

CURRICULUM VITAE: CHARLES NGWENA

Current Position: Professor, Department of Constitutional Law and Legal Philosophy, Faculty of Law, University of the Free State, South Africa

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QUALIFICATIONS:

- 1985: LLB (Magna Cum Laude), Cardiff Law School, University of Wales.
- 1987: Called to the Bar of England & Wales (of the Inner Temple).
- 1990: LLM in Medical Law (by research), Cardiff Law School, University of Wales. Title of thesis: 'Consent to Medical Experimentation: The Legal Response'.
- 2011: LLD. Thesis on *Disability and the Search for Equality in the Workplace: an Appraisal of Equality Models from a Comparative Perspective*.

POSITIONS HELD:

- 1986: Tutor-in-Law, Cardiff Law School, University of Wales
1988: Lecturer, Cardiff Law School, University of Wales
1995: Lecturer, Department of Law, University of Swaziland
1996: Lecturer, Department of Procedural Law, Vista University
1997: Associate Professor, Department of Procedural Law, Vista University
1997: Senior Researcher, Centre for Health Systems Research & Development, University of the Free State
2002: Professor, Department of Constitutional Law, University of the Free State

TEACHING EXPERIENCE:

- Tutor, lecturer, course director and supervisor of undergraduate courses, namely: Administrative Law; Constitutional Law; Contract Law; Criminal Law; Evidence; Family Law; Legal Skills; Legal Systems; and Medical Law
- Lecturer, Programme Co-ordinator and supervisor of Medical Law, Health and Human Rights
- Director of Reproductive and Sexual Rights programmes at Masters and doctoral levels

ADMINISTRATIVE EXPERIENCE:

- Leadership and management of research projects
- Leadership of an international LLM programme on human rights specialising in reproductive and sexual health and rights
- Editorial management of law reports
- Editorial management of a peer-reviewed journal

RESEARCH & TEACHING INTERESTS:

- Constitutional Law
- Human Rights Law
- Health and Human Rights
- Disability Law

PUBLICATIONS:

BOOKS:

1. Pretorius JL, Klink E & Ngwena CG (eds) 2001. *Employment Equity Law*. Durban: Butterworths (2010 Annual Revision Service).
2. Cook RJ & Ngwena CG (eds) (2007) *Health and Human Rights* Aldershot: Ashgate Publishing Ltd.

EDITORSHIPS:

- 1992-1996 Co-editor, *Butterworths Medico-Legal Reports*, Butterworths
1997-2008 Advisory Editor, *Butterworths Medico-Legal Reports*, Butterworths
1992-2011 Member of the Editorial Board, *Medical Law International*
2000-2011 Section Editor (Law & Bioethics), *Developing World Bioethics*
2003-2011 Chief Editor, *Journal for Juridical Science*
2008 Guest Editor with RJ Cook of a Special Issue on HIV/AIDS, 'Pregnancy and Reproductive Autonomy: Rights and Duties', *Developing World Bioethics* Vol. 8(1) (2008)
2008-2011 Member of Editorial Board, *Constitutional Court Review*

ARTICLES IN PEER-REVIEWED JOURNALS:

1. Chadwick R & Ngwena CG 1992. The Development of a Normative Standard in Counselling for Genetic Disease: Ethics and Law. *Journal of Social Welfare and Family Law* 4: 276-295.
2. Ngwena CG & Chadwick R 1993. Genetic Diagnostic Information and the duty of confidentiality: Ethics and Law. *Medical Law International* 1(1): 73-95.
3. With R Chadwick *et al.* 1993. Human Genome Analysis, Genetic Counselling and Ethics. *Global Ethics*: 37-45.
4. Ngwena CG & Chadwick R 1994. Confidentiality and Nursing Practice: Ethics and Law *Nursing Ethics* 1(3):136-150.
5. Chadwick R & Ngwena CG 1995. The Human Genome Project, Predictive Testing and Insurance Contracts: The Legal Response. *Res Publica* 1(2): 115-129.
6. Ngwena CG 1996. Health Care Decision-Making and the Competent Minor. *Acta Juridica*, pp. 132-147.

7. Ngwena CG 1998. History and Transformation of Abortion Law in South Africa. *Acta Academica* 30(3): 32-68.
8. Ngwena CG 1999. HIV in the Workplace: Protecting Constitutional Rights to Equality and Privacy. *South African Journal on Human Rights* 15(4): 513-540.
9. Ngwena CG 2000. HIV/AIDS and Equal Opportunities in the Workplace: The Implications of the Employment Equity Act. *Comparative & International Law Journal of Southern Africa* 33(1): 96-113.
10. Ngwena CG 2000. Access to Health Care as a Fundamental Right: The Scope and Limits of Section 27 of the Constitution. *Journal for Juridical Science* 25(1): 1-32.
11. Ngwena CG 2000. Substantive Equality in South African Health Care: The Limits of Law. *Medical Law International* 4: 1-21.
12. Ngwena CG 2000. AIDS in Africa: Access to Health Care as a Human Right. *SA Public Law* 15(1): 1-25.
13. Engelbrecht MC, Pelsler AJ, Ngwena CG & Van Rensburg HCJ. 2000. The Operation of the Choice on Termination of Pregnancy Act: Some Empirical Findings. *Curationis* 23(2): 4-14.
14. Ngwena CG 2000. Recognition of Access to Health Care as a Human Right in South Africa: Is it enough? *Health and Human Rights* 5(1): 27-44.
15. Heunis JC, van Rensburg HCJ & Ngwena, CG. 2000. A 'Youth Multi-Function Centre' in the Free State: An Envisaged Alternative to Clinic-Based HIV Prevention and Care. *Curationis* 23(4): 54-62.
16. Ngwena, CG. 2000. Accessing Abortion under the Choice on Termination of Pregnancy Act: Realising Substantive Equality. *Journal for Juridical Science* 25(3): 19-44.
17. Ngwena CG 2001. Constitutional values and HIV/AIDS in the Workplace. *Developing World Bioethics* 1: 42-56.
18. Cook RJ, Dickens BM, Ngwena, C & Plata MI. 2001. The Legal Status of Emergency Contraception. *International Journal of Gynecology and Obstetrics* 75: 185-191.
19. Ngwena CG 2002. Sexuality Rights in Southern Africa with a Particular Reference to South Africa. *SA Public Law* 15(2): 1-21.
20. Ngwena CG 2002. Access to Health Care and the Courts: A Note on *Minister of Health and Others v Treatment Action Campaign and Others*. *SA Public Law* 17(2): 449-458.
21. Ngwena CG 2003. Access to Health Care Services as a Justiciable Socio-economic Right under the South African Constitution. *Minister of Health and Others v Treatment Action Campaign and Others*. *Medical Law International* 6: 13-23
22. Ngwena CG 2003. Conscientious Objection to Abortion in South Africa: Delineating the Parameters. *Journal for Juridical Science* 28(1): 1-18.

