

It will be the first time that the issue of witchcraft-related beliefs and practices and the human rights violations it spurs in many cases, will be addressed in depth and systematically at the international level. The phenomena of witchcraft are complex and yet affect thousands of vulnerable people yearly, including, and going beyond, persons with albinism. Consequently, I will work with various experts on the issue to start to create a working understanding, including definitions and measures that might assist governments in tackling impunity around these violations and that mandate-holders such as myself and other experts make on the issue.

A third achievement is the country visits that, to date, have been made to three countries. These include assessment trips to Malawi, Mozambique and Tanzania. The visits have been very fruitful in engaging government on the issue and in discovering more cases of attacks, gathering facts and [identifying] patterns in correlating issues such as the trafficking of body parts of persons with albinism.

#### **What would you like to be remembered for after your tenure as the Independent Expert on the enjoyment of human rights by persons with albinism?**

I hope I leave with no attacks happening [anymore], or with the last one that was last heard of having happened long before I left. I also hope that concrete and sustainable steps are put in place to prevent and treat skin cancer in all affected countries, as the condition kills far more persons with albinism than the attacks being reported. I also look forward to ample awareness-raising and self-education for persons with albinism themselves, so that the condition will be less of a novelty and more of a condition of life.

Furthermore, I hope that persons with albinism would be far more empowered to engage with both their governments and the international community in advancing their socio-economic rights and participation in public affairs. I also hope significant inroads would have been made to address and stamp out the root causes of attacks, particularly witchcraft-related beliefs and practices which have spurred the attacks.

#### **Would you want to share any thoughts with African governments on the way forward?**

Political will and support are only one side of the coin; implementation is the key for real change in the lives of people. In this regard, there is much more to be done. I would like to reassure African governments that the situation of persons with albinism is one which can be successfully improved over a relatively short period of time.

With estimates of 1 in 1,500 to 1 in 15,000 persons with the condition in the sub-region, quality service to this group is manageable and deliverable at relatively low cost. Their comparatively small number should persuade, not dissuade, an investment of resources. African governments will do well to see the issue for what it is: a litmus test of their commitment to all human rights for those in vulnerable situations. Some excerpts of this article have been taken from her report to the UN General Assembly (2017, to be

published), and from her article in Women's Rights in Africa, 'Persons with albinism, in particular women'. For more, read: >[http://www.ohchr.org/Documents/Issues/Women/WRGS/WomensRightsinAfrica\\_singlepages.pdf](http://www.ohchr.org/Documents/Issues/Women/WRGS/WomensRightsinAfrica_singlepages.pdf).

#### **References**

'People with albinism: not ghosts, but human beings' available at <http://albinism.ohchr.org>

The Regional Action Plan on Albinism in Africa (Regional Action Plan), available at <http://www.ohchr.org/EN/Issues/Albinism/Pages/AlbinismInAfrica.aspx>

Resolution on the Regional Action Plan on Albinism in Africa (2017-2021) - ACHPR/Res. 373 (LX) 2017, available at <http://www.achpr.org/sessions/60th/resolutions/373/?prn=1>

'Experts workshop on witchcraft and human rights' available at <http://www.ohchr.org/EN/Issues/Albinism/Pages/Witchcraft.aspx>

The first report of the Independent Expert on the enjoyment of human rights by persons with albinism (18 January 2016) UN Doc A/HRC/31/63.

Report of the Special Rapporteur on the rights of persons with disabilities on her visit to Zambia (19 December 2016) UN Doc A/HRC/34/58/Add. 2, para 28.

## 3 Events

#### **Workshop unpacks issues around women's involuntary sterilisation in South Africa**

In commemoration of Women's Month, the Socio-Economic Rights Project (SERP) convened a one-day Stakeholders Engagement Workshop on 7 August 2017 on involuntary sterilisation of women in South Africa as gender-based violence.

Although South Africa has developed policies that address the practice of involuntary sterilisation, what is missing is a framework that recognises and links it to vulnerability and gender-based violence as well as to the proper enforcement of policies.

The workshop brought together a cross-section of stakeholders to address the issue of involuntary sterilisation of women holistically as a human rights violation. Participants included representatives of relevant government departments, the medical profession, public health practitioners, Chapter 9 institutions, local community leaders, and members of academia and civil society organisations active in women's rights.

Adopting an interdisciplinary approach, the workshop aimed to broaden understanding of, and highlight issues around, involuntary sterilisation, create awareness, and galvanise the process of advocacy and policy change.

