

Andreassen and S P Marks (eds) Development as a Human Right: Legal, Political and Economic Dimensions (A Nobel Symposium Book, Harvard School of Public Health, Francois-Xavier Bagnoud Center for Health and Human Rights, 2006) 167-195

'Enforcing Positive Socio-Economic Rights Claims: The South African Model of Reasonableness Review' in J Squires, M Langford and B Thiele (eds) The Road to a Remedy: Current Issues in the Litigation of Economic, Social and Cultural Rights (Australian Human Rights Centre, The University of New South Wales Press: Sydney, 2005) 73 – 88

'The Protection of Economic and Social Rights in Domestic Legal Systems' in A Eide, C Krause and A Rosas (eds) Economic, Social and Cultural Rights: A Textbook (Second Revised Edition) (Martinus Nijhoff Publishers, 2001) 55 – 84

'The Development of Policy, Plans and Legislation to Protect and Promote Economic, Social and Cultural Rights' Circle of Rights. Economic, Social and Cultural Rights Activism: A Training Resource (International Human Rights Internship Program and Asia Forum for Human Rights and Development, 2000) 407 – 417

'Socio-Economic Rights' in Chaskalson et al (eds) Constitutional Law of South Africa (Juta & Co, 1998) chapter 41 - 1 – 56

### Journal articles

'The Privatization of Water Services: The Quest for Enhanced Human Rights Accountability' (2015) 37 Human Rights Quarterly 691 – 727 (with K Moyo)

'Towards an Equality Promoting Interpretation of Socio-economic rights in South Africa: Insights from the Egalitarian Liberal Tradition' (2015) 132 South African Law Journal 411 – 437

'Judicially Enforceable Socio-economic Rights in South Africa: Between Light and Shadow' (2014) 37 Dublin University Law Journal 131 – 171

'Participatory Approaches to Socio-economic Rights: Tentative Lessons from South African Evictions Law' (2014) 32 Nordic Journal on Human Rights (Special edition on Human Rights Based Approaches to Development) 312-330

'Developing the Law of Joinder in the Context of the Eviction of People from their Homes' (2013) 29 South African Journal on Human Rights' 554 – 570 (with G Muller)

'Engaging the Paradoxes of the Universal and Particular in Human Rights Adjudication: The Possibilities and Pitfalls of 'Meaningful Engagement' (2012) 12 African Human Rights Law Journal 1 – 29

'Narrowing the Band: Reasonableness Review in Administrative Justice and Socio-economic Rights Jurisprudence in South Africa' (2011) 3 Stell LR Law and Poverty Special Edition 639-663 (with G Quinot)

'The Value of Human Dignity in Interpreting Socio-Economic Rights' (2005) 21 South African Journal on Human Rights 1 – 31

'Giving Money to Children: The State's Constitutional Obligations to provide Child Support Grants to Child Headed Households' (2004) 20 South African Journal on Human Rights 151 – 164 (with B Goldblatt)

'South Africa's Evolving Jurisprudence on Socio-Economic Rights: An Effective Tool in Challenging Poverty?' (2002) 6 Law Democracy and Development 159 – 191.

'The Right to Social Assistance: The Implications of Grootboom for Policy Reform in South Africa' (2001) 17 South African Journal on Human Rights 232 – 257

'The International Covenant on Economic, Social and Cultural Rights and its Implications for South Africa' (1995) 11 South African Journal on Human Rights 359 – 378

'Social Rights in the Constitution: Towards Effective Equality for Women in South Africa' 1994 - 1995 Third World Legal Studies Journal (International Third World Legal Studies Association and The Valparaiso University Law School) 225 - 242

Professor  
Sandra Liebenberg



Candidate of the Republic of South Africa  
for election to the UN Committee on Economic,  
Social and Cultural Rights

2016



Professor Sandra Liebenberg

It is a great pleasure to present the candidature of Prof Sandra Liebenberg for election to the UN Committee on Economic, Social and Cultural Rights (CESCR). Currently HF Oppenheimer Chair in Human Rights Law and Distinguished University Professor at Stellenbosch University, Prof Liebenberg has extensive experience in human rights law, particularly in the area of economic, social and cultural rights. As this overview of her career and accomplishments demonstrate, she would bring a unique combination of practical, policy-related and academic expertise experience to the work of the CESCR.

In the early phases of her career, she was involved in defending victims of apartheid injustices as a practising public interest lawyer. She was involved in cases challenging forced removals and displacement of communities from their land and housing, projects to improve social service delivery in impoverished areas, and representing workers and affiliates of the trade union movement in South Africa.

In 1994, she was elected Chairperson of the Technical Committee advising South Africa's Constitutional Assembly on the drafting of the Bill of Rights in the 1996 South African Constitution. In this capacity, she was delegated primary responsibility for conducting research, public consultations, and preparing draft formulations of economic, social and cultural rights. Her work in this regard made a significant contribution to the eventual entrenchment of a broad range of economic, social and cultural rights in the Bill of Rights. The provisions of the International Covenant on Economic, Social and Cultural Rights were a significant source of inspiration for the drafting of many of these rights.

