

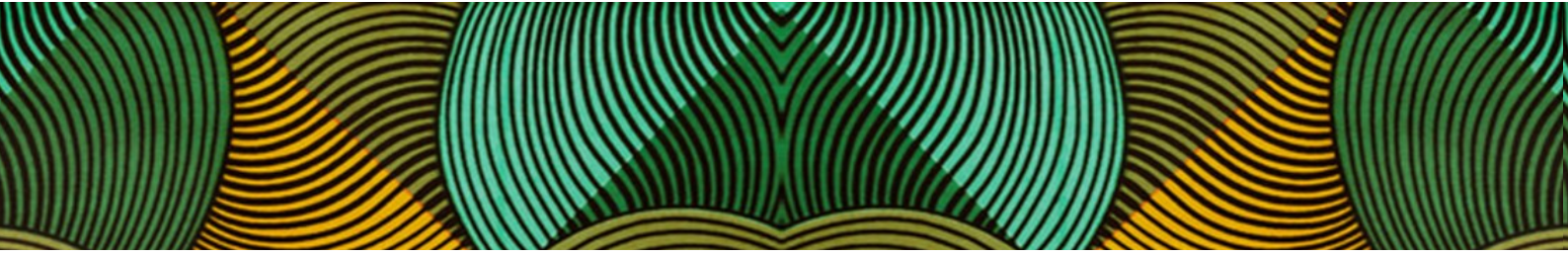


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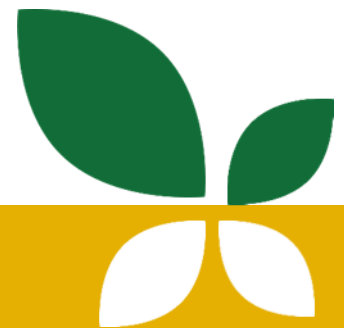
ANNUAL REPORT

INITIATIVE FOR STRATEGIC LITIGATION IN AFRICA (ISLA)





Feminist Lawyering to Shape the Africa We Want.



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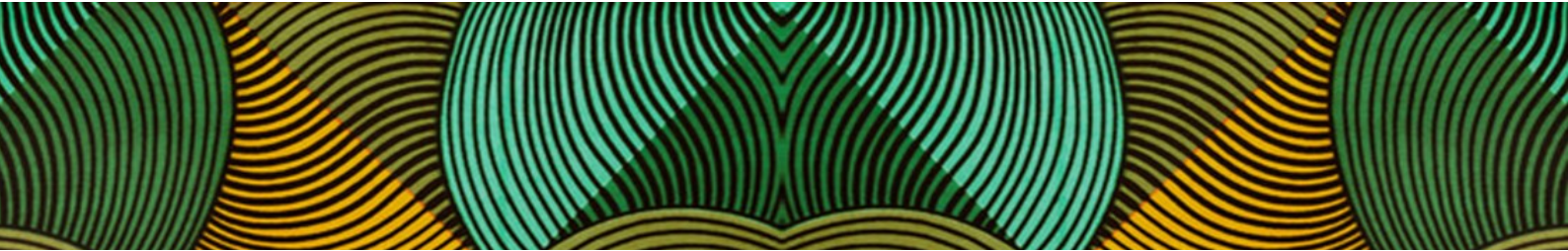


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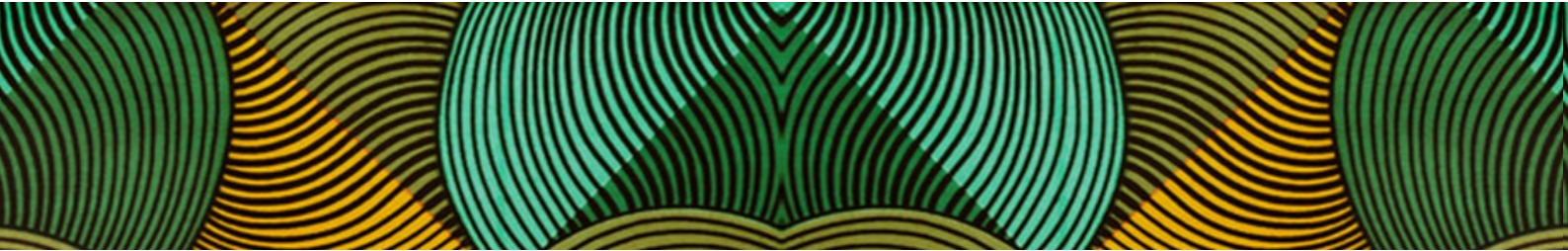
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FOREWORD BY ISLA BOARD CHAIRPERSON

New challenges, new opportunities

Following a full year of the Covid-19 pandemic, we treaded carefully into 2021. We were aware of how easily our plans could be watered down by new waves but equally resolute that our vision of an Africa where people marginalised based on gender and sexualities fully realise their human rights, had become even more pertinent. The pandemic had brought to the fore the fragility of hard-won gains in women's rights and sexual rights and the need to use the law to safeguard the progress already made.

For ISLA, these challenging circumstances were used as fuel and motivation to keep moving and ramp up the momentum. We officially launched our Strategic Plan for 2021 – 2025. The plan takes stock of lessons learned since ISLA was founded and reflects the opportunities and challenges for feminist strategic litigation in Africa.

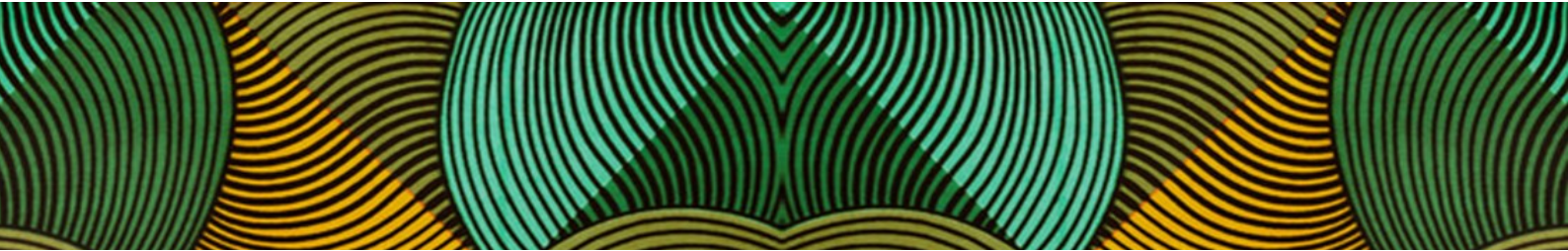
In keeping with our Pan-African vision, we continued to expand our work across the continent. We explored new opportunities for engagement in Francophone West Africa and North Africa while sustaining our work in the countries where we were already operational. Importantly, we continued to develop feminist jurisprudence and a pool of African feminist litigators through our networks and collaborations.

Strategic litigation takes time, and even more so when a gendered lens is applied. The results and case highlights in this report are a highly condensed version of the months or years it takes to conclude a case. And while it is crucial to accentuate positive developments and promote cross-learning from various countries on the continent, we must also appreciate the real risks that come with strategic litigation. Feminist and movement litigators, their clients and supporters often face threats to their freedoms, rights, and lives. In some instances, our successes are viewed as threats and may fuel opposition.

On behalf of the ISLA board, I extend my deepest gratitude for the work of our staff and partners across the continent. Your unwavering commitment to ISLA's values shows up in your courage and dedication to continue fighting for women's rights and sexual rights. As we head into a new operational year, we remain inspired by the communities whose rights we seek to defend. We also continue to be energised by the social movements that drive this work from grassroots to international forums.

We will continue to hold governments accountable to respect and protect rights, especially those grounded in gender and sexuality, challenge legal discourse on human rights violations, develop new norms and use strategic litigation as a tool for social change.

Nonhlanla Mokwena
ISLA Board Chairperson



EXECUTIVE DIRECTOR'S LETTER

Normalising change and growth

The past year taught us that we need to be ready at all times to accept change, adapt, and move forward. We entered our seventh operational year with a mix of emotions. On the one hand a sense of gratitude and joy for surviving an unprecedented global health crisis, while on the other, a feeling of loss for our pre-pandemic way of life. As an organisation, we were challenged to the core and yet we showed up and did our best.

Working virtually helped us to expand our network. We explored new partnerships in Francophone West Africa, North Africa and Lusophone Africa to engage in various aspects of our work including case sourcing and supporting civil society organisations to take up cases or conduct advocacy. Combined, our webinars reached over 300 people, allowing us to further grow our audience.

Amid this volatility, our work stabilised. We witnessed the efforts of the past years beginning to bear fruit and elements of our work merging into the cohesive framework we imagined. We began to see our feminist litigation network lawyers developing cases and started getting the decisions that will help develop jurisprudence. Our work on surfacing intellectual contributions of African feminist lawyers, academics and practitioners allowed us to finalise and launch several publications. With the global transition to virtual events, we were able to engage our partners despite the distance and share what we are learning as resource people and panellists on multiple webinars. The ISLA "model" where we invest in the capacity strengthening of institutions has proven to be a major source of growth for our work and for building social movements.

As attacks and violations by states and other institutions related to sexual orientation, and gender identity and expression continue, we know that our work is needed for African women and people of all genders to experience true freedom. This knowledge motivates us. I am grateful for the partners and donors who have worked with us over the past year and have allowed us to deepen our work systematically so that our results can be sustained.

We have learned to live, cope and work with uncertainty, and we have survived. These are lessons and experiences we will hold onto in the coming year – they have made us stronger and more resilient.

Sibongile Ndashe

Executive Director, ISLA

OVERVIEW OF ISLA

Who we are

The Initiative for Strategic Litigation in Africa (ISLA), founded in 2014, is a feminist, Pan-African, non-profit organisation. We use the rule of law within African domestic and regional courts and international human rights bodies to advance women's human rights and sexual rights. We highlight positive developments and promote cross-learning from various countries on the continent. By making women's voices and experiences visible in jurisprudence, we seek to highlight and assert women's leadership and contribution within the African Human Rights System and expose gender bias. Feminism is at the heart of our endeavours: our work is designed to challenge patriarchy, class and power relations by centring women's voices and women's agency. We believe that strategic litigation is a powerful tool for social change because it helps to reframe the understanding of entitlements before the law. Strategic litigation challenges legal discourse on women's human rights and sexual rights, holds States accountable for violations of human rights, especially those grounded in gender and sexualities and helps to develop new norms.



Our Vision

ISLA envisions an Africa where human rights are fully realised for those marginalised on the basis of gender and sexualities.



Our Mission

To protect sexual and women's human rights through Strategic Litigation and Capacity Strengthening initiatives.



Our Goals

1. We work to develop jurisprudence through the courts to hold state and non-state actors accountable for violations of rights based on gender and sexualities.
2. We aim to create an enabling environment for strategic litigation to happen with a focus on strengthening lawyers, social movements, and institutions that work on strategic litigation.
3. We seek to strengthen civil society to respond to threats and attacks that weaken civic space and human rights broadly and to organise to maximise the potential embedded in sudden political or social opportunities.

How we make an impact

Thematic Areas



SEXUAL RIGHTS: respond to violations and promote access to justice around questions of sexual rights. This thematic area prioritises the elimination of violations based on sexuality broadly, and sexual orientation and gender identity (SOGIE) in particular.