23. Ngwena CG 2003. Right of Access to Antiretroviral Therapy to Prevent Mother-to-Child Transmission of HIV: An Application of Section 27 of the Constitution. *SA Public Law* 18(1): 83-102.
24. Ngwena CG 2003. AIDS in Schools: Mapping the Parameters of Sexuality Education from a Human Rights Perspective. *Acta Academica* 35(2): 184-204.
25. Ngwena CG 2003. Responses to AIDS and Constitutionalism in South Africa. *Obiter* 24(2): 299-313.
26. Ngwena CG & Matela S 2003. *Hoffmann v South African Airways* and HIV/AIDS in the Workplace: Subjecting Corporate Ideology to the Majesty of the Constitution. *SA Public Law* 18(2): 306-330.
27. Ngwena CG 2003. Equity and the Development of the South African Health Care System: From the Public Health Act of 1919 to the Present day. *Fundamina* 9: 124-133.
28. Ngwena CG & Pretorius JL 2003 Code of Good Practice on the Employment of People with Disabilities: an Appraisal. *Industrial Law Journal* 24: 1816-1839.
29. Ngwena CG 2003. Socio-economic Rights – Transforming South Africa: A Response to Linda Janse van Rensburg’ *Potchesfstroom Electronic Law Journal* 6(2): 71/167-79/167.
30. Ngwena CG 2004. Equality for People with Disabilities in the Workplace: An Overview of the Emergence of Disability as a Human Rights Issue *Journal for Juridical Science* 29(2): 167-197.
31. Ngwena CG 2004. The Development of the South African Health System: From Privilege to Egalitarianism. *De Jure* 290-311.
32. Ngwena CG 2004. Domestication of International Strategies in Tobacco Control: The Case of South Africa. *Obiter* 25(2): 425-442.
33. Ngwena CG 2004. Access to Abortion: Legal Developments in Africa from a Reproductive and Sexuality rights Perspective. *SA Public Law* 19(2): 328-350.
34. Ngwena CG. 2004. An Appraisal of Abortion Laws in Southern Africa from a Reproductive Health Rights Perspective. *Journal of Law, Medicine and Ethics* 32(4): 708-717.
35. Ngwena CG 2005. Interpreting Aspects of the Intersection between Disability, Discrimination and Equality: Lessons for the Employment Equity Act from Comparative law: Part I (Defining Disability). *Stellenbosch Law Review* 16(2): 210-243.
36. Ngwena CG 2005. Interpreting Aspects of the Intersection between Disability, Discrimination and Equality: Lessons for the Employment Equity Act from Comparative Law: Part II (Reasonable accommodation). *Stellenbosch Law Review* 16(3): 534-561.
37. Cook RJ and Ngwena CG 2006. Women’s access to health care: the Legal Framework *International Journal of Gynecology and Obstetrics* 94(3): 216-225.

38. Ngwena CG 2006. Deconstructing the Definition of 'Disability' under the Employment Equity Act: Part 1 Social Deconstruction. *South African Journal on Human Rights* 22: 622-655.
39. Ngwena CG 2007. Deconstructing the Definition of 'Disability' under the Employment Equity Act: Legal Deconstruction. *South African Journal on Human Rights* 23: 116-156.
40. Ngwena CG & JL Pretorius 2007. Conceiving Disability, and Applying the Constitutional test for Fairness and Justifiability: A Commentary on *IMATU v City of Cape Town Industrial Law Journal* 28: 747-768.
41. Ngwena CG 2010. Protocol to the African Charter on the Rights of Women: Implications for Access to Abortion at the Regional Level. Forthcoming in *International Journal of Gynecology and Obstetrics* 110(2): 163-166.
42. Ngwena CG 2010. Inscribing Abortion as a Human Right: Significance of the Protocol on the Rights of Women in Africa. *Human Rights Quarterly* 32: 783-864.