One of the key points made at the workshop was that there is a crucial need for human rights training for health practitioners and community members

on the sexual and reproductive health and rights of women; likewise, there is a need to redefine ‘consent’ in the context of procedures such as sterilisation and view it as a ‘process rather than an event’.

Participants also expressed strong views about revisiting the prescription period for matters of involuntary sterilisation, given the attendant psychological effects this has on women. It was the general consensus that involuntary sterilisation of women and its continued practice is indicative of the unequal power balance in society, an imbalance that perpetuates the cycle of violation of rights.

### Roundtable discussion on ‘just cities’

On 13 September 2017, the Socio-Economic Rights Project (SERP) at the Dullah Omar Institute at the University of the Western Cape organised a roundtable focusing on challenges to South African cities’ being ‘just cities’ – cities that use their constitutional and economic clout to enhance the well-being of all city-dwellers in an inclusive and developmental manner.

One of the most visible nature of South Africa’s system of multi-level government is the increasing role of metropolitan and secondary cities. The South African city is a microcosm where high economic potential, rapid immigration, urban poverty, environmental degradation and diversity are combined in a local state with constitutionally protected powers. Driven by the need to address urban problems and afford opportunities, cities are asserting their constitutional and economic power and being forced to be at the forefront of devising new strategies to deal with informality.

South Africa’s cities thus have significant potential to enable poor and working-class people to advance economically and socially.

At the same time, the conduct of cities in addressing informality (by, among other things, upgrading informal settlements and evacuating dangerous buildings) is coming under the legal spotlight owing to a spate of court judgments relating to the right of access to housing and other socio-economic rights.

The roundtable discussion, facilitated by Gladys Mirugi-Mukundi of the Dullah Omar Institute, had three expert panelists: Dr Margot Strauss (SERAJ, Faculty of Law, Stellenbosch University), Prof. Jaap De Visser (Dullah Omar Institute), and Dr Rike Sitas (African Centre for Cities, University of Cape Town).

In a presentation entitled ‘Understanding housing, as if space and justice matter’, Dr Strauss observed that despite improvements in the state-subsidised housing programme, human settlements in South Africa continue to be developed without the necessary preplanning requirements for township establishment and the requisite infrastructure and services for making them functional and sustainable. In the lived experience of citizens, human settlements remain fragmented, with poor households being situated – ‘dislocated’ – in outlying areas. Although the combination of spatial planning, human settlements and housing is intended to redress past imbalances and urban segregation, there is a need, according to Dr Strauss, for alternative thinking to complement the emphasis on law in general and planning laws in particular.

Prof. De Visser’s presentation, ‘Just Cities and SPLUMA: Business as usual?’, focused on the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013, which provides a framework for spatial planning and land use management in South Africa. In accordance with this framework, all spheres of government must prepare spatial development frameworks. Consistent with the requirements of SPLUMA, both national and provincial Spatial Development Frameworks for Human Settlements must be developed to ensure integration of services, infrastructure and economic development.

Dr Sitas’s presentation, entitled ‘Realising Just Cities’, stemmed from a joint project in which she is involved. She suggested that in order to realise just cities, academics, researchers, city officials, urban planners, legal practitioners and community members need to comprise a ‘talking lab’, one in which the different stakeholders and participants adopt a multi-dimensional approach and complement in each other in working towards ‘a vision of a just city’.

The roundtable discussion provided an opportunity for academics, community-based organisations, NGOs, policy-makers and stakeholders to deliberate on the challenges of realising ‘just cities.’ The presentations stimulated much discussion on how cities can overcome problems of spatial justice; the need for greater understanding of SPLUMA; the role of the courts and jurisprudence in advancing spatial justice; and practical examples of ‘just cities’ around the world.



## Updates

### CEDAW Committee adopts General Recommendation 35 on Violence against Women

Twenty-five years after its adoption of General Recommendation 19 on violence against women, the CEDAW Committee on 14 July 2017, adopted General Recommendation No. 35 on gender-based violence against women. This serves as an update of General Recommendation No. 19. The new General Recommendation among others establishes new standards on various aspects of violence against women, including its implication for sexual and reproductive health and rights, the need to change social norms and stereotypes that support violence, explicitly defining different levels of liability of the State for acts and omissions committed by its agents or those acting under its authority and for failure to act with due diligence with a view to prevent violence against women. It urges states to take concrete measures to repeal laws and policies that condone violence against women. The Committee notes that violence against women may interfere with the enjoyment of other rights such as life, dignity, health, liberty and security of the person, equality and equal