VIOLENCE AGAINST WOMEN: enhance the protection of women from violence in its many forms through the articulation of progressive standards and the development of legal precedents that elaborate on the positive obligations of the State to hold both state and non-state actors accountable for the prevention and protection of women from violence.



WOMEN'S SOCIO-ECONOMIC RIGHTS: using the law to achieve policy and legal outcomes that advance women's socio-economic rights.



PRACTICES AND PROCEDURES: Ad-hoc work on developing an enabling environment for strategic litigation by institutionalising good practices and procedures.

Priority Areas

ISLA has prioritised four areas of work through which we can proactively design initiatives, implement projects, and evaluate our impact. The parameters of our priority areas are bound by our thematic areas.

1

Litigating for Social Change (LSC) – We conduct strategic litigation through focused work as amicus curiae (friend of the court), and advisor to counsel. We provide legal representation before regional and international mechanisms.

2

Strengthening Capacity to Litigate Strategically (SCLS)

We design and drive initiatives that strengthen our capacity and that of our partners to litigate strategically with the ultimate aim of developing a pool of feminist strategic litigators and movement lawyers within our networks and on the Continent. We also support social movements to embrace strategic litigation as a tool for social change.

3

Building Partnerships for Social Change (BPSC)

We collaborate with institutions and individuals that help to enhance our work and vice versa and strengthen civil society and women's movements in particular.

4

Producing Knowledge for Social Change (PKSC)

We develop materials to serve as resources for those who want to deepen their understanding of feminist strategic litigation and want to improve their ways of doing feminist strategic litigation in Africa.



SUMMARY OF IMPACT

OUR IMPACT IN 2021/2022



12
Countries covered



100
Lawyers and activists trained with partners



12
Public engagements



9
Webinars held with partners



300
People reached through webinars



24
Lawyers in the Feminist Litigation Network



42
Strategic litigation cases to develop jurisprudence in Africa

LITIGATING FOR SOCIAL CHANGE

OVERVIEW

Litigating for Social Change (LSC) is the core work of ISLA. ISLA carries out strategic litigation through focused work as amicus curiae (friend of the court), advisor to counsel, and legal representation before regional and international mechanisms.

Our work includes case sourcing, where we identify the right clients and what their needs will be during the litigation process. We design case impact where we consider the potential effects of the case beyond legal and policy change and work towards institutionalising best practices around case selection, case development plans, external reviews, and legal mobilisation.

Implementation of decisions requires us to work in partnerships, to prepare the ground to take on the work of implementing decisions made by domestic courts and regional bodies, and to advocate for the different aspects of implementation required for social change.



LSC IMPACT IN 2021/2022



SEXUAL RIGHTS

- Freedom of association and assembly
- Freedom from SOGIE-based violence and the State's due diligence to prevent and respond to violence
- Police harassment and abuse of the criminal justice system



VIOLENCE AGAINST WOMEN

- State's obligation to protect women from violence and to act with due diligence
- Defamation suits against victims of sexual violence



WOMEN'S SOCIO-ECONOMIC RIGHTS

- Division of property at divorce or termination of a relationship
- Gendered impacts of the extractives industry



LITIGATING FOR SOCIAL CHANGE

Sexual Rights

Sexual rights are amongst the most contested categories of human rights, with persistent attacks, threats, and risks for those who enjoy or seek to enjoy these rights and for those who defend these rights. Within the broader category of sexual rights, for the last ten years there has been a concerted attack by states, corporates, social, religious and traditional institutions on rights related to sexual orientation, and gender identity and expression (SOGIE).

The LSC invests in strategic litigation related to these conditions to vindicate and enforce the most violated rights and to protect bodily autonomy. Our litigation strategies are based on research and analysis of the priorities of the communities and movements which are most affected.



Case highlights

Freedom of association and assembly

For LGBT+ people on the continent, freedom of association is vital. If people cannot organise and undertake advocacy, they will not realise their fundamental rights. The ability to register organisations is critical so that LGBT+ rights groups are recognised and can organise in the future.

LGBT+ Rights, Ghana

In Ghana, civil society organisation, LGBT+ Rights tried to officially register as an NGO. However, the registration process has been fraught with challenges. With heightened anti-gay rhetoric and public sentiment, it has been difficult to find lawyers and auditors willing and able to assist with the registration process. Further, after pictures of the organisation's office space were shared on social media, anti-LGBT groups became increasingly hostile.

*Sexual rights are amongst
the most contested
categories of human rights*



LITIGATING FOR SOCIAL CHANGE

Lesbian Equality and Empowerment Initiative (LEEI), Nigeria

Pamela Adie founded the group Lesbian Equality and Empowerment Initiatives (LEEI) in 2017. When she applied to register the organisation under the Companies and Allied Matters Act of Nigeria (CAMA), her request was denied on the basis that it was "misleading, offensive and contrary to public policy" - without any reasons advanced to substantiate the decision. Judgment was delivered on 19 November 2018. The court dismissed Ms Adie's case and found that Ms Adie's rights to freedom of expression and association were not unconstitutionally violated because the organisation's name is contrary to the Same-Sex Marriage (Prohibition) Act (SSMPA), which prohibits registration of same-sex associations. ISLA provided technical support to the case, as it provides an opportunity to develop regional jurisprudence on strengthening freedom of association and assembly in the context of sexual rights. The case is now with the Court of Appeal.

Police harassment and abuse of the criminal justice system

The 'spectacle of arrest' often takes the form of meeting disruptions. There is a need to hold states accountable as often there are no laws violated so those arrested do not get prosecuted. These actions amount to the abuse of state power. The aim is to drive anti-LGBT sentiment by making public arrests which receive media coverage.

ISLA Staff arrest, Tanzania

Three ISLA staff members were arrested and detained, along with their Tanzanian counterparts in 2017 when they were preparing to launch a case on the closure of drop-in centres and the ban on lubricant distribution in public health settings which impacted LGBT people. After three years of consulting with local partners to ensure that the pursuit of legal action does not lead to further complications for our partners' work, we filed a notice to launch proceedings before the Tanzanian High Court. A hearing was held in March 2021 and a second hearing in June 2021.

Freedom from SOGIE-based violence & due diligence

Legal representation, for freedom from SOGIE violence, Ghana

Identifying lawyers who can take strategic litigation cases in Ghana has been challenging. Even when lawyers are supportive, they have a limited understanding of rights and SOGIE or prefer to remain behind the scenes. Securing access to legal representation for LGBT+ organisations has therefore been our priority in Ghana.

21 LGBT activists arrested for alleged unlawful assembly, Ghana

ISLA was informed of the unlawful and arbitrary arrest by Ghanaian police of 16 women and five men on 20 May 2021 in the city of Ho, Volta Region. The group who were conducting paralegal training on the protection of the human rights of sexual minorities were charged with unlawful assembly. Despite the relatively minor charges, the activists from OLX (a Muslim-focused LGBT organisation) and Key Watch Ghana (an intersex and trans organisation) were repeatedly denied bail and were jailed for three weeks before finally being released in June pending their prosecution. All charges were later dropped in August 2021.

Transphobic violence, Malawi

In June 2021, ISLA filed a lawsuit against the Malawi Defence Forces seeking declarations that the Military violated a transgender woman's right to be free from violence by failing to prosecute a case where she was brutally attacked by a soldier. A video of the violent assault on the trans-woman at the army barracks was recorded and circulated by members of the military. We were able to get the army to institute disciplinary proceedings that led to the demotion of the relevant officer and we are now pursuing compensation.

LITIGATING FOR SOCIAL CHANGE

Violence against Women

State's obligation to protect women from violence/act with due diligence

In contemporary human rights jurisprudence, a state must act with due diligence in its domestic crime prevention, law enforcement and legal remedies according to international instruments to which the state has subscribed. The state due diligence principle departs from traditional common law concerning state liability. Due diligence is essential for the investigation of every criminal complaint. Violence against Women (VAW) cases are no exception. Governments must comply with international and regional treaties by conducting proper investigations, prosecuting and punishing perpetrators, and providing proper remedies for survivors.

As women seek justice, we also aim to eliminate further violations of their rights. Police and other public authorities or officials must not be allowed to discriminate against VAW victims or abuse them through ridicule or coercion. Such conduct is not only a violation of the law but contributes to systemic secondary (or compounded) victimisation against VAW survivors. Prevention of violence is also a due diligence obligation of the state to provide women with fundamental rights and equal protection under relevant legal instruments, including the Constitution.



Case highlights

In Kenya, working with the Centre for Rights, Education and Awareness (CREAW), we have several cases focused on holding the government accountable for its failure to protect survivors and victims of sexual and gender-based violence (GBV) and investigate these cases. This systematic denial of women's rights typically occurs at police stations where GBV survivors receive poor service or experience secondary victimisation as they are blamed for the incidents or asked to enter into unlawful settlement agreements. Through litigation, we aim to bring attention to the Kenyan government's affirmative duty to act with due diligence using adequate law enforcement and suitable legal remedies for GBV victims.

*As women seek justice,
we also aim to eliminate
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of their rights.*



LITIGATING FOR SOCIAL CHANGE



IW v Attorney General & others was filed at the Constitutional Division of the High Court on 8th October 2021. The Petitioner, a university student, was raped by the First Respondent, her employer. He is an ex-police officer. When the Petitioner reported the matter to the police it was assigned to the Second Respondent as the investigating officer. The officer caused the Petitioner to falsify her statement essentially giving the investigating officer territorial jurisdiction to handle the matter. She then coerced the petitioner to enter into an out-of-court agreement with the perpetrator instead of forwarding the case for prosecution.

The investigating officer knew the perpetrator and was attempting to conceal his crime. This case demonstrates the importance of holding police officers to account for arbitrary and bad-faith misconduct. The victim's rights were denied by the police's unlawful behaviour as they failed to properly investigate the case with due diligence while coercing the victim to abandon her quest for justice, ensuring that the perpetrator does not face prosecution.

In *MC & CREAM v Attorney General*, MC, a college student was raped by her former schoolmate at her residence. When the victim reported the incident to the police, they collectively ridiculed her - insinuating that the circumstances, including her attire, warranted her consent, thus inviting the sexual assault. During her efforts to seek justice, the police demanded payment from the victim in exchange for tracking the perpetrator, and asked her to settle the matter out of court. They even nicknamed the victim 'kesi ya nyama' (the meat case), after the fact that the victim cooked rice and beef for the perpetrator before the rape. The police openly used the nickname to address the victim whenever she visited the station for follow-ups on the case. The criminal complaint was ultimately withdrawn by the victim's brother without her advanced knowledge.

This case is another example of secondary victimisation at the hands of the police. The taunts and extortion by the police inflicted further psychological injuries upon the rape victim while hampering any efforts to investigate the case or even pursue prosecution.

WMW & CREAM v Attorney General focuses on VAW in the public domain. On 7th August 2018, Wairimu Muthoni was violently shoved off a matatu (public minibus) by its conductor in a dispute over the fare. The conductor along with a ticketing agent then brutally assaulted Ms Muthoni, robbed her of cash and her gold necklace, and left her bleeding on the roadside. According to the victim, all the passengers watched while the driver assaulted her, but did nothing to help. She was not the first woman to be violently pushed off a matatu by a driver but was one of those who survived such an attack. There have been several reported incidents in matatus, where women were physically or sexually assaulted. Even though there were witnesses to the assault and Ms Muthoni provided a part of the vehicle number she caught as the bus sped from the scene, the police even failed to identify the bus driver. The case further signifies deficient investigations by the police. Additionally, regarding VAW in public transport services, the government must adopt effective preventive measures to protect women from violence.



