESTIC IMPLEMENTATION OF SOCIO-ECONOMIC RIGHTS: CHALLENGES AND OPPORTUNITIES**

Session Chair: Sandra Ratjen, Senior Legal Adviser, ECOSOC Rights, ICJ

- 9.00 - 9.30 **Domestic Implementation of Socio-economic Rights with a Specific Focus on South Africa: Mechanisms, Challenges and the Role of Civil Society Organisations** - Dr Christopher Mbazira, Faculty of Law, Makerere University
- 9.30 - 10.00 **Courts and the Enforcement of Socio-economic Rights: Centralising the Role of Civil Society Organisations** - Christian Courtis, Program Officer, OHCHR
- 10.00 - 10.30 **Budget Analysis and Monitoring for the Realisation of Socio-Economic Rights: Indicators, Benchmarks and Opportunities for Human Rights and Social Justice Advocates** – Dr Jackie Dugard/ Advocate Stuart Wilson, Centre for Economic, Social and Cultural Rights
- 10.00 - 11.00 **DISCUSSION AND EXPERIENCE SHARING**
- 11.00 - 11.15 **Tea Break**
- 11.15 - 11.45 **Capitalism, the Privatisation of Basic Social Services and the Implementation of Socio-Economic Rights: Challenges and Advocacy Strategies for Human Rights and Social Justice Actors** - Professor Patrick Bond, Director Centre for Civil Society, University of Kwazulu Natal
- 11.45 - 12.15 **Reform Programmes and the Protection of Economic, Social and Cultural Rights: The case Studies of Zimbabwe and South Africa** - Professor Shadrack Guto, UNISA
- 12.15 - 12.45 **Challenges and Opportunities for the Protection of Workers' Rights in Southern Africa**, Mr Bongani Masuku, COSATU
- 12.45 – 13.45 **DISCUSSION AND EXPERIENCE SHARING**
- 13.45 – 14.45 **LUNCH BREAK**

**SESSION FIVE:  
CHALLENGES TO DOMESTIC IMPLEMENTATION OF SOCIO-ECONOMIC RIGHTS**

Session Chair: Louise Olivier, OSISA Law Programmes Manager

- 14.45 - 15.15 **Litigation of Socio-economic Rights, with a specific focus on the right to health and HIV/AIDS: Tools, Challenges and Strategies for CSOs** - Priti Patel, HIV/AIDS Project Lawyer, Southern African Litigation Centre
- 15.15 – 15.45 **The Right to Education in the Southern Africa: Challenges and Strategies for an Effective Litigation and Advocacy** - Mr Salim Vally, University of Johannesburg

- 15.45 – 16.15 **Mainstreaming Gender and Children’s Needs in the Promotion and Protection of Socio-economic Rights in the SADC region: Challenges and Advocacy Strategies:**  
Advocate Elize Delpont, Gender Consultant - Centre for Human Rights
- 16.15 - 17.15 **DISCUSSION AND EXPERIENCE SHARING**
- 17.15 - 17.30 **HOUSEKEEPING AND CLOSE OF DAY TWO**

**DAY THREE: 1 SEPTEMBER 2010**

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**SESSION SIX:  
 DOMESTIC IMPLEMENTATION OF SOCIO-ECONOMIC RIGHTS: CHALLENGES AND  
 OPPORTUNITIES (CONT)**  
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Session Chair: Obiageli Oraka, Programmes Lawyer, West African Bar Association

- 9.00 - 9.30 **Challenges to an Adequate Standard of Living including Housing, Food and Water in the SADC: Tools, Challenges and Strategies for Civil Society Organisations -**  
Sandra Ratjen, Senior Legal Adviser, ECOSOC Rights, ICJ
- 9.30 - 10.00 **Development Initiatives and the Protection of Socio-economic Rights: The case of the Lesotho Dam Project - Thuso Ramabolu -** Transformation Resource Centre
- 10.00 - 10.30 **Access to Water and Protection of the Economic, Social and Cultural Rights of Indigenous Peoples in Botswana: Challenges and Opportunities -** Justice Bethuel Oagile Dingake, High Court of Botswana
- 10.00 - 11.00 **DISCUSSION AND EXPERIENCE SHARING**
- 11.00 - 11.15 **Tea Break**

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**SESSION SEVEN:  
 BUSINESS ENTITIES AND THE IMPLEMENTATION OF ECONOMIC, SOCIAL AND  
 CULTURAL RIGHTS**  
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Session Chair: Elijah Munyuki

- 11.15 - 11.45 **Obligations of Business Entities in Respect of Economic, Social and Cultural Rights -** Professor Michelo Hansungule, Centre for Human Rights, UP
- 11.45 - 12.15 **International Law, National Sovereignty and Access Rights in Relation to Mineral Resources in Southern Africa -**Fui Tsikata, Faculty of Law, University of Ghana
- 12.15 – 12.45 **Ensuring a Greater Responsibility and Accountability of Corporate Entities for Effective Protection of Economic, Social and Cultural Rights in the SADC Region –**  
Dr David Bilchitz, Director, SAIFAC & Associate Prof, University of Johannesburg
- 12.45 – 13.45 **DISCUSSION AND EXPERIENCE SHARING**
- 13.45 – 14.45 **LUNCH BREAK**

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**SESSION EIGHT:  
 WAY FORWARD**  
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- 14.45 - 16.45 **Developing Common Strategies for Effective and Strategic Advocacy for and Litigation of Socio-economic Rights and Drafting a Declaration and Plan of Action on ‘Enforcement of Socio-economic Rights in the SADC Region’**  
  
Facilitator: Arnold Tsunga, Director, ICJ Africa Programme
- 17.15 - 17.30 **HOUSEKEEPING AND CLOSE OF DAY THREE**

**DAY FOUR: 2 SEPTEMBER 2010**

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**SESSION NINE:  
CLOSING CEREMONY**

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**Session Chair:** Martin Masiga, Senior Legal Adviser, International Commission of Jurists (ICJ)

- 9.00 - 9.30      **Guest speech 1: ‘The South African Foreign Policy and the Realisation of Socio-Economic Rights in Southern Africa: Advocacy opportunities for Civil Society Organisations’**
- By Mr Pitso Motswedi, Director, Human Rights and Humanitarian Affairs, South African Department of International Affairs and Cooperation
- 9.30 – 10.00      **Guest Speech 2: “Effective Realisation of Socio-Economic Rights in the SADC Region: Bridging the Gap between Human Rights and Social Justice Advocates”**
- By Deprose Muchena, OSISA Deputy Director & Economic Justice Programme Manager
- 10.00 - 11.00      **Adoption of a Declaration and Plan of Action on ‘Effective Enforcement of Socio-economic Rights in the Southern Africa’**
- 11.00 - 11.30      **Closing Remarks**
- Sisonke Msimang, OSISA Executive Director
- Arnold Tsunga, ICJ Africa Programme Director
- 11.30 - 13.00      **Farewell Lunch**
- 13.00              **Departure**