CHAPTERS IN BOOKS:

1. Fennell P, Harpwood V & Ngwena, CG 1991. Medical Law. *The All England Law Reports, Annual Review*, London: Butterworths: 231-254.
2. Fennell P, Harpwood V & Ngwena C 1992. Medical Law. *The All England Reports, Annual Review*, London: Butterworths: 285-311.
3. Ngwena, CG 1996. Health Care Decision-Making and the Competent Minor in Keightley R (ed.) 1996. *Children's rights*. Kenwyn: Juta & Co, Ltd: 132-147. Reprinted from Ngwena, CG 1996. Health Care Decision-Making and the Competent Minor. *Acta Juridica*, pp. 132-147.
4. Ngwena CG 1997. HIV Testing in Swaziland: A Human Rights Framework. In Okpaluba C *et al* (eds.) 1997. *Human Rights in Swaziland: The Legal Response*. Kwaluseni: Department of Law, University of Swaziland: 210-268.
5. Ngwena CG 1998. Legal Responses to AIDS: South Africa. In Frankowski SJ (ed.) 1998. *Legal Responses to AIDS in Comparative Perspective*. The Hague: Kluwer Law International: 117-167.
6. Van Rensburg HCJ & Ngwena CG 2001. Health and Health Care in South Africa Against an African Background. In Cockerham WC (ed.) *The Blackwell Companion to Medical Sociology*, Oxford: Blackwell: 365-391.
7. Ngwena CG 2001. Reasonable Accommodation. In Pretorius, JL, Klink E & Ngwena C (eds) 2001 *Employment Equity Law*. Durban: Butterworths: 7-1 - 7-34.

8. Ngwena CG. 2001. Discrimination in Employment Policies and Practices. In Pretorius, JL, Klink E & Ngwena (eds) 2001. *Employment Equity Law*. Durban: Butterworths: 8-34 – 8-57.
9. Ngwena, CG 2001. Equality for people with disabilities; the limits of the Employment Equity Act of 1998. *Acta Juridica*: 186-193.
10. Singh J & Ngwena CG. 2001. Bioethics. In McQuoid-Mason, D & Dada MA (eds) *Introduction to Medico-legal Practice*. Durban: Butterworths: 33-52.
11. Pelser AJ, Ngwena CG & Summerton J 2004. The HIV/AIDS epidemic in South Africa: trends, impacts and policy responses. In Van Rensburg HCJ (ed) *Health and Health Care in South Africa*. Pretoria: Van Schaik: 275-314.
12. Ngwena CG 2004. Access to health care services as a human right: an appraisal of *Treatment Action Campaign & Others v Minister of Health and Others*. In Okpaluba MC (ed) *Law and Contemporary South African Society*, Johannesburg: New Africa Education: 17-37.
13. Ngwena CG 2005. Internally displaced persons. In Yamin AE (ed) *Learning to Dance: Advancing Women's Reproductive and Sexual Well-being from the Perspectives of Public Health and Human Rights*. Cambridge, Massachusetts: Harvard University Francois-Xavier Bagnoud Centre for Public Health and Human Rights: 70-82.
14. Ngwena CG & Cook RJ 2005. Rights Concerning Health. In Brand D and Heyns CH (eds.) *Socio-economic rights in South Africa* (2005) Pretoria: Pretoria University Law Press: 107-151.
15. Ngwena CG 2005. The Development of the South African Health System: from Privilege to Egalitarianism. In Van der Walt AJ (ed) *Theories of Social and Economic Justice* Stellenbosch: Sun Press 179-189. Revised and Edited from Ngwena CG 2004. The development of the South African health system: from privilege to egalitarianism. *De Jure* 290-311.
16. Ngwena CG. 2005. Synchronising Traditional Legal responses to Non-consensual Sexual Experiences with Contemporary Human Rights Jurisprudence. In Jeejeeboy S, Shah I and Thapa S (eds) *Sex Without Consent: Young People in Developing Countries*. Zed Books: 227-235.
17. Ngwena CG 2010. The New Disability Convention: Implications for Disability Equality Norms in the South African Workplace in OC Dupper & C Garbers (eds) *Equality in the Workplace* Cape Town: Juta & Co Ltd: 181-203.
18. Ngwena CG, Cook RJ & Durojaye ET. Right to Health: South Africa. Forthcoming in Marks SP (ed) *Health and Human Rights in Comparative Perspective*. Harvard University Press.

SHORTER PUBLICATIONS:

1. Ngwena CG. Headnote and report on *B v Islington Health Authority* in (1990) 6 *Butterworths Medico- Legal Reports* 13-24.
2. Ngwena CG. Headnote and report on *J (a minor) (wardship: medical treatment), Re* (1990) 6 *Butterworths Medico-Legal Reports* 25-43.
3. Ngwena CG. Headnote and report on *R v Gwynedd CC, ex parte B* in (1991) 7 *Butterworths Medico Legal Reports* 120-124.
4. Ngwena CG. Headnote and report on *C (a minor) (evidence: confidential information), Re* (1991) 7 *Butterworths Medico-Legal Reports* 138-146.
5. Ngwena CG. Headnote and report on *A-G v X* in (1992) 15 *Butterworths Medico Legal Reports* 104-154.
6. Ngwena CG. Headnote and report on *R v HM Coroner for Greater London, ex p Thomas* (1992) 11 *Butterworths Medico-Legal Reports* 37-45.
7. Ngwena CG. Headnote and report on *Airedale NHS Trust v Bland* in (1993) 12 *Butterworths Medico-Legal Reports* 64-143.
8. Ngwena CG. Headnote and report on *Dennis v UK Central Council for Nursing, Midwifery and Health Visiting* in (1993) 13 *Butterworths Medico-Legal Reports* 146-155.
9. Ngwena CG. Headnote and report on *O (minors) (medical examination), Re* (1992) 15 *Butterworths Medico-Legal Reports* 54-59.
10. Ngwena CG. (1994) *The Human Genome Project, Predictive Testing and Insurance Contracts: An Overview of the Legal Implications. Euroscreen, Issue No. 2: 1-2.*
11. Ngwena CG 1995. Book review of *Children, Ethics and the Law*, GP Koocher & PC Keith-Spiegel. Lincoln and London: Nebraska University Press, 1993, xii + 229pp. *Medical Law Review* 3: 111-113.
12. Ngwena CG. Headnote and report on *Soobramoney v Minister of Health, KwaZulu-Natal* in (1997) 50 *Butterworths Medico-Legal Reports* 224.
13. Ngwena CG. Headnote and report on *B and Others v Minister of Correctional Services and Others* in (1997) 50 *Butterworths Medico-Legal Reports* 206.
14. Ngwena CG. Headnote and report on *Christian Lawyers Association of SA and Others v Minister of Health and Others* in (1998) 50 *Butterworths Medico-Legal Reports* 241.
15. Ngwena C. Headnote and report on *Mukheiber v Raath and Another* in (1999) 52 *Butterworths Medico-Legal Reports* 49-64.
16. Ngwena CG. Headnote and report on *Mistry v Interim National Medical and Dental Council of South Africa and Others* in (1998) 53 *Butterworths Medico-Legal Reports* 190-214.
17. Ngwena CG. Headnote and report on *Korf v Health Professions Council of South Africa* (1999) 55 *Butterworths Medico-Legal Reports* 245-253.