Due diligence is required and essential for the investigation of every criminal complaint. Violence Against Women cases are no exception.

LITIGATING FOR SOCIAL CHANGE

Defamation cases, in Kenya and Uganda

The law of defamation has been developed around the world to protect the good name and reputation of people in cases where false statements are made about them resulting in some form of harm or damage. However, defamation laws are weaponised against women, girls and gender non-conforming persons who speak out against perpetrators of sexual and gender violence. When these laws become tools of judicial harassment against victims, they become part of the cycle of violence and secondary victimisation to which survivors are often subjected. In East Africa, we have witnessed alleged perpetrators institute or threaten to institute defamation claims against their victims once they are publicly named.



Case highlights

In Wambui Mwangi v Tony Mochama and Another, the plaintiff-perpetrator instituted a defamation suit against the defendant-victim after being publicly named by her on Twitter as a sexual predator. The court ruled in favour of the plaintiff, who alleged defamation against women victims he was accused of harassing and was awarded an extraordinarily high amount of damages against the defendants. In doing so, the court opined that the defamation was not justified as the victim, had failed to establish that the sexual assault occurred. The case is currently under appeal. ISLA applied to intervene as an amicus curiae.

Also, in *Ian Njagi Njeru v Nyaguthii Kioi*, the plaintiff-perpetrator filed a defamation suit before the Kenyan courts against the victim-defendant after she named him on social media as a rapist. The case is ongoing. ISLA applied to join the matter as amicus curiae.

In *Carlton Douglas Kasirye v Sheena Ahumuza Bageine aka Tasha*, the plaintiff-perpetrator filed a criminal case under Uganda's cyber-harassment laws against the defendant who had used Twitter to expose him as a sexual perpetrator. In addition, the alleged plaintiff-perpetrator then filed a defamation case against her, which is currently ongoing.



Coalition for consent, South Africa

In November 2021, the fourth instalment of the ISLA Conversations focused on the failure of the state to protect women from violence, exemplified by the *S v Coko* case where a high court in South Africa acquitted a man of rape. According to the complainant, a 23-year-old woman, she had accepted oral sex but did not consent to penetrative sex.

The case spurred public dialogue on consent and what constitutes rape. Following the judgement, CSOs and academics came together in a coalition to support the victim and sustain dialogue on consent. Some are providing psychosocial support to the victim while grassroots organisations are providing popular education to communities on what constitutes consent. A research group is also conducting a study to inform the public narrative on rape and consent and litigating organisations are now going to court as amicus curiae.

These collaborations are vital as what happens outside the courtroom is just as important as what happens inside. Beyond legal and policy changes, joint advocacy and social mobilising can achieve impact - in this case leading to behaviour change around sexual consent and the acceptance of rape culture in society.

LITIGATING FOR SOCIAL CHANGE

Women's social and economic rights (WSER)

ISLA's work on WSER revolves around using the law to achieve policy and legal outcomes that advance women's legal rights to land, housing, or property; women's access to fair and non-discriminatory working conditions; and women's sexual reproductive health and rights. African women continue to face pervasive discrimination as they try to assert their right to own, control, use, and access land and property. Women's land and property rights (WLPR) is therefore a significant thematic focus within WSER as we seek to promote greater legal protection of women's land and property rights in Africa. Additionally, WLPR are often vested in family relationships and unions. ISLA, therefore, seeks to litigate cohabitation cases and cases of family-forming unions as the formal union of marriage often sustains patriarchy and capitalism whereas cohabitation and other forms of union that lack a legislative framework favour the person of economic power, which historically would be the man. Our WLPR litigation strategy also acknowledges that various forms of unions, be it, marriage, domestic partnership, cohabitation or polygamous relationships are valid families that should be accorded autonomy, equality and non-discrimination of marital rights.

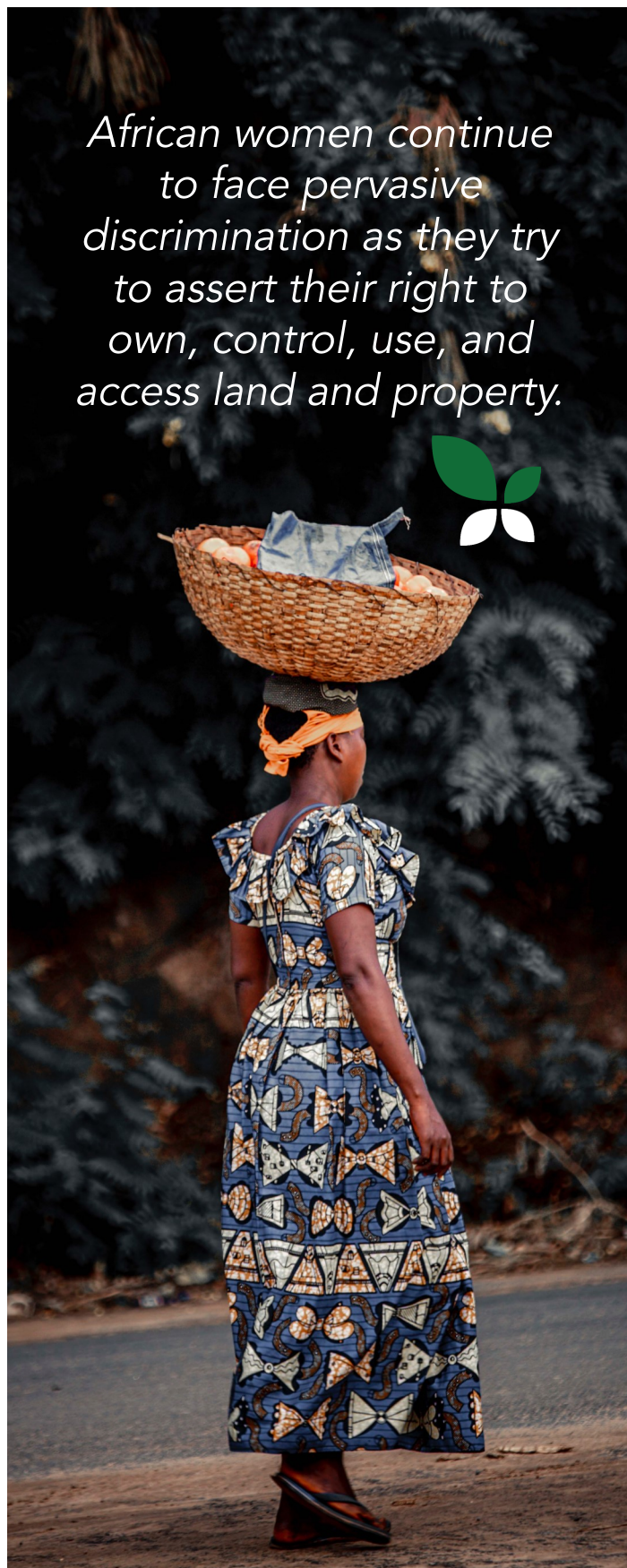


Case highlights

Division of property at divorce or termination of a relationship whether by death or by separation

Family-forming unions and relationships are a basis for women's access to and use of economic resources including land and property. We recognise that decision-making power in the family is gendered, and it privileges men and limits women's economic opportunities. This imbalance often leads to the discrimination of women and affects women's access to economic resources in matters such as succession and inheritance including questions of who can be appointed as administrators of estates. Gender inequality in families also leads to a lack of protection in cohabitation relationships and other family-forming unions, fault-based divorce systems, and inequality in the division of matrimonial property.

African women continue to face pervasive discrimination as they try to assert their right to own, control, use, and access land and property.



LITIGATING FOR SOCIAL CHANGE



Case highlights

Immaculate Musyoka (IM) v Michael Mwangi (MM)

The Parties, IM and MM met in 2012 and began living together in 2013. They commenced the process of a customary marriage but IM became pregnant, disrupting the realisation of the marriage. MM requested IM stop working to take care of their children. The couple acquired assets including property that were registered under the Respondent's name. When the couple's relationship deteriorated, MM proceeded to evict IM and sought custody of their children at the Children's court where he denied that the parties ever cohabited. This case sought recognition and protection of the family as the basic unit of society as envisaged in Article 45 of the Kenyan Constitution. Currently, only families resulting from registered marriages are accorded legal recognition and protection. The lack of protection of other forms of family is not only discriminatory but leaves families vulnerable specifically, women, upon the dissolution of the union.

Gendered impact of the extractives industry

For poor, marginalised communities, the extractive industries are known to exacerbate vulnerabilities rather than benefits. Even where extractive industries operate in a way that envisions benefits for the host communities, women's needs and their relationship to land, biodiversity and the ecosystem in general, are often ignored in the planning, implementation and closure of extraction. Strategic litigation cases can be used to surface how the exclusion of women in extractive processes leads to their harm, and to remedy this harm. Our work in this area focuses on using strategic litigation to develop feminist standards that expand women's access to resources, including developing a gendered analysis of how public resources benefit women individually and communally. We also endeavour to strengthen the capacity of feminist lawyers to identify gender bias and to define legal strategies to ensure equal benefits. This includes how compensation plans by state and non-state actors include or consider the harm that women suffer as a result of exclusion from the extractives industry.



In the Sierra Leone extractives case, *Aiah Fengai and 73 others v Ocea Ltd (Kono Community v Ocea Mining Company)* community members are suing a mining company for failing to adequately compensate them for their loss of livelihoods, including the destruction of their residential properties and farms due to mining activity. The community has instituted proceedings before the High Court, suing the mining company for damages. ISLA applied to join as amicus curiae. If admitted, ISLA will offer the Court guidance on ensuring a gendered approach to remedying the impact of violations on the community; the importance of remedying gendered inequalities in the impact of extractives industries; and will demonstrate the extent to which intersectionality of remedies is applicable or can be applied in this matter.

Kono Community v Republic of Sierra Leone, (ECOWAS)

is a suit by the Kono community against the Sierra Leone government for failure to protect the community's land rights. It derives from the facts in *Aiah Fengai and 73 others v Ocea Ltd*, against the mining company. ISLA reached a Memorandum of Understanding with a lawyer in Sierra Leone for legal representation, and an application for intervention as amicus curiae to highlight the need for gendered remedies is underway.

STRENGTHENING CAPACITY TO LITIGATE STRATEGICALLY

OVERVIEW

An anchor role that ISLA plays is to nurture a pool of feminist strategic litigators and movement lawyers within our networks and on the Continent. ISLA also support social movements to embrace strategic litigation as a tool for social change. Our capacity-strengthening activities comprise a raft of organised and targeted opportunities for teaching and learning key skills in feminist litigation and movement lawyering. These activities include in-depth seminars for lawyers who have identified cases or have made considerable progress on their cases, and strategy consultations to map partnerships and develop strategies for litigating specific issues and to understand where interventions are needed.

KEY RESULTS IN 2021/2022

In-depth seminars

In-depth seminars delve into specific cases that our partner lawyers are litigating. Lawyers who have the cases and experts come together to unpack the legal arguments and strategy and determine if the chosen strategy will result in social change.

Women who speak

The general objective of this seminar was to understand the various ways in which the law is used to silence women and to explore how the existing defences can be broadened to incorporate the state's obligation to protect women from violence. The seminar considered recent cases that have the potential of setting new precedents and providing a roadmap for litigators to use when assessing how to defend their clients in defamation cases. More specifically, the seminar participants also shared knowledge on the elements of defamation that will help the lawyers to expand their defences, including the various ways that the law is used to silence survivors on the continent.

Through the discussions, participants could begin to consider the viability of the defences that survivors can use to guard themselves if faced with a defamation claim after they have disclosed their experience of violence or abuse. By bringing together lawyers working on defamation cases, the seminar provided the backdrop to develop a network of feminist litigators on defamation and a repository of information for those who seek to use the law to defend survivors.



Strategy consultations

Strategy consultations are meetings aimed at facilitating conversations about litigation strategies or strategies for intervention. They allow ISLA to consider issues that relate to legal and mobilisation strategies. The strategy consultation process allows practitioners to gain an in-depth understanding of required interventions and the subsequent legal processes.

Challenging anti-rights actors (CARA) strategy consultation

Anti-rights actors continue to use multiple approaches to deny people their fundamental rights. These tactics include event disruptions, counter-demonstrations and hate speech among others. From 2-3 December 2021, ISLA hosted a two-day strategy consultation to develop a network of individuals and organisations to join the Challenging Anti-Rights Actors (CARA) project.

CARA's mission is utilising the law and grassroots organising to counter anti-rights actors. Participants included journalists, human rights defenders, lawyers, researchers, and activists from 11 organisations. The overarching goal of the consultation was to identify the most effective collaboration opportunities for resisting anti-rights actors. Recommendations from the session included forming a strong coalition to challenge anti-rights actors, finding lawyers who are willing to support cases and training lawyers to assist victims of anti-rights activities.

STRENGTHENING CAPACITY TO LITIGATE STRATEGICALLY

Strategy consultations for case sourcing in Francophone Africa

In June 2021, ISLA held its first strategy consultation in Abidjan, Côte d'Ivoire. ISLA's network partners, Gender, Parity and Women's Leadership (GEPALEF) from Côte d'Ivoire and Voix de Femmes (VDF) from Burkina Faso attended the strategy consultation along with resource persons they selected to participate.

ISLA presented its theory of change and its application to case research in Francophone West Africa. The consultation also provided an opportunity for ISLA to understand how the political and legal contexts in Francophone West Africa are conducive to strategic litigation on sexual and women's human rights and to assess the priorities in Francophone West Africa as they relate to ISLA's thematic areas. Other objectives of the consultation included understanding why few litigants undertake strategic litigation on women's human and sexual rights in Francophone West Africa; understanding the considerations that influence the choice of the ideal client when researching cases to undertake strategic litigation on women's and sexual rights; and identifying tactics and strategies for overcoming political, cultural and legal barriers to strategic litigation.

During the consultation, 29 case-sourcing partners were identified (12 from Côte d'Ivoire and 17 from Burkina Faso). These partners provide a range of services related to women's rights and empowerment including counselling, information and awareness raising, support and advice, legal assistance and psycho-social assistance. Their areas of focus encompass violence against women (including conjugal and domestic violence), inheritance, access to land, accusations of witchcraft, paternity testing, alimony, female genital mutilation and access to sexual and reproductive health.

The strategy consultation resulted in three key outputs. Firstly, GEPALEF and VDF developed work plans detailing their respective partners and the level of support these partners could offer to identify strategic litigation cases. Secondly, Voix de Femmes sourced two cases and are developing these cases with the support of ISLA while GEPALEF has sourced one case. Thirdly, the network partners forged new partnerships to devise effective ways of collaboration for the success of strategic litigation in their respective countries with ISLA's support.



A follow-up consultation took place in January 2022 in Ouagadougou, Burkina Faso. This second consultation guided core network partners on how to best develop cases with their partners. It also provided an opportunity for ISLA and the network partners to discuss a way forward for the cases sourced by VDF. The two cases centre on women's legal rights to material resources, such as land, housing, or property. Simultaneously, the cases address questions of family, religious and customary law, and practice. The consultation therefore, focused on ways in which ISLA and its partners can advance cases on women's socio-economic rights.

The participants also mapped out partners that could be instrumental in taking the sourced cases forward and identifying additional cases. Twenty-one organisations were identified as entities that are engaged in the protection of human rights and that could strengthen the network. These organisations can provide services such as referral of strategic litigation cases, information and raising awareness in the community, and advocacy on women's and sexual rights.

The two consultations were a critical step in expanding our work in Francophone West Africa. The engagement with multiple partners on collaboration and coordination for case sourcing and development helped build the foundation for an enabling environment for strategic litigation and movement building.

STRENGTHENING CAPACITY TO LITIGATE STRATEGICALLY



Consultations to develop laws on equal distribution of matrimonial property

Under our Women's Socio-Economic Rights (WSER) thematic area, we held a strategy consultation that sought to popularise the African Commission on Human and People's Rights General Comment No. 6 on Article 7(d) of the Maputo Protocol. Article 7(d) focuses on the right to property during separation, divorce or annulment of marriage. Legal professionals and social movements in North Africa who use strategic litigation as part of their legal, policy and social change initiatives received guidance and support on implementing the provision.

The Article mandates State parties to enact appropriate legislation to ensure that women and men enjoy the same rights in cases of separation, divorce or annulment of marriage. The General Comment specifically looks at women's rights to property in cases of separation, divorce or annulment of marriage. It seeks to revert discriminatory practices in law and practice and guides the state parties on how marital property should be shared fairly and in a manner that is consistent with the notion of substantive equality between women and men. The strategy consultation was key in introducing ISLA to the region and will hopefully open up doors for further engagement.

Our capacity-strengthening activities comprise a raft of organised and targeted opportunities for teaching and learning key skills in feminist litigation and movement lawyering.



BUILDING PARTNERSHIPS FOR SOCIAL CHANGE

OVERVIEW

Changing how lawyers engage in litigation requires movement lawyers who are embedded in the communities whose rights they seek to defend and have advanced knowledge of the issues that they seek to litigate. Efforts on capacity strengthening for litigation have typically focused on developing interest and savvy among lawyers, but not on skilling activists and movements to make decisions about impact litigation. We invest in partnerships where we can develop a shared vision of social change and the ways of co-creating that change. We collaborate with institutions and individuals that help to enhance our work and vice versa and strengthen civil society and women's movements in particular. Both networks and collaborations allow ISLA to do this work.

Networks

Our innovation and primary method of working is through our two networks, the Feminist Litigation Network (FLN) and the Sexual Rights Litigation Network (SXLN).

The Feminist Litigation Network (FLN)

The Feminist Litigation Network (FLN) provides long-term, quality, in-depth support and capacity building to individuals and Civil Society Organisations (CSOs) who work on strategic litigation on women's rights in Africa. The FLN functions as an ecosystem of partners working together to build a pool of effective African feminist litigators within women's rights and human rights organisations, who are embedded in movements and the communities whose rights they seek to defend, and who have a sophisticated understanding of the issues that they litigate on. The FLN is committed to working with women's and feminist movements which are co-created with people most affected by discriminatory laws or practices, and CSOs that have a focus on legal and human rights strategies.

FEMINIST LITIGATION NETWORK KEY RESULTS IN 2021/2022

24

Feminist litigators in the FLN pool



First cohort
2017 - 2021

8

16

Current cohort
2021 - 2024



10

Civil society organisations have embedded network lawyers.

6

Organisations span six African countries - Burkina Faso, Kenya, Malawi, South Africa, Tanzania, Uganda.



The network expanded in geographic scope, number of lawyers and partner organisations including Anglophone and Francophone West Africa.



Network lawyers strengthened their ability to challenge and apply the law with a **feminist lens** in a range of human rights issues.



Partner organisations and lawyers identified the **strategic angle** in cases as they pursue impact litigation.

BUILDING PARTNERSHIPS FOR SOCIAL CHANGE

Through our network cases, we are making the following strides in social change:



A constitutional challenge to outlaw the informal out-of-court settlement of gender-based violence cases that limits access to justice.



Ensuring the **right to tell one's story of sexual violence** is protected by freedom of expression and opinion.



Advancing the **protection of various forms of families** to protect women's land and property rights.



Holding states accountable for the **proper investigation of violence against women cases** and protecting women from violence in the first place.

42

Strategic litigation cases on women's rights have been identified and are being litigated by the network

Cases cut across ISLA's thematic areas of violence against women (VAW) and women's social and economic rights (WSER)



Violence against women cases

- State's obligation to protect women from violence and act with due diligence
- Women who face legal consequences as a result of publicly naming their perpetrators (defamation)



Women's social and economic rights cases

- Women's land and property rights, particularly the division of property at divorce or termination of a relationship whether by death or by separation
- Legal implication of cohabitation and marriage or family dynamics for women's access to property.
- Emerging cases on women's right to health, sexual harassment in the workplace and women's right to privacy.



Feminist Litigation Network partners

KELIN - Kenya
CREAW- Kenya
FIDA - Uganda
Voix de Femmes - Burkina Faso
Women's Link Worldwide - Kenya
Centre for Strategic Litigation - Tanzania
Centre for Applied Legal Studies (CALS) - South Africa
Women's Probono Initiative - Uganda
Katiba Institute - Kenya
FIDA - Kenya
Women's Legal Resources Centre (WOLREC) - Malawi

BUILDING PARTNERSHIPS FOR SOCIAL CHANGE

Litigation institutes

The FLN cohort is trained through two-week-long litigation institutes that happen twice a year over the three years of the partnership. The first litigation institute is focused on WSER, and the second is on VAW. The faculty, which consists of both academic and legal practitioners with expertise in various thematic areas, incorporates theoretical and practical components throughout the institutes. The curriculum focuses on the development of knowledge and skills in the instrumentalisation of comparative law, human rights methods, contextual feminist legal theory and strategic litigation on women's rights.



LITIGATION INSTITUTES HELD IN 2021/2022



2021 WSER Institute

The FLN held a WSER Litigation Institute from 5 - 16 July 2021 in Kilifi, Kenya. Fifteen network lawyers representing 12 partner organisations from Kenya, Uganda, Tanzania, Malawi, South Africa, Burkina Faso and Ivory Coast attended the Institute. The Institute faculty comprises experts drawn from academia and practitioners who have substantive expertise in the subject matter.

The WSER Litigation Institute focuses on using courts to challenge discriminatory laws that adversely impact women's ownership, control and access to material resources and to achieve policy and legal outcomes that advance women's legal rights. The 2021 WSER Litigation Institute focused on family law and its impact on Women's Land and Property Rights. The Litigation Institute incorporated both theoretical and practical (moot court) components including interactive contact sessions with faculty members.

Through the WSER Litigation Institute, ISLA strengthened the capacity of the network lawyers to litigate WSER cases at domestic, regional and international levels through the learning of the latest developments and interaction with experts. The Institute also facilitated collaborations and peer-to-peer learning of partner lawyers.



2021 VAW Institute

The 2021 VAW litigation institute introduced participants to the sub-thematic module of human trafficking in women. The Institute recognised the normative framework regarding human trafficking and empowered participants to understand and apply a victim-centred approach and trauma-informed lawyering when engaging in trafficking cases.

Through practical exercises and non-graded assessments, participants deepened their understanding of the development, application, interpretation and the lacuna of existing laws surrounding human trafficking.

The Institute strengthened the lawyer's analysis of the gendered nature of human trafficking as a human rights issue and a form of discrimination and violence, and the importance of centring the victim in trafficked cases and litigating trafficked cases from a trauma-informed lens. It emboldened the need to create feminist jurisprudence by bolstering strategic litigation tools and utilising amicus curiae as a form of intervention that advances women's rights in Africa.

BUILDING PARTNERSHIPS FOR SOCIAL CHANGE

FLN NETWORK LAWYER

Winfred Odali



ISLA's strategic litigation training changed my perspective on women's rights and empowered me to view any issue affecting women through a feminist lens. This is also helpful in case sourcing for strategic litigation.

Winfred Odali is an Advocate of the High Court of Kenya, currently working at the Centre for Rights Education and Awareness (CREAW) as a Strategic Litigation Advocate.

I attended strategic litigation training by the ISLA from 2018 to 2019. Once I completed this training, ISLA empowered my organisation, CREAW to set up a Strategic Litigation Unit. I became one of the pioneer lawyers in this Unit as well as a transitional network partner in the Feminist Litigation Network.

ISLA's strategic litigation training was designed in such a way that it equipped the participants with knowledge on feminist legal theories and methods, practice and procedures before the African Commission, the African Court and domestic courts, trial advocacy skills and international, regional and domestic laws, standards and jurisprudence. I learnt that many laws, standards and practices appear to be gender-neutral on the face of it but they indirectly discriminate against women. The training changed my perspective on women's rights and empowered me to view any issue affecting women through a feminist lens. This is also helpful in case sourcing for strategic litigation which I am actively involved in now.

There are several challenges facing women's human rights in Kenya and the region. Despite efforts by women's rights organisations to train public officers, patriarchy remains entrenched in society, more so in the institutions that are supposed to uphold women's rights in their policy decisions. It manifests in their decisions in the course of duty. It is commonplace to come across public officers who still embed toxic patriarchal values in their decisions.

The cases I have worked on that stand out to me are *IW v Attorney General & others* where a university student was raped by her employer, an ex-police officer. When she reported the matter to the police, her employer's former colleague was assigned to the case. The investigating officer knew the perpetrator and was attempting to conceal the crime by coercing the petitioner to enter into an out-of-court agreement with the perpetrator.

We took up this case to establish the principle of state due diligence obligation to investigate and prosecute violence against women as laid out in international, regional and domestic laws and standards. I learnt from the ISLA strategic litigation training that for strategic litigation to be impactful, it needs to be complemented by advocacy and collaborations. I noticed that many clients who were brave enough to report sexual violations to CREAW and the state's failure to act were university students. Therefore, I spearheaded advocacy and collaboration efforts with a consortium of Kenyan Universities where we organised a conference that brought together students from five universities. The conference was impactful as all the universities in attendance set up law clinics where they started advocacy efforts to amplify the voice calling for the state to be accountable to survivors.

From the work done in this case, CREAW and ISLA have now taken up a series of cases on the due diligence obligation of the state to protect women from violence, prevent violence against women (VAW), investigate, prosecute and punish perpetrators of violence and offer victims effective remedy.

BUILDING PARTNERSHIPS FOR SOCIAL CHANGE

FLN PARTNER PROFILE

Voix des Femmes

Burkina Faso's socio-legal culture is marked by patriarchy, discriminatory laws against women, administrative practices that undermine women's rights, and limited commitment from political actors to defend women's and sexual rights. Within this unfavourable context, Voix de Femmes (VDF) strives to create an environment where men and women have the same opportunities and women's rights are known and fully respected by all.

VDF began its Strategic Litigation work as a plaintiff in a case against the alleged perpetrators of female genital mutilation (FGM) performed on 18 girls in Oubritenga province. This work was part of a broader partnership with Equality Now on strengthening collaboration and legal action to end FGM and child marriage in West Africa.

The case proceeded to appeal, but VDF did not win because the organisation was declared inadmissible as a civil party. However, this initial experience of feminist jurisprudence was rewarding for VDF in developing its strategic litigation capacity. The case also led to important legislative reforms including a new criminal procedure code which promotes the intervention of NGOs and associations in criminal procedures when there are human rights violations.

Following this experience, ISLA contacted VDF to share their experiences of strategic litigation in Francophone Africa with other NGOs and CSOs and to develop a strategy to take the work forward in the region. VDF subsequently became a member of the Feminist Litigation Network (FLN).

Since joining the FLN, VDF now benefits from the services and experience of a dedicated lawyer, Maître Gouem, who focuses on strategic litigation. Further, in collaboration with other civil society actors, VDF is part of the process of establishing a network of women's rights defenders. Additionally, VDF has strengthened its capacity for legal and psychosocial support by holding legal clinics to identify strategic litigation cases and provide psychosocial care to women victims of violence.

Joining the FLN has given VDF a better understanding of women's rights and how they can be used to tackle the obstacles that have perpetuated discrimination against women. The training on strategic litigation, legal contexts and the international legal framework of women's rights and in particular feminist jurisprudence, has allowed VDF to become aware of the factors that create barriers to realising women's rights and how to implement solutions that go beyond traditional legal aid. Currently, VDF has two strategic litigation cases in progress and four emerging cases. Beyond justice for the victims in the cases, it is hoped that there will be a broader impact on women's rights.



Case highlights

Julienne Zoungrana/Bonkougou v Cissé Sékou and the Burkinabe State. Julienne, a widow, discovered that her husband had sold their family home without her consent before his death. The buyer, who already changed the property title into his name, now wants to evict Julienne and her children. Under Burkina Faso family law, a spouse cannot sell the family home without the consent of their spouse. The spouse who has not given their consent may challenge the sale within one year of knowledge of the sale. Though Julienne approached VDF after the time had lapsed, VDF initiated a procedure to annul the sale by raising the possibility of obtaining an extension of the deadline, taking into account the actual knowledge of the sale. The matter is pending before the court.

Valérie Gouem v Nikiema Mahamadi and the Burkinabe State Valérie Gouem is married under Customary Law and Islamic Law to Mr Mahamadi – they had three children. When Mr Mahamadi's financial situation improved, he married a second wife and gradually took the children from the applicant, eventually refusing her the right to see them. Additionally, in June 2021, while Ms Gouem was assisting her hospitalised mother, Mr Mahamadi came to the marital home and had the locks changed. Since that day, Ms Gouem has not had access to the house. VDF is assisting Ms Gouem to regain access to her children and her marital home.

Emerging cases

Alice Ouédraogo - Miss Alice Ouédraogo, aged 23, was gang raped by five young men about seven years ago. The case went to court via the gendarmerie (military police force). Unfortunately, at trial, there was no punishment for the perpetrators. Alice moved out of her neighbourhood with her mother as she suffered constant mockery from the perpetrators.

Alima Ouedraogo, a 7-year-old girl, was raped in September 2021 by four teenagers. She was seriously injured and underwent three surgeries. Her parents focused on her health before reporting the matter to the gendarmerie a month later. However, due to the time lapse between the complaint and the rape, the gendarmerie refused to investigate. VDF received the case in February 2022 and filed a complaint at the Public Prosecutor's Office. So far, the Public Prosecutor has not taken any action. One of the assailants occasionally shows up at the victim's home to taunt them. He allegedly raped another girl living in the same house.



Sexual Rights Litigation Network

The Sexual Rights Litigation Network (SXLN) is concerned with building strong movements that are empowered to litigate on gender and sexuality through training and support in strategic litigation and by strengthening in-country institutions and leadership to make strategic litigation a viable social movement tool. The SXLN aims to build a body of actors that can hold states accountable for violations against persons based on their gender and/or sexuality by nurturing partnerships between movements and lawyers working together on social change through strategic litigation at national, regional, and international levels. To contribute towards this kind of empowered collective of actors and movements, the network invests in the capacity strengthening of movements while simultaneously developing a pool of movement lawyers that have a consciousness and responsibility to assist and support litigation. In this way, LGBTIQ movements retain their agency, have the power to direct the discourse and strategy, and remain invested in social change beyond the courtroom.

Country visits

Ghana



The visit to Ghana focused on **identifying movement activists who can be part of the network** in Ghana and introducing the SXLN model as a way of starting the network activities. A crucial component was identifying lawyers who could join the network and work to develop possible strategic litigation cases. We also finalised an MOU with LGBT+ Rights Ghana and AfED including the development of working methods for the next three years.

Liberia



In Liberia, we **concluded the onboarding of the local coordinating partner (LEGAL)** by discussing the MOU with ISLA in-depth, setting out priorities and drawing up a work plan for the upcoming activities. We also identified social movements and lawyers who can be part of the network in Liberia and introduced the SXLN model to them as a way of starting the network activities. Additionally, we met with allies who can support the building of the network in Liberia over the next three years.

Malawi



Discussions in Malawi focused on **clarifying the cases envisioned under the network**. ISLA first introduced the SXLN and the envisioned role of the activists within the network. We also discussed solidarity with other movements and how they had been supported, especially by the feminist movement. The group also briefly touched on the importance of setting priorities rather than purely following donor interests. The question of safety and security also arose, and we exchanged views on how to keep safe while carrying out strategic litigation. The country visit was important to provide additional support to the local coordinating partner and start the network activities.

BUILDING PARTNERSHIPS FOR SOCIAL CHANGE

Collaborations

The Collaborations unit has four objectives.

- 1** CSO Strengthening, which enables us to work with and alongside CSOs to support the development of their political and institutional capabilities to deliver on their mandates and to work together, taking collective action to achieve common goals.
- 2** Legal Research Support where we collaborate with institutions and with individual feminist scholars and researchers who do legal research that support our priority areas.
- 3** Influencing and Strengthening Regional Accountability mechanisms. In this work, we collaborate with CSOs and other stakeholders through strategic partnerships and coalitions to influence regional human rights mechanisms to fulfil their mandates and operate with accountability, transparency and based on meaningful participation.
- 4** We build strategic partnerships where we proactively and deliberately establish, sustain and build bilateral relationships nationally, regionally and in focal countries to strengthen knowledge, litigation, capacity building and contribute to building movements.

COLLABORATIONS KEY RESULTS IN 2021/2022

Litigant's Group Steering Committee meeting

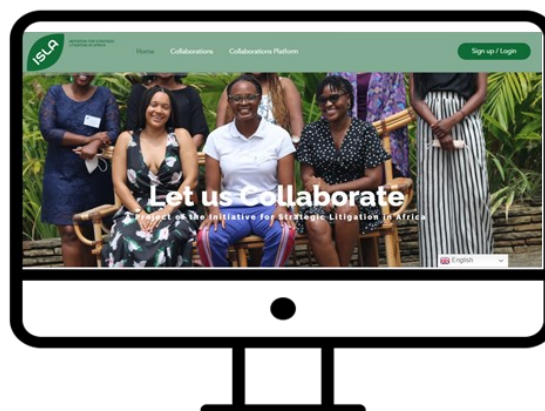
The Litigant's Group (LG), formed in 2016, is a network of lawyers and legal organisations that undertake advocacy before the African Commission on Human and Peoples' Rights (ACHPR). Over the past three years, the LG has engaged in research, discussion and advocacy to strengthen the protective mandate of the Commission. The Litigants Group is made up of sixty lawyers and NGOs working with, or interested in, the protective mandate. ISLA is part of the group's Interim Steering Committee along with the Institute for Human Rights and Development in Africa (IHRDA) and the Centre for Human Rights (CHR) at the University of Pretoria. In November 2021, the LG Steering Committee held a strategy and planning meeting to map out the revitalisation of the coalition and how best to achieve the group's overall objective of supporting the better functioning of the ACHPR.

Bridging the Gap strategy meeting

Bridging the Gap is a coalition between the Dullah Omar Institute (DOI), Kenya Legal and Ethical Issues Network on HIV and AIDS (KELIN) and the Initiative for Strategic Litigation in Africa (ISLA). The coalition's collective mission is to 'bridge the gap' in sexual and reproductive health and rights (SRHR) norms and standards in East and Southern Africa by adopting creative strategies in research, capacity strengthening, policy reforms, and litigation. In 2021, the partners developed a consensus on effective collaboration to implement joint funding so that the coalition becomes more proactive.

Let us Collaborate (LuC)

Across Africa, activists, practitioners, civil society organisations and social movements are engaged in important and ground-breaking initiatives. We believe that having a shared analysis of how social change comes about is important. Let us Collaborate (LuC) is an online platform for collaboration where feminist lawyers, academics, policymakers and contributors share their writings on chosen judgements and other relevant works to popularise feminist judgement rewriting as an important tool in the social justice sector. LuC seeks to enhance the way civil society formations that work on gender and sexuality collaborate. The platform exists to simplify the process for women's rights and sexual rights defenders in Africa to initiate, identify, engage, and partner in collaborative efforts on strategic litigation, research, advocacy and other capacity-strengthening initiatives.



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ISLA Panel of Experts

The central platform within ISLA for the generation of new knowledge is constituted through the ISLA Panel of Experts (IPE). Here we partner with African feminists who are lawyers, academics, and practitioners from different disciplines to complement knowledge which informs our litigation, capacity-strengthening, partnerships and publications work. We invest in exposing them to our work methods, driven by our theory of change, and in turn, they make themselves available to work with our team to support activities in our thematic and priority areas. Importantly, the IPE also serves to elevate and make more visible the intellectual contribution of African feminist academics and legal practitioners in engaging and thinking about the links between law, sexuality and gender, the meaning, content and scope of human rights and the architecture of the African Human Rights System.

ISLA EXPERT

Emmah Wabuke



The ISLA Panel provides an excellent opportunity to put my theoretical knowledge into practice while hopefully making a meaningful contribution to ongoing conversations on how the law can be reformed to provide safe spaces for women and girls.

I was inspired to join the ISLA Experts Panel as I believe it provides an excellent opportunity for me to put my theoretical knowledge into practice while hopefully making meaningful contributions to ongoing conversations on how law can be reformed to provide safe spaces for women and girls.

My research has often been related to Violence against Women, and includes, research around legal protections for women who undergo abortion services; protection of women from defamation claims who speak against their attackers; challenges in litigating cases on forced sterilisation and specific sexual and gender-based violence issues facing refugee women.

While feminist legal research has continued to gain pace within both academia and practice, some barriers exist, including, developing sustainable synergies between these two sectors by generating effective meeting points between the researcher and the implementer.

More collaborative spaces should be developed such as the LUC (Let Us Collaborate) digital platform where researchers can meet practitioners.

Some of my current research work is on the impact of conflict (including military coups, counterterrorism measures and policing) on women and girls in sub-Saharan Africa; I hope to continue this work in the future.

Emmah Wabuke is an Advocate of the High Court of Kenya. She holds an LLM from Harvard Law School and is currently a doctoral candidate at the University of Cambridge Centre for Gender Studies where she researches the intersections between gender, peace and security.

PRODUCING KNOWLEDGE FOR STRATEGIC LITIGATION

OVERVIEW

ISLA places importance on knowledge production. We develop materials to serve as resources for ourselves and for our partners, individuals, institutions and organisations who want to deepen their understanding of feminist strategic litigation and want to improve their ways of doing feminist strategic litigation in Africa. Our knowledge production focuses on providing tools that guide (both practically and theoretically) the interventions considered, and ultimately made by strategic litigators that go beyond the development of legal arguments and identification of the legal provisions that have been violated to using the law as a tool for social change. African feminist litigators hold undocumented knowledge that must be surfaced. Exposing this knowledge involves continuously contributing to knowledge about how to litigate issues relating to sexual and women's human rights while simultaneously producing feminist counter-narratives to the gendered knowledge and the legal interpretations currently available to strategic litigators. ISLA recognises that knowledge production is not exclusive to academics and practitioners and that social movements can produce knowledge from their own lived experiences, which should be used to enhance strategic litigation. In light of this, ISLA seeks to use the learnings of our network partners and social movements to support litigation on sexual and women's human rights on the continent.

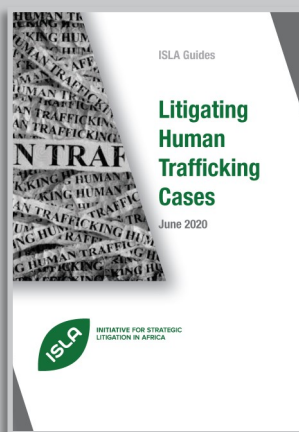


KEY RESULTS IN 2021/2022



Publications launched (and webinars to launch the publications)

We launched four publications in 2021: *Litigating human trafficking cases*, *Developing Feminist Lawyers (A Proof of Concept)*, *Sourcing Gender and Sexuality Cases*, and *Health and Reproductive Rights Article 14 of the Maputo Protocol*. To popularise the publications, four discursive webinars were held to mark each publication launch.

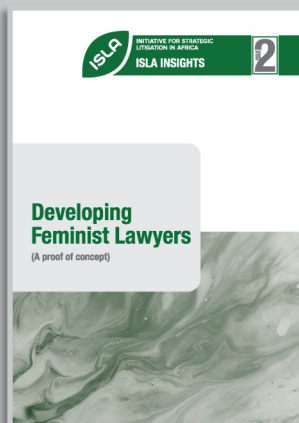


Litigating human trafficking cases

This guide examines human trafficking as a manifestation of violence against women which lacks adequate victim protection. It provides a comprehensive review of existing human rights protections, as well as best practices in victim or survivor protection and assistance when litigating trafficking cases. The review comprises of existing literature, analysis of human rights instruments, experiential learning based on ISLA's work of supporting litigation of human trafficking cases as well as interviews with therapists and lawyers. Using a thematic approach, the guide highlights critical issues to consider when supporting a human trafficking case from a Pan-African, feminist, human rights perspective. While a range of stakeholders may benefit from the lessons and input in this guide, it is written primarily for lawyers or NGOs litigating human trafficking matters. Within the context of human trafficking, strategic litigation has a seminal role to play in ensuring that survivors access and obtain justice and compensation, punishing perpetrators, forcing state action to end or prevent trafficking and driving legal reform. It is intended that this guide provides an understanding of what a holistic 'basket of care' entails, as well as ascertaining and considering elements that are essential for a human trafficking case.

[Click here for webinar link](#)
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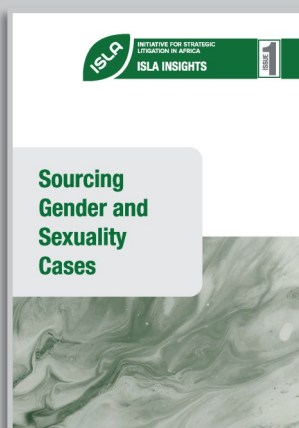




Developing Feminist Lawyers (A Proof of Concept)

Between February 2017 and December 2019, ISLA and its partners implemented the pilot phase of the Women's Human Rights Network (WHRN) which was later renamed the Feminist Litigation Network (FLN). The FLN provides quality and long-term support to individuals and partner institutions who work on strategic litigation across ISLA's thematic areas. This publication documents the WHRN pilot phase from ideation and inception through development and evolution to its status in December 2019. This proof of concept documents the testing of ISLA's theory of change against alternative approaches to social change and sexual and women's human rights litigation on the continent. The process of formulating this proof of concept has allowed us to take stock of our successes and the challenges that emerge from doing our work, and to put forward strategies not only in response to these challenges we have faced but also in response to our partner's experiences.

[Click here for webinar link:](#)
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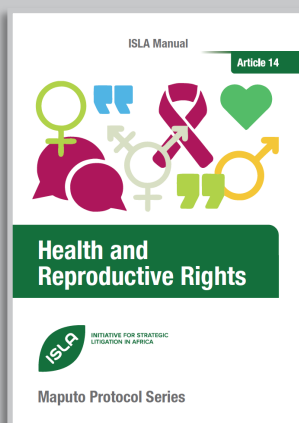


Sourcing Gender and Sexuality Cases

There is a dearth of cases for strategic litigation on women's rights and sexual rights at both national and African regional levels which stands at odds with the human rights violations disproportionately affecting women and sexual minorities. This publication interrogates the barriers towards the identification and retention of cases for feminist strategic litigation and proposes strategies towards alleviating these challenges.

The publication provides insights on client considerations which play a significant role in advancing or obscuring the sourcing of cases and the ability to sustain them once they are instituted. Different categories of clients are discussed including activists as complainants, institutional complainants and individual complainants who may not necessarily be connected to social movements. The publication also highlights existing standards for case consideration which are useful in case selection for strategic litigation. The publication is intended for social movements, civil society actors and legal practitioners who are interested in increasing feminist strategic litigation cases. The publication is also targeted at donors due to limiting funding structures which are a major stumbling block to women's and sexual rights cases.

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Health and Reproductive Rights Article 14 of the Maputo Protocol

Article 14 of the Maputo Protocol guarantees women's right to health, including sexual and reproductive health. This manual guides litigators in Africa on conducting litigation based on the provisions of Article 14 of the Maputo Protocol. The manual is premised on a reasoned analysis of the current practice context in the continent, which is that despite the guarantees in Article 14, the respect, promotion, protection and fulfilment of sexual and reproductive health and rights of women and girls in Africa remains deficient. From this recognition, the manual explores how Article 14 can be used in strategic litigation to prompt, inspire and compel successful and sustainable implementation of sexual and reproductive health rights. It provides clarity on the scope of State obligations and considers how Article 14 can be used to frame violations from a human rights and intersectional perspective to address the social and cultural practices that hinder women and girls' enjoyment of their sexual and reproductive health and rights in Africa.

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PRODUCING KNOWLEDGE FOR STRATEGIC LITIGATION

SHIFTING NARRATIVES

Our public engagements in 2021/2022

Strategic litigation on its own will not result in social change if we do not shift the social narrative. In 2021, we participated in public engagements that ensured that our out-of-court work feeds back into social change together with the strategic litigation that we do.



Advanced Human Rights Course (AHRC), Sexual Minority Rights in Africa, University of Pretoria, South Africa, 21 – 25 February 2022

On 24 February 2022, ISLA's Executive Director presented a lecture on the role of the courts and the legislature in addressing SOGIESC issues in Africa. The Sexual Minority Rights in Africa course is designed for people who wish to obtain basic or introductory information, an understanding of the terminology, and a general appreciation of the problems faced by LGBTIQ+ persons in realising basic human rights in many African societies.



World Bank's Social Sustainability and Inclusion Coffee Series: Investing in Legal Empowerment as a Vehicle for Social Change in Africa, 10 February 2022

The World Bank's Social Sustainability series focused on the strategic use of the law to empower communities to carry out social change. The conversation examined how the struggle to eliminate violations based on sexual orientation, gender-based identity, and expression (SOGIE) has had multiple key drivers in different parts of the world. Panellists cautioned against borrowing models from successful movements without due regard for the social context, geopolitics, and the particular factors that contributed to these actions resulting in social change. In many places, these realisations lead to the exposition of the limits of the law as a tool for social change, especially when society is not part of the conversation.



Inaugural Africa Gender Equality Moot Court Competition, 17 – 21 May 2021

ISLA Executive Director was a Moot Court Judge in the preliminary and semi-final rounds of the inaugural Africa Gender Equality Moot Court Competition, pitting law students across the African continent. The competition spearheaded by Equality Now and the Catholic University of Eastern Africa is anchored on the utility of the Maputo Protocol in the advancement of women's and girls' rights using the justice system. The contest analysed the effects of Covid-19 on State responsibility for women's and girls' rights in Africa.



Centre for Human Rights Workshop on Strategic Litigation and Advocacy, 23 – 27 August 2021

At the annual CHR Workshop on Strategic Litigation and Advocacy, ISLA Executive Director spoke on Strategic Litigation for transnational activism in Africa and participated as a judge for the Litigation Den. The workshop is organised by the Centre's Sexual Orientation, Gender Identity and Expression, and Sex Characteristics ([SOGIESC](#)) Unit and is aimed at empowering LGBTI+ human rights defenders in Africa on conducting strategic litigation and advocacy.



Kagiso Trust Webinar – Impact of Covid-19 on CSOs and communities, 23 June 2021

The Kagiso Trust held a webinar to launch its study on the Impact of Covid-19 on CSOs and communities, and also foreground their 5-year strategic plan (2021/22-2025/26). ISLA's Executive Director spoke on addressing gender-based violence during the Covid-19 pandemic, inequality, poverty, and unemployment experienced by women and girls.



Protecting LGBT+ persons in Africa from torture: Challenges, opportunities and comparative experiences, 21 June 2022

In March 2020, the Inter-American Court of Human Rights issued a landmark judgment in the case of *Azul Rojas Marín v Peru*. The court found the State responsible for torture including sexual violence committed against Azul by Peruvian police officers in 2008, which was inflicted because of her sexual orientation and gender expression. It was the first finding of LGBT+ torture by a human rights court worldwide, and the first decision on discriminatory torture by the Court. ISLA participated in a webinar held by Redress and its partners to discuss useful insights the decision in Azul's case could offer practitioners and national organisations in African jurisdictions, such as its detailed recommendations on best practices in LGBT+ violence investigations.



Africa Dialogue on Ending Violence against Women, 17 -18 June 2021

Ahead of the Reykjavik Dialogue, 16-18 August 2021 (an international gathering devoted to renewing activism to end gender-based violence), a Regional Dialogue for Africa took place in June. The regional event considered three main themes: What we have learned about violence against women and girls, supporting survivors and ending such violence; the most important achievements for and of survivors and activists; and building an activist or survivor-led agenda for addressing and ending violence over the next five years. ISLA's Executive Director participated in a panel that focused on interrogating the current regional landscape on violence against women (trends, practices and emerging threats).



Strategy Meeting on Global Dialogue – CREA, 1 – 3 June 2021

ISLA staff took part in CREA's (Creating Resources for Empowerment in Action) three-day dialogue convening activists, artists, scholars, donors, and other key representatives working on challenging the criminalisation of gender, sexuality, identity, and sexual and reproductive rights and with those grappling with growing criminalisation of association, expression, and assembly.



Global Philanthropy Project Summit, 13 May 2021

The session opened a space to share challenges and opportunities in reclaiming human rights mechanisms and disrupting and delegitimising anti-rights tactics and strategies in recent years and in the context of the COVID pandemic. In her role as speaker and discussant, ISLA's Executive Director highlighted concrete examples and case studies of counter strategies that have been effective in light of emerging trends of anti-rights tactics and discourses on gender and sexuality rights, regionally and globally. The session placed a spotlight on collaborative resources and practical tools used by activists, such as the Rights at Risk trends report, as a good practice and their potential to meaningfully inform strategic frameworks and priority areas. The session was directed at strengthening progressive philanthropic responses and grant-making practices in resourcing and supporting feminist and LGBTIQ movements' work to resist and disrupt anti-rights strategies and organising.

PRODUCING KNOWLEDGE FOR STRATEGIC LITIGATION

ISLA Conversations – S v Coko: The State's Failure to Act with Due Diligence to Protect Women from Violence

For the fourth instalment of the annual ISLA Conversations, ISLA Executive Director, Sibongile Ndashe held a conversation with Prof Rashida Manjoo (UN Special Rapporteur on Violence Against Women), Nicolette Naylor (Ford Foundation, former International Program Director Gender, Racial and Ethnic Justice) and Dr Ruth Nekura (ISLA Legal Director). The session focused on the State's obligation to protect women from violence, the duty of the judiciary to punish perpetrators of violence, and the legal strategies to defend women who face defamation and criminal sanctions for public disclosure of sexual violence. The topic for the conversation stemmed from the decision by a high court in South Africa to acquit on appeal, a young paramedic convicted of raping his girlfriend and sentenced to seven years in prison.

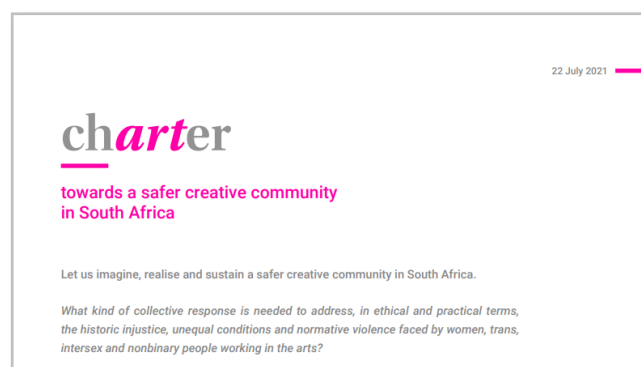


[Click here for webinar link](#)
or SCAN here →



South Africa National Arts Festival develops a gender-based violence charter

Sexual harassment and abuse are rife in the arts and entertainment industries. Women who experience harassment are typically demonised, while perpetrators in the industry often go unpunished. A lack of regulation in the creative sector leads to limited accountability and protection for survivors. ISLA collaborated with the South African National Arts Festival, GALA Queer Archive and the University of Johannesburg, Centre for the Study of Race, Gender and Class, to develop a gender-based violence charter (towards a safer creative community in South Africa). The Charter provides a framework of mutual responsibility, support, solidarity, and internal work for organisations, but also solidarity in general. It is both a call to action and a proactive, collective response to a culture of violence in general – getting involved to stand against violence. Formulating and abiding by the Charter is a process of the arts sector regulating itself to prevent and respond to GBV because the law often follows developments in practice.



[Click here for charter link](#)
or SCAN here →





Webinars Series: Strategic litigation to advance women's land and property rights in Africa (Article 7D of the Maputo Protocol)

The African Commission adopted a general comment (Number 6) on Article 7D of the Maputo Protocol which is on the rights of women in marriage upon divorce and division of matrimonial property (women's rights before, during and after marriage). This general comment was important because it unpacks the meaning of the rights under Article 7D. The webinar focused broadly on Article 7 of the Maputo Protocol. Working with a range of partners, primarily women's rights NGOs, ISLA held four webinars to popularise this general comment for Anglophone Africa, Francophone West Africa, Francophone North Africa and Lusophone Africa.



Strategic litigation to advance women's land and property rights in Africa

This webinar series features in-depth discussions with expert panelists, aimed at popularizing General Comment No. 6 on Article 7(d) of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). The series will group Africa's regions according to legal systems, cultures and languages.

Join us live

Date: 09 September 2021

Hours: 14:00 – 15:30pm Central African Time Zone

15:00 – 16:30 East African Time

13:00 – 14:30 West Africa Time

Interpretation into French will be available.

@ISLAAfrica

InitiativeForStrategicLitigationInAfrica



Our Speakers

 **Samia Melki**
President of Kadirat

 **Rhizaine Benachir**
Founder and Vice President of Jossour Forum des Femmes Marocaines (Jossourffm)

 **Dr. Nadia Alt Zai**
Professor of Family Law, Algiers University and Founder of the Information and Documentation Centre for Children's and Women's Rights (CIDDEF)

 **Professor Maya Sahli-Fadel**
Commissioner of the African Commission on Human and Peoples' Rights



Strategic Litigation to Advance Women's Land and Property Rights in Africa

An analysis of General Comment No. 6 to Article 7(d) of the Maputo Protocol

LIVE WEBINAR 

<https://tinyurl.com/z9a5kuz9>

French interpretation will be available.

Date: 12 August 2021
Time: 2:00 – 3:30pm CAT
3:00 – 4:30pm EAT
1:00 – 2:30 pm WAT



INITIATIVE FOR STRATEGIC LITIGATION IN AFRICA

Feminist Litigation Network Partners



Jamesina E. L. King is a Commissioner at the African Commission on Human & Peoples' Rights



Seodi White is a legal consultant practicing as a Transnational and Transactional Lawyer



Valentine Nyokabi Njogu is the Legal Counsel at the Kenya Legal and Ethical Issues Network on HIV and Aids (KELIN)



Susan Baluka is the Senior Legal Advisor in charge of Strategic Litigation at FIDA-Uganda

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Strategic Litigation to Advance Women's Land and Property Rights in Africa

An analysis of General Comment No. 6 on Article 7(d) of the Maputo Protocol

Date: 26 August 2021
(Lusophone Africa)
Time: 2:00 – 3:30pm CAT
3:00 – 4:30pm EAT
1:00 – 2:30 pm WAT

LIVE WEBINAR 

<https://tinyurl.com/3df7h7hp>

Portuguese interpretation will be available.

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@InitiativeForStrategicLitigationInAfrica



INITIATIVE FOR STRATEGIC LITIGATION IN AFRICA

This webinar, hosted by the Initiative for Strategic Litigation in Africa and partners, brings together expert panellists to discuss how the General Comment provides direction on the use of Article 7(d) in strategic litigation to advance women's land and property rights in Africa.

RESOURCE MOBILIZATION

OVERVIEW

In our last strategic cycle (2016 - 2018), we established an approach and strategy to fundraise, manage grants and galvanise a solid base of committed donors with a significant proportion of funds being unrestricted or earmarked for core costs. As a start-up entity, we followed a measured growth approach to ensure we were well-rooted and could scale up gradually. This method has enabled us to invest in meaningful ways to build the institutional foundations and pillars and simultaneously offered opportunities to innovate, generate, experiment and learn. We have also played a key role in enabling collectives and groups to seize unexpected opportunities for escalating change by mobilising resources on their behalf or alongside them and acting as fiscal hosts when needed.

Even with the commitment of our donors, it is evident that the pool of resources for human rights work globally is dwindling. The Covid-19 pandemic also placed further strain on resources as the response to public health issues often took precedence.

We aim to secure long-term institutional funding from feminist funds and foundations. Funding longevity is critical to sustaining our work which often does not show immediate results. The prolonged nature of litigation necessitates multi-year commitments. Furthermore, our work is iterative as we follow cycles which include design, resource, test, review and learn, adjust, maintain or accelerate as appropriate.



*As a start-up entity,
we followed a measured
growth approach to ensure
we were well-rooted and
could scale up gradually.*

Feature: BUILD Grant

In 2017, ISLA became a recipient of the Ford Foundation's five-year Building Institutions and Networks (BUILD) grant. BUILD grants support institutional strengthening - enabling organisations and networks to strengthen their leadership, management, and strategic development.

