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Board Developments

The end of 2024 saw the resignations of two of our long-standing board members, whose terms of office came to an end.

ProBono.Org pays tribute to the dedicated leadership provided by Ilan Lax and Chairperson Mohamed Randerá since 2024. They made a long-lasting contribution to the strategic direction of the organisation and they are sorely missed. Happily, they have agreed to serve in advisory capacities on sub-committees of the Board.

At the Board meeting in October 2024, **Meluleki Nzimande** was elected as the incoming Chairperson. Meluleki has served on the Board of ProBono.Org since June 2020. A partner at Webber Wentzel, he specialises in all aspects of international trade and investment law across a range of sectors, with expertise in matters relating to mergers and acquisitions, anti-corruption law and general commercial law.

On a happy note, we are pleased to welcome two new directors to the Board:

Pieter Cilliers SC

Pieter Cilliers is a senior advocate with a distinguished career in the legal profession spanning nearly three decades.

Admitted as an attorney in 1995 and an advocate in 1996, he was conferred senior counsel status in 2011. He has



appeared in several high-profile cases before the High Court, the Supreme Court of Appeal and the Constitutional Court. Mr Cilliers has also acted as a judge in the Pretoria and Gauteng Division and is an experienced arbitrator in commercial disputes.

He currently serves as the chairperson of the Bar Council at the Pretoria Society of Advocates and is the Convenor of its Insurance Law Hub.

Sibongiseni Dlamini- Mntambo

Sibongiseni Dlamini-Mntambo is an accomplished diplomat and communications leader with over 25 years of experience in marketing, stakeholder engagement and public affairs. She holds a University Education Diploma, a BA in Communication Science, a BA Honours in Communication Science, and an MBL (Masters in Business Leadership).

Dlamini-Mntambo has served as South Africa's High Commissioner to Canada, where she chaired various diplomatic bodies, including the Women Heads of Diplomatic Missions, SADC Group Heads of Mission, and the Ottawa Diplomatic Association.

Her leadership experience includes senior roles at the Chamber of Mines, the Electoral Commission of South Africa, and the Department of Minerals and Energy. Dlamini- Mntambo brings a wealth of expertise in strategic communications, stakeholder engagement and governance.

ProBono.Org looks forward to benefiting from the experience and leadership skills the new directors will bring to the organisation and the Board.



ProBono.Org's digital case management system

Our partnership with the Empire Partner Foundation (EPF) has resulted in the development of a cutting-edge digital case management solution for ProBono.Org, marking a significant step forward in ensuring access to justice for all. This partnership reinforces EPF's commitment to leveraging technology to drive impactful social change.



Joanna Govender, CEO of the Empire Partner Foundation and EPF Tech Fund, witnessed by staff of ProBono.Org and EPF.

The newly developed digital case management platform is designed to streamline ProBono.Org's operations, enabling more efficient case handling, improved client management, and

real-time tracking of legal assistance. This innovation aims to empower ProBono.Org to expand its reach, providing greