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EDITORS

CHIEF EDITOR

Prof Ebenezer Durojaye

CO-EDITOR

Gladys Mirugi-Mukundi

GUEST EDITOR

Gladys Mirugi-Mukundi

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CONTACT

Socio-Economic Rights Project

Dullah Omar Institute for Constitutional Law, Governance and Human Rights.

University of the Western Cape, New Social Sciences Building. Private Bag X17, Bellville, 7535

Tel: (021) 959 2950

Fax: (021) 959 2411

Email: serp@uwc.ac.za

Website: <https://dullahomarinate.org.za>

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Editorial

Welcome to this special edition of ESR Review, the first in a collection of three dedicated to examining different aspects of the Covid-19 pandemic. In the time since the latter broke out in the Chinese city of Wuhan, it has spread worldwide, claiming thousands of lives and disrupting socio-economic activity on a massive scale. States have responded with an array of measures, including civilian lockdowns, but while these measures are necessary to curb the spread of the pandemic, concerns have been raised about their human rights implications.

This is all the more so in the case of vulnerable and marginalised groups. In particular, the socio-economic rights of people in disadvantaged communities have been severely affected. Here in South Africa, various legal actions have challenged the constitutionality of measures adopted by the government – a trend that reinforces the tension often found between measures to address public health emergencies and the implications such measures have for human rights.

This edition features articles by Patrick Bond and Robert Nanima, an interview with Alicia Yamin, as well as an update and an event. Bond's article examines how challenges surrounding the pandemic and government measures are affecting the lives of vulnerable and marginalised people. The article by Nanima discusses the lessons to be learnt from a High Court decision concerning the right of the child to be joined with his or her parents during the lockdown period. Nanima argues that the decision was correct, and he distinguishes it from other, unsuccessful cases filed during the lockdown.

Our interview with Alicia Yamin looks at human rights challenges during the pandemic, among them issues to do with the enjoyment of the right to health by vulnerable and marginalised groups. In particular, it reflects on how inequality continues to hinder disadvantaged people's access to health-care services, including those related to sexual and reproductive health.

An update and an event are provided, the update is on a recent report of the UN Special Rapporteur on the right to the highest attainable standard of physical and mental health focusing on mental health, and the event is on a webinar dealing with the impact of Covid-19 on community-based paralegals in Africa.

We hope you enjoy this special edition.

Ebenezer Durojaye and Gladys Mirugi-Mukundi
Editors