The BUILD framework comprises four levels: Strategic Clarity & Coherence, Effectiveness & Efficiency, Resilience, and Growth & Sustainability. The ISLA priorities agreed upon within the BUILD framework were strategic coherence, financial management, human resource management, and organisational structure. Safety and Security was added as an additional priority later in 2018, emerging from serious challenges faced by social movements and ISLA in the context of the deepening

hostilities on the continent. At the end of the grant in 2021, we achieved most of the priorities we set for ourselves. Our current strategy (2020 – 2025) is indicative of the guidance on strategic coherence of the organisation.

We positioned ISLA as an effective and efficient organisation: clear on its strategic mandate, role and place within and alongside movements and becoming a model in collaborations and partnerships. We also established and developed the necessary staff and Board structures to lead, manage and implement this mandate; and we developed the capability to mobilise and apply resources efficiently to deliver on our vision and mission with excellence.

Feature: Dreilinden Founder, Ise Bosch



Image: Jeanette-Sears

*Transformative
philanthropy works.*

*"It adds value for all sides ...
it leads to a circle of
positive reinforcement"*

As a champion of transformative philanthropy, Dreilinden founder, Ise Bosch, advocates for a move towards a relationship of trust when it comes to giving but also authentic empowerment and sustainability. Her reason for this approach? "Very simply, it works. It adds value for all sides. If we're lucky, it leads to a circle of positive reinforcement. The recipient can do more, which is what donors are there for."

Dreilinden was ISLA's first grant-maker and subsequently instrumental to its birthing and development. "I'd personally known [ISLA Founder] Sibongile Ndashe from her work at Interrights and was simply excited to see an expert with high leadership capabilities set up a Global South Litigation institute that would include sexual rights into their main focus points, and would build community for global South based Human Rights litigation lawyers."

Since that first grant in 2014, ISLA has grown and expanded across the continent - with programmatic activities in 12 countries. ISLA has benefitted from its relationship with Dreilinden, not only from a funding perspective but also the ability to draw on the donor's experience. Before partnering with ISLA, Ise was one of the early funders of ECCHR Berlin and had experience with human rights litigation.

While remaining optimistic about the impact of transformative philanthropy, Ise cautions that there are drawbacks to this method relating to the relative exclusivity of relationships pursued. "To be exact, the relationships we [philanthropists] choose to pursue". Yet she encourages donors to continue to be flexible and nimble and to "dig deeper in their own pockets to free up volume" even during crises such as the COVID-19 pandemic.

She also acknowledges that systemic issues will find their way into every relationship and advises that donors follow their recipient's strategy and adapt as new challenges rise. "Reserve time within your organisation to conduct an overview of your donor relationships, always have time to think ahead".

FINANCE & OPERATIONS

OVERVIEW

ISLA's Operations Unit provides a strong and evolving base and infrastructure to offer high-quality, sustained support to the programming unit whilst setting and ensuring compliance with standards of good governance for accountability, transparency and participation. As a learning organisation, our operations team supports the programming unit to explore and undertake opportunities, anticipate and mitigate threats and risks and undertake reflections so that decisions are sound and the work and approach can evolve and develop.

Key results

Human Resources

In the past year, we achieved significant progress by attracting staff with strategic litigation skills and the related capabilities of research, capacity development and advocacy. Efforts at staff development and well-being support, particularly during the COVID-19 pandemic, helped to strengthen our organisational culture. We established our executive leadership by employing the Director of Finance and Operations and the Legal Director. We also engaged a human resource (HR) manager to help develop and implement an HR strategy. These appointments have meant regular and consistent management for the staff. Additionally, after the team expanded in 2019/2020, we started to work with more consultants to cover the skills and knowledge gaps that have delayed our implementation.

Financial resources and budgeting

ISLA had significant success in securing a comprehensive budget for operational, indirect and governance work and costs. These resources have enabled significant institutional strengthening and have allowed us to achieve a level of stability, efficiency and effectiveness which exceeds the expectations of a relatively young organisation. A priority for our institutional development was to deepen our financial analysis and planning so that our fundraising work is better informed. Well-structured resource planning allows us to fully cover all functions of the organisation in ways that enable quality, impact, results and the outputs sought.





S&B PARTNERS
Chartered Accountants & Registered Auditors

Independent Auditors' Report on The Extracted Financial Information

To the Directors of Initiative for Strategic Litigation in Africa NPC

Opinion

The extracted financial information presented on pages 38 to 40 in the accompanying annual report which comprises the statement of financial position as at 28 February 2022, statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended has been extracted from the audited financial statements of the Initiative for Strategic Litigation in Africa NPC for the year ended 28 February 2022 by the Board of directors for inclusion in the annual report for the purpose of providing financial information to the donors.

In our opinion, the extracted financial information agrees with the financial information presented in the audited financial statements.

Extracted Information

The extracted information does not contain all the notes to the annual financial statements and a summary of significant accounting policies as required by the International Financial Reporting Standard for Small and Medium-sized Entities and the requirements of the Non-profit Organisations Act 71 of 1997 of South Africa. Reading the extracted financial information and our report thereon is not a substitute for reading the audited financial statements and our report thereon.

The audited financial statements and our report thereon

In our report dated 15 October 2022, we expressed an unmodified audit opinion on the audited financial statements prepared in accordance with International Financial Reporting Standard for Small and Medium-sized Entities and the requirements of the Non-profit Organisations Act 71 of 1997 of South Africa. The extracted financial information and the audited financial statements do not reflect the effects of events that occurred subsequent to the date of our report on the audited financial statements.

Responsibilities of the Board for the Extracted Financial Information

The board of directors are responsible for identifying the financial information to be extracted from the audited financial statements for inclusion in their annual report and for extracting such financial information.

Auditor's Responsibilities for the Audit of the Annual Financial Statements

Our responsibility is to express an opinion on whether the extracted financial information agrees with the financial information presented in the audited financial statements.

We do not accept or assume liability to any party other than those who engaged us, which is the Board of directors of the Initiative for Strategic Litigation in Africa NPC.

S&B Partners
Chartered Accountants (SA)
Registered Auditors

07 December 2022
Constantia Square Office Park
526 16th Road Stellenryk Building
Entrance 6, Unit 20, Ground Floor
Midrand
1685

Per: Sakhile Masango CA(SA)/RA
Chartered Accountant (SA)
Registered Auditor

FINANCE AND OPERATIONS

INITIATIVE FOR STRATEGIC LITIGATION IN AFRICA NPC ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 28 FEBRUARY 2022

STATEMENT OF FINANCIAL POSITION AS AT 28 FEBRUARY 2022

<i>Figures in Rand</i>	2022	2021
Assets		
<i>Non-Current Assets</i>		
Property, plant and equipment	300 561	351 866
<i>Current Assets</i>		
Trade and other receivables	352 862	131 427
Prepayments	373 670	778 517
Cash and cash equivalents	24 806 550	27 648 899
	25 533 082	28 558 843
Total Assets	25 833 643	28 910 709
Equity and Liabilities		
<i>Equity</i>		
Accumulated surplus	7 505 101	6 805 623
<i>Liabilities</i>		
<i>Current liabilities</i>		
Trade and other payables	2 334 334	1 801 304
Deferred income	15 994 208	20 303 782
	18 328 542	22 105 086
Total Equity and Liabilities	25 833 643	28 910 709

FINANCE AND OPERATIONS

STATEMENT OF COMPREHENSIVE INCOME

<i>Figures in Rand</i>	2022	2021
Revenue	29 104 090	19 610 365
Other income	162 329	376 506
Operating expenses	(29 205 973)	(20 058 722)
Operating surplus (deficit)	60 446	(71 851)
Investment revenue	639 032	843 584
Surplus for the year	699 478	771 733
Other comprehensive income	-	-
Total comprehensive income for the year	699 478	771 733

STATEMENT OF CHANGES IN EQUITY

<i>Figures in Rand</i>	Accumulated surplus	Total equity
Balance at 01 March 2020	6 033 890	6 033 890
Surplus for the year	771 733	771 733
Other comprehensive income	-	-
Total comprehensive income for the year	771 733	771 733
Balance at 01 March 2021	6 805 623	6 805 623
Surplus for the year	699 478	699 478
Other comprehensive income	-	-
Total comprehensive income for the year	699 478	699 478
Balance at 28 February 2022	7 505 101	7 505 101

STATEMENT OF CASH FLOWS

<i>Figures in Rand</i>	2022	2021
Cash flows from operating activities		
Cash receipts from funders	24 913 748	28 663 687
Cash paid to suppliers and employees	28 279 218	19 883 521
Cash (used in) generated from operations	(3 365 470)	8 780 166
Interest income	639 032	843 584
Net cash from operating activities	(2 726 438)	9 623 750
Cash flows from investing activities		
Purchase of property, plant and equipment	(129 114)	(194 229)
Sale of property, plant and equipment	13 203	51 485
Net cash from investing activities	(115 911)	(142 744)
Total cash movement for the year	(2 842 349)	9 481 006
<i>Cash at the beginning of the year</i>	27 648 899	18 167 893
Total cash at the end of the year	24 806 550	27 648 899

FINANCE AND OPERATIONS



Our Board of directors

ISLA is governed by an independent board of directors that oversees our strategic direction, operational development, and risk and threat analysis and supports our senior management team. We are grateful to be guided by such an experienced and committed team of leaders with expertise in law, social work and human resources. Under their leadership, ISLA has grown from a nascent organisation and emerged as a strong, grounded and robust institution leading in strategic, feminist litigation for social and economic justice in Africa.

Nonhlanhla Mokwena

Social Worker
8 years with ISLA

Doo Aphane

Lawyer
8 years with ISLA

Caroline Ageng'o

Lawyer
8 years with ISLA

Elizabeth Letebele

Human Resources
7 years with ISLA



Our Donors

The growth in our work over the past year was made possible by the generous support and contribution of donors. Beyond funding our work, your guidance and encouragement have been instrumental in accelerating our work across the continent. We are deeply grateful for your steadfast support during an exceptionally difficult time globally. Thank you for walking with us on this journey as we use feminist litigation to shape the Africa we want.

Arcus Foundation

Dreilinden

Ford Foundation

Foundation for a Just Society

Mama Cash

The African Women's Development Fund

Tides Foundation - NoVo Foundation

Wellspring Philanthropic Fund



Our Staff

The ISLA is supported by a talented staff with dynamic professional backgrounds. Their outstanding legal, programmatic, financial, and administrative management and expertise are the ultimate pillars of the organisation's efficiency and impact. We appreciate their commitment to upholding the ISLA's mission to use the law for social change across Africa.

Amorlett Zitsenga - Legal Programmes Coordinator

Carolene Kituku - WSER Lawyer (Consultant)

Cynthia Kalenga-Tshimpumpu - Francophone and Collaborations Coordinator

Joy Awich - Francophone Legal Officer

Nobukhosi Zulu - Knowledge Production and Capacity Strengthening Manager

Nomini Lisa Marala - Human Resources Manager

Nomsa Mbaza - Office Assistant

Ruth Nekura (Dr) - Legal Director

Sibongile Ndashe - Executive Director

Sophie M Jessie - Director of Finance and Operations

Sophie Ndhlovu-January - Operations Manager

Thabisile Sithole - Finance Officer

Thiruna Naidoo - Litigation Coordinator