18. Ngwena CG. 1997. South Africa's New Abortion Law: A Break with the Past. *International Association of Bioethics News*, Issue No. 6, pp. 3-5.
19. Ngwena CG. 1999. South Africa's Employment Equity Act and HIV in the Workplace: Balancing Business Imperatives with Workers' Dignity. *International Association of Bioethics News*, Issue No. 10: 4-9.
20. Ngwena CG 2006. Book review of Bastos, C. *Global Responses to AIDS: Science in Emergency*. Bloomington and Indianapolis: Indiana University Press, 1999. *Developing World Bioethics* 6: 54-56.
21. Ngwena CG 2006. Book Review of Chavkin W & Chesler E (eds), *Where Human Rights Begin: Health Sexuality and Women in the New Millennium* New Brunswick, NJ: Rutgers Press (2005). *Studies in Family Planning* 2006, 3: 3-6.
22. Ngwena CG 2007. Book Review of Hassim A, Heywood M & Berger J (eds) *Health & Democracy* Cape Town: Syberlink (2007). *South African Law Journal* 4: 889-896.
23. Ngwena CG & RJ Cook Editorial: 'HIV/AIDS, Pregnancy and Reproductive Autonomy: Rights and Duties' (2008) 8(1) *Developing World Bioethics* iii-vi.
24. Ngwena CG 'Introduction to the Symposium Issue: Reproductive and Sexual Health and the African Women's Protocol (2009) 16 *Washington and Lee Journal of Civil Rights and Social Justice* 1-10.
25. Ngwena CG Preface to *Legal Grounds. Reproductive and Sexual Rights in African Commonwealth Countries Volume II* (2010) 10-11.

MONOGRAPHS:

1. Chadwick R., Coli D, ten Have H, Husted J, Ngwena CG, Norby S, Pogliano C & Schickle D 1993. *Ethical Implications of Human Genome Analysis for Clinical Practice in Medical Genetics with special reference to Genetic Counselling*. A Report for the Commission of the European Communities.
2. Engelbrecht MC, Pelsler A, Ngwena, CG & Van Rensburg HCJ. 1999. *Developing and Implementing a Project Management Strategy to Overcome Impediments to the Operation of the Choice on Termination of Pregnancy Act of 1996 in the Free State*. An Interim report for the Health Systems Trust. Bloemfontein: Centre for Health Systems Research & Development.
3. Van Rensburg HCJ, Ngwena CG, Pelsler A, Steyn F, Booysen F, Friedman I & Aderndorff E. 2002. *Strengthening local government and civic responses to the HIV/AIDS epidemic in South Africa*. A study commissioned by the Ford Foundation to inform its *Sexual and Reproductive Health Programme for South Africa*. Bloemfontein: Centre for Health Systems Research & Development, the University of the Free State.

4. Steyn F, Engelbrecht M, Ngwena CG & van Rensburg. 2003. *Assessing the Levels of Compliance with Tobacco Control Legislation in Northern Cape, Gauteng and Northern Province*. A study commissioned by the national Department of Health. Bloemfontein: Centre for Health Systems Research & Development.
5. Ngwena CG, Strauss JP & Maimane JR, Engelbrecht M, Steyn F & Meyer K 2003. *Interim Monitoring and Evaluation of the Implementation of Lifeskills and HIV/AIDS Education in Primary and Secondary Public Schools in the Free State*. A study commissioned by the Free State Department of Education. Bloemfontein: Centre for Health Systems Research & Development.
6. Ngwena CG Rights concerning health in the First Decade of Democratic Governance in South Africa – April 1994 to April 2004) in Human Right's Commission's *Human Rights Review: First Decade of Democratic Governance in South Africa – April 1994 to April 2004*.
7. Engelbrecht M, Ngwena CG & Van Rensburg HCJ 2005. *Assessing Termination of Pregnancy by Minors in the Free State: Identification of Barriers to Accessing Termination of Pregnancy by Minors in the Free State and Possible Interventions*. A study commissioned by Ipas. Bloemfontein: Centre for Health Systems Research & Development.
8. Ngwena, CG *Sexual Health and Human Rights in the African Region* (Forthcoming).

CONFERENCE PROCEEDINGS:

1. Ngwena CG 1991. Randomised Clinical Trials and the Protection of Patient Autonomy. *World Congress on Medical Law, Proceedings, Gent, Vol. II*: 621-633.
2. Ngwena CG 2000. Situating Abortion in Substantive Equality: South Africa. *World Congress on Medical Law, Book of Proceedings II, Helsinki, 6-10 August 2000*: 831-837.
3. Ngwena CG 2003. Code of Good Practice on the Employment of People with Disabilities. Online at: <http://www.lexisnexis.co.za/ServicesProducts/16thlabourlaw.php>
4. Ngwena CG 2002. HIV/AIDS in Schools: Human Rights Lessons for Educators and Learners. *Educator Conference, Beyond Advocacy*. Bloemfontein: Free State Department of Education: 122-137.
5. Ngwena CG. Abortion Laws and Reproductive Health Rights in Southern Africa. *15th World Congress on Medical Law, Congress Proceedings, 1-5 August 2004*: 804-812.

WORK IN PROGRESS:

1. Writing a book on disability and substantive equality
2. Writing a book on Realisation of Reproductive and Sexual Health as Human Rights in the African region.

EXTERNAL EXAMINERSHIP:

- University of KwaZulu-Natal (School of Law)
- University of Witwatersrand (Faculty of Law & Department of Bioethics)
- University of Cape Town (Department of Public Health)
- University of Pretoria (Faculty of Law)
- University of the Western Cape (Faculty of Law)
- University of Limpopo (Faculty of Law)

VISITING FELLOWSHIPS:

- 1997: Senior Visiting Fellow, Centre for Professional Ethics, University of Central Lancashire
- 2004: Visiting Fellow, Institute of Advanced Legal Studies, University College London
- 2004: Visiting Fellow, Faculty of Law & Centre for Disability Studies, University of Leeds
- 2005: Visiting Fellow, Faculty of Law & Centre for Disability Studies, University of Leeds
- 2005: Distinguished Visiting Professor, Faculty of Law, University of Toronto
- 2006: Visiting Fellow, Irish Centre for Human Rights, National University of Ireland, Galway
- 2007: Visiting Scholar, Center for Reproductive Rights, New York
- 2007: Visiting Senior Research Fellow, International Health and Human Rights Program, Harvard School of Public Health
- 2009: Frances Lewis Law Centre's Scholar-in-Residence, School of Law, Washington and Lee University
- 2009-10: Eleanor Roosevelt Fellow, Harvard Human Rights Program, Harvard Law School.
- 2009: Distinguished Visiting Professor, Faculty of Law, University of Toronto

COMMITTEE MEMBERSHIP:

- 1996-1999: Member of Free State Provincial Team on HIV/ AIDS
- 1997-2001: Member of Free State Provincial Government Legislative Task Team on Health
- 1998-2001: Member of the Advisory Panel on History, Law, Political Science and Philosophy of the Division for Social Science and Humanities (DSS&H) (formerly CSD) of the National Research Foundation (NRF)
- 2000-2001: Member of the Advisory Task Team to the South African National AIDS Council
- 2000-2004: Member of the Board of Trustees of the Progressive Primary Health Network (Free State Province)
- 2001-2003: Member of the Advisory Board of the Joint Center for Political and Economic Studies
- 2002-: Member of the Scientific and Ethical Review Group of the Special Programme of Research, Development and Research Training in Human Reproduction of WHO
- 2003-: Member of the Advisory Board of the International Programme on Reproductive and Sexual Health Law, Faculty of Law, University of Toronto
- 2003-2004: Member of Wellcome Trust Biomedical Ethics Panel
- 2004-2005: Member of the Scientific Advisory Committee to the South African AIDS Vaccine Initiative
- 2004-: Member of Board of Trustees, Association of University Legal Aid Clinics (AULAI)
- 2005-: Member of the University of the Free State HIV/ AIDS Forum.
- 2005-2006: Member of the National Research Foundation (NRF) Rating Panel for Law
- 2006-: Member of Steering Committee: Review of South African National Research Evaluation and Rating System
- 2007-: Temporary Adviser to the WHO's Gender and Rights Advisory Panel
- 2007-: Member of Technical Task Team on Law and Human Rights to the South African National AIDS Council
- 2008-: Member of the Ethics Research Committee of the World Health Organisation
- 2008-: Member of Stellenbosch Institute for Advanced Study (STIAS) Advisory Committee

GRANTS AWARDED:

I have been a recipient of research grants from the following institutions and foundations: Health Systems Trust, National Research Foundation, IPAS and Ford Foundation.

PAPERS DELIVERED

- 1990: 'Randomised Clinical Trials and the Protection of Patient Autonomy', World Congress on Medical Law, Gent, Belgium.
- 1992: 'Legal Implications of the Human Genome Project' at Centre for Applied Ethics, University of Wales College of Cardiff
- 1992: with R Chadwick 'Genetic Disease and Health Insurance Contracts', Inaugural Congress of the International Association of Bioethics, Amsterdam, The Netherlands.
- 1992: 'Genetic Diagnostic Information and Confidentiality: The law', Workshop on the Genome Project, Aarhus, Denmark.
- 1993: 'Confidentiality and Nursing Practice', Centre of Applied Ethics, University of Wales College of Cardiff.
- 1996: 'Section 27 of the Constitution and the Right to Health Care, Faculty of Law, Vista University, Bloemfontein Campus.
- 1996: 'Children's Evidence: An Interpretation of s170A of the -Criminal Procedure Act 1977', Language in Court Conference (22-24 August, Vista University, Port Elizabeth Campus.
- 1997: 'HIV Transmission: Liability in Criminal Law and Delict, Faculty of Law, Vista University, Bloemfontein Campus.
- 1997: 'HIV/AIDS: The Right to Know', Faculty of Law, University of the Orange Free State.
- 1997: 'Legal Responses to HIV/AIDS', Cardiff Law School, University of Wales.
- 1997: 'South Africa's New Abortion Law: A break with the past', Centre for Professional Ethics, University of Central Lancashire.
- 1997: 'Legal and Ethical Responses to HIV/AIDS in South Africa', Centre for Professional Ethics, University of Central Lancashire.
- 1997: 'The Emergence of a Right to Health Care in a Changing South Africa', Conference on Sociology of Law and legal policy, University of Antwerp.

- 1998: 'Abortion and the Constitution: Some Reflections on a Recent High Court Decision: *Christian Lawyers Association and Others v Minister of Health and Others*', Vista University, Bloemfontein Campus.
- 1999: 'HIV/AIDS and Employment: Recent Policy and Legal Initiatives', The Congress of the Society of Law Teachers of Southern Africa, Vista University, Bloemfontein Campus.
- 1999: 'HIV/AIDS: The Impact of the Employment Equity Act', 12th Annual Labour Law Conference, 30 June -2 July, International Convention Centre, Durban.
- 1999: 'Perspectives from Law', National Research Foundation Workshop on Exploratory Workshop on the Dissemination and Implementation of Research Findings and the Impact of Research on Society, National Research Foundation, Pretoria.
- 1999: 'AIDS and the Right to Treatment) XIth International Conference on AIDS and STDs in Africa', 12-16th September, Mulungushi International Conference Centre, Lusaka.
- 2000: Keynote address (Reinforcing a Multi-Sectorial Strategy) at Pre-Conference HIV/AIDS Seminar for the Southern Free State Region. February, Claredon Hall, Bloemfontein City Hall, Bloemfontein).
- 2000: 'Alleviating Poverty and Securing Substantive Equality in Health Care through the Constitution: Tentative Lessons from South Africa', Conference Poverty and Inequality: The Challenge for Public Health in Southern Africa, 24-25th February, Regent Hotel Conference Centre, East London.
- 2000: 'Public Law Interventions at the Interface between Crime and Health', Workshop on Crime, Violence and Injury Lead Programme, (Medical Research Council, Cape Town, 7 June 2000.
- 2000: 'Disability, Employment and the Constitution' and (ii) 'Disability, Reasonable Accommodation and the Workplace', Society of Law Teachers' Congress of Southern Africa, University of Durban-Westville & the University of Natal, Durban, 3-6 July 2000.
- 2000: 'HIV Tests in the Military? South Africa's Double-Standards Approach, XIIIth International AIDS Conference (ICC, Durban, 9-14 July.
- 2000: 'Situating Abortion in Substantive Equality, 13th World Congress on Medical Law, Marina Conference Centre, Helsinki, Finland, 6-10 August.
- 2000: 'Bioethics and Medical Law in the New Millennium: The Union of Disciplines and Continents', Helsinki Summer School 2000 on the Future of Bioethics and Medical Law from a European and International Perspective, Faculty of Law, University of Helsinki, 11 August.

- 2000: With M Engelbrecht 'Towards Equity in Termination of Pregnancy Services in South Africa', Equinet Southern African Regional Conference, Alpha Conference Centre, 13-15 September.
- 2001: 'Equality for People with Disabilities in the Workplace: the Limits of the Employment Equity Act of 1998', Equality Conference, Faculty of Law, University of Cape Town, 18-20 January.
- 2001: With M Engelbrecht, 'Health Care Professionals and Conscientious Objection to Abortion in South Africa: Some Legal and Ethical Responses;', 2nd International AmFiTan Conference on Development Ethics, Tampa, Florida, USA, 18-20 February.
- 2001: 'Legal-historical Responses to HIV/AIDS in South Africa: the Proportionality Principle Asserted', AIDS in Context Conference, University of the Witwatersrand, 4-7th April.
- 2001: 'Access to HIV/AIDS-related Drugs in Developing Countries: the Challenge for Human Rights Jurisprudence', Conference on Protection of Human Rights in Southern Africa, Faculty of Law, University of the Free State, 9-11 April.
- 2001: 'Judicial Interpretation of Socio-economic Rights in the Constitution: Reflections on the *Grootboom's* case' Faculty of Law, Vista University, Bloemfontein Campus, 9 April.
- 2001: 'Definitional Clarification of 'people with disabilities' under the Employment Equity Act of 1998' Faculty of Law, University of Cape Town, 14-18 May.
- 2001: 'Ethics of Allocating Health Care in the New South Africa', Seminar Series of the Department of Community Medicine of the University of the Free State, 25 May.
- 2001: 'Disability in the Workplace: Key Issues', 14th Annual Labour Conference, International Convention Centre, Durban 4-6 July.
- 2001: 'Health as a Human Right in International Human Rights and South African Jurisprudence', Department of Community Health, University of Cape Town, 26 July.
- 2001: 'Legal Issues in Clinical Research', College of Medicine, University of Witwatersrand, 6 August.
- 2001: 'The Constitution as an Instrument for Improving Health Care: Successes and Constraints' *Health, Law and Human Rights: Exploring the Connection: An International Cross-Disciplinary Conference Honoring Jonathan M Mann*, Philadelphia, 29 September to 1 October.
- 2002: 'Current Status of Sexuality Rights in Southern Africa', Global meeting of the Reproductive Health Affinity Group, Cape Town, 18 January.

- 2002: 'HIV/AIDS in Schools: Human Rights Lessons for Educators and Learners', *Educator Conference*, Free State Department of Education, Callie Human Centre, University of the Free State, 25-27 March.
- 2002: 'Access to Health Care Services as a Human Right: An Appraisal of "Treatment Action Campaign & Others v Minister of Health and Others"', *University of the North Law Week*, University of the North 6-10 May.
- 2002: with F Steyn 'AIDS and Rape: Situating Access to Emergency Contraception and Antiretroviral Therapy in Primary Health Care', *First South African gender-based violence and health conference*, Muldersdrift, 17-19 April.
- 2002: 'HIV Testing in the Workplace: An Update on Policy, Practice and the Law', *15th Annual Labour Law Conference*, Sandton Convention Centre, Johannesburg, 3-5 July.
- 2002: 'Disability, HIV/AIDS and Discrimination) to Workshop on the Promotion of Equality and Prevention of Unfair discrimination Act', Department of Justice and Centre for Human Rights Studies, University of the Free State, 27-28 September.
- 2002: 'The Constitution and Gender: The Intersection of Race, Disability and HIV/AIDS', *Gender Management Leadership School*, Protea Hotel, Bloemfontein, 20 August.
- 2002: 'Basic introduction to the Promotion of Equality and Prevention of Unfair Discrimination Act', Training of Equality Court Clerks and Registrars), Elgro Bridge Lodge, Potchefstroom, 7 October.
- 2002: 'Background to the Equality Act Workshop on the Promotion of Equality and Prevention of Unfair Discrimination Act', Kimberley, Department of Justice and Centre for Human Rights Studies, University of the Free State, 18 October.
- 2002: 'Responses to AIDS and Constitutionalism in South Africa' Vista Law Conference, Summerstrand, Port Elizabeth, 11-12 November.
- 2002: 'HIV/AIDS and Human Rights: Discrimination in Higher Education', Colloquium on *Human rights and transformation in Higher Education*, Technikon Free State, Bloemfontein 15 November.
- 2002: 'Adjudicating Socio-economic Rights - Transforming South African Society? A response to Linda Jansen van Rensburg's paper) to a *Colloquium on Politics, socio-economic issues and culture in constitutional adjudication* Rosebank Hotel, Johannesburg 16 November.
- 2003: 'Equity and the Development of the South African Health Care System: From the Public Health Act of 1919 the Present Day' Conference of the Southern African Society of Legal Historians, University of Stellenbosch, 15-17 January.

- 2003: 'Ethics and Law Relating to Protection of Patient Information and Data', Department of Psychiatry, Faculty of Health Sciences, University of the Free State, 22 February.
- 2003: Delivered a paper (Strengthening Local Government and Civic Responses to the HIV/AIDS Epidemic in South Africa), at a seminar on Local Government Responses to the HIV/AIDS Epidemic, Department of Social Development, HSRC Conference Facility, Pretoria, 13 March.
- 2003: Delivered a paper (HIV/AIDS and the Right to Know: How Confidentiality has been Turned into Absolute Secrecy), Faculty of Health Sciences, Wits University, 15 April.
- 2003: Delivered a paper (Substantive Equality and Disability: Delineating the Duty of Reasonable Accommodation in the Workplace) at the *University of the North Law Week*, University of the North 5-9 May.
- 2003: 'Access AIDS Drugs in Africa: Challenging the Patent Regime', Centre for Global Ethics, University of Birmingham, United Kingdom
- 2003: 'HIV/AIDS, Public Health and Constitutional Rights: South Africa's Experiment', Faculty of Law and Bioethics Centre, University of Cape Town, 25-26 June.
- 2003: 'Code of Good Practice on the Employment of People with Disabilities: An appraisal', Labour Law Conference, Sandton Sun, Johannesburg, 2-4 July.
- 2003: 'HIV/AIDS: Legal Aspects for People Living with HIV/AIDS', Phillip Saunders Resort, Bloemfontein, 20-21 July 2003.
- 2003: 'Access to Abortion: Legal Development in Africa from a Reproductive and sexuality Rights Perspective', International Conference on Law, Reproductive Health and Human Rights) Abuja, Nigeria 19-22 August 2003.
- 2003: Delivered a paper (Synchronising Traditional Legal Responses to Non-consensual Sexual Experiences with Human Rights Jurisprudence with Special Reference to Young People) at a Consultative Meeting on Addressing Unwanted Sex Among Young People in Developing Countries, New Delhi, India, 22-25 September.
- 2003: Delivering a paper (The Code of Good Practice on the Employment of People with Disabilities: Is it Sufficient?), Eskom, Johannesburg, 9 October.
- 2003: 'Access to AIDS Drugs and State Obligations: South Africa's step Forward?', School of Law, University of Durban-Westville, 16 October.

- 2003: 'South African Research Ethics Guidelines' Workshop on research ethics, WHO, Geneva 19-20 October 2004.
- 2003: 'Legal Issues in Clinical Research and Privacy', Workshop on research ethics, WHO, Geneva 19-20 October
- 2004: 'Managing HIV/AIDS at Universities: The Role of Law', 25th Conference of South African Association of Campus Health Services, Thaba Nchu Sun, Thaba Nchu 13-16th January 2004.
- 2004: 'Adolescents and Ethics of Competence and Confidentiality: A South African Legal Perspective', Paediatric Refresher Course, Vineyard Hotel, Cape Town, 11-13 February.
- 2004: 'Disability in the Workplace and the Achievement of Equality: Lessons for South Africa from the USA, Canada, Australia and the United Kingdom) to Law Week of the School of Law of the University of the North
- 2004: 'Abortion Laws and Reproductive Health in Southern Africa) at 15th World Congress on Medical Law, 1-5 August 2004, Sydney Convention, Sydney.
- 2004: 'Human Rights and Access to Antiretroviral Drugs in South Africa' Faculty of Health Sciences, Monash University
- 2004: With M Engelbrecht 'Accessing Abortion Services by Minors in the Free State', 11th Reproductive Priorities Conference 5-8 October, Sun City.
- 2004: 'Equality, Disability and the Employment Equity Act: Filling the Gaps', University of the Free State, 27 October.
- 2004: 'Issues Relating to Health as a Fundamental Right in South Africa', School of Law, University of Glasgow, 17 November.
- 2004: 'Equality and Disability in the Workplace: a South African Perspective', School of Law, University of Leeds, 29 November.
- 2005: 'Reasonable accommodation and the South African Employment Equity Act', Disability Rights Commission, London, 28 June.
- 2005: South African Lessons learnt on Abortion Law reform' *International Seminar on Legal Reform in favor of the Sexual and Reproductive Rights*, Brasilia, 2 August.
- 2005: 'Conscientious Objection and the Choice on Termination of Pregnancy Act', *Seminar of Conscientious Objection*, Ikhaya Lodge, Cape Town, 13 September.
- 2005: 'Equality, access to health care and the Constitution - a South African perspective', Faculty of Law, University of Toronto, 22 September.
- 2005: 'Evolution of Reproductive and Sexual Health Rights' International Human Rights Academy, University of the Western Cape, 16-28 October.

- 2006: 'Does Research on Abortion Influence Policy Reforms?; 'Reducing unsafe abortion and its consequences among adolescents' Conference on *Linking Research to Action to Reduce Unsafe Abortion in Sub-Saharan Africa: A Regional Consultation*, Addis Ababa, 20-23 March.
- 2006: 'The African Charter's Protocol on the Rights of Women: Implications for Abortion Law Reform', *2nd Conference on Reproductive and Sexual Health Rights*, Nairobi 19-22 June.
- 2006: 'The African Charter's Protocol of the Rights of Women in Africa: Significance for Access to Safe, Legal Abortion', *Society of Law Teachers of Southern Africa Conference*, University of Cape Town, 2-6 July 2006.
- 2007: 'Access to Abortion Services and the Protocol to the African Charter on the Rights of Women in Africa: Opportunities and Challenges', Centre for Reproductive Rights, New York, 23 August 2007.
- 2007: 'Abortion as a Human Right: Juridical Challenges and Opportunities' Ipas, Chapel Hill, 14 September, 2007.
- 2007: 'Abortion Law, Policy and Practice in Africa: Using the African Protocol on the Rights of Women' Program on International Health and Human Rights at Harvard School of Public Health, Group on Reproductive Health and Rights, and Human Rights Program at Harvard Law School, Harvard Centre for Population and Development Studies, 25 September 2007.
- 2008: 'Human Rights and MDGs 4 and 5', Countdown to 2015, Westin Grand Hotel, Cape Town, 17-19 April 2008.
- 2008: 'Teaching Health Law and Reproductive Rights Experience from South Africa' Nigerian Universities Commission, Abuja, Nigeria, 12-13 November 2008.
- 2009: 'Right to Health and the Limits of Justiciability: South African Casestudy' 26 February, School of Law, Washington and Lee University.
- 2009: 'Promoting Abortion as a Human Right: The Contribution of the Protocol of the Rights of Women' Symposium on Reproductive and Sexual Health and the African Women's Protocol, 3 April, School of Law, Washington and Lee University.
- 2009: 'Inscribing Abortion as a Human Right: Significance and Implications of the Protocol on the Rights of Women in Africa' Harvard Law School, 29 September 2009.
- 2009: 'State Obligations and the 3As and Q: What a General Comment on Sexual and Reproductive Health Should contain', UNFPA meeting at Tudor Hotel, New York, 8-9 September 2009.

- 2009: 'Conceiving Access to Health Care as a Right: Lessons from South Africa on the Limits of Justiciability' Faculty of Law, University of Toronto, 15 October.
- 2010: 'Disability and Equality Adjudication: Constructing Transformative Method' Harvard Law School, 4 May.
- 2010: Roundtable discussion on how African laws affect access to abortion for adolescents and young persons. Keeping Our Promise. Addressing Unsafe Abortion in Africa, Accra, Ghana, 8-11 November.
- 2010: 'Access to Safe Abortion: The Significance of the AU Protocol', Workshop for the African Commission on Human and Peoples' Rights on 'Abortion and Reducing Maternal Mortality in Africa - A Human Rights Approach' 29 November - 1 December 2010, Nairobi, Kenya.
- 2011: 'Developing Abortion Jurisprudence under the African Charter of Human and Peoples' Rights: Lessons from Europe on the Misrecognition of Women', Institute for the Study of Human Rights, Columbia University, New York, 23 March.
- 2011 'Access to Safe, Legal Abortion in Africa: Are there Regional Standards, Kenya, IPAS Alliance for Women's Reproductive Health and Women's Link Worldwide, Windsor Hotel, Nairobi, Kenya, 18-22 July
- 2011 'Comments on Kenyan Reproductive Health Rights Bill', Reproductive Health Rights Alliance Planning Retreat, Enashipai, Kenya, 10-13 August.