Prof Liebenberg founded the Women and Human Rights Project at the Community Law Centre (University of the Western Cape) as well as the Socio-Economic Rights Project of the Centre which she directed until 2004 when she was appointed Professor in Human Rights Law at the University of Stellenbosch. Whilst at the Community Law Centre, she co-founded (with the Centre for Human Rights, University of Pretoria) a specialised journal analysing developments pertaining to economic, social and cultural rights in South Africa and internationally. This journal, *Economic and Social Rights Review (ESR Review)* is still being produced by the Community Law Centre.

Professor Liebenberg has written and produced a range of accessible training materials, including a major resource manual, aimed at promoting awareness and knowledge of social, economic and cultural rights amongst disadvantaged communities and groups. She has hosted a number of conferences and educational workshops, and provided expert advice to a range of government bodies and NGO's on social policies and programmes to protect and advance these rights.

She has served on the boards of directors or advisory boards of a number of human rights NGOs, including the Women's Legal Centre, the Centre on Housing Rights and Evictions, the Socio-Economic Rights Institute of South Africa, and the Global Initiative for Economic, Social and Cultural Rights. She has also been involved in a number of *amici curiae* (friend of the court) submissions in landmark socio-economic rights cases decided by the South African Constitutional

Court, including the famous Grootboom and Treatment Action Campaign cases. Prof Liebenberg's contributions to community service in the area of socio-economic rights was recognised through a prestigious Chancellor's Award by the University of Stellenbosch in 2014.

In addition to her work within South Africa she has provided expert advice to a number of UN and regional human rights bodies, including the Office of the High Commissioner for Human Rights, UN Division on the Advancement of Women, the African Commission on Human and Peoples' Rights, and the UN Special Rapporteurs on the human right to safe drinking water and sanitation and the right to adequate housing.

Prof Liebenberg is joint convenor together with the Åbo Akademi Institute for Human Rights (Finland) and the Norwegian Centre for Human Rights of the annual Advanced International Course on the Justiciability of Economic Social and Cultural Rights. This flagship course celebrated its 10th anniversary in November 2015, and forms part of the Global School on Socioeconomic Rights, a partnership of ten University law faculties across the globe.

Professor Liebenberg is an internationally acclaimed scholar in the field of socio-economic rights and has published widely in this area. She holds BA and LLB degrees from the University of Cape Town, an LLM degree in International Human Rights Law from Essex University and an LLD from the University of the Witwatersrand. She serves on the editorial boards of a number of human rights law journals including the *South African Journal on Human Rights*, the *African Human Rights Law Journal*, and the *Human Rights Law Review*. In 2011 she visited Cornell University as Distinguished African Scholar, was appointed Distinguished Professor at Rhodes University in 2014, and JC Smith Distinguished Visiting Scholar at the Nottingham University Law School in 2015. She has been an invited participant in a number of consultations and conferences on legislative and constitutional reform processes, including Zimbabwe, Australia, Ireland and the United Kingdom.

We are confident that Prof Liebenberg will make a sterling contribution to the important work of the CESCR and humbly request your support.

### Books and Chapters in Books

Law and Poverty: Perspectives from South Africa and Beyond (Juta & Co, 2011) (co-edited with G Quinot)

Socio-Economic Rights: Adjudication under a Transformative Constitution (Juta & Co, 2010) (single-authored monograph)

Socio-Economic Rights in South Africa: A Resource Book 1sted (Community Law Centre, 2000) (co-edited with K Pillay)

The Constitution of South Africa from a Gender Perspective (David Philip Publishers, 1995) (editor)

'Adjudicating Social Rights: Can Democratic Experimentalism Help?' in H Aliviari García, K Klare, and LA Williams (eds) *Socio-Economic Rights in Theory and Practice: Critical Inquiries* (Routledge, 2015) 237 – 257 (with K Young)

'Socio-economic Rights Beyond the Public/Private Divide' in M Langford, J Dugard and T Madlingozi (eds) *Symbols or Substance? The Role and Impact of Socio-Economic Rights Strategies in South Africa* (Cambridge University Press, 2014) 63 – 91

'Equality Rights and Children: Moving Beyond a One-size Fits All Approach' in K Hall et al (eds) *2012 South African Child Guage* (Children's Institute, University of Cape Town, 2012) 24 – 31

Reflections on Drafting a Bill of Rights: A South African Perspective' in N Kersting (ed) *Constitution in Transition: Academic Inputs for a New Constitution in Zimbabwe* (GTZ and Friedrich Ebert Stiftung, 2009) 21 – 45

'Socio-Economic Rights under South Africa's Transformative Constitution' in M Langford (ed) *Socio-Economic Rights Jurisprudence: Emerging Trends in International and Comparative Law* (Cambridge University Press, 2008) 75 – 101

'The Judicial Enforcement of Social Security Rights in South Africa: Enhancing Accountability for the Basic Needs of the Poor' in E Riedel (ed), *Social Security as a Human Right: Drafting a General Comment on Art 9, ICESCR – Some Challenges* (Springer: Berlin, Heidelberg, New York, 2006) 66 – 90

'Making a Difference: Human Rights and Development – Reflecting on the South African Experience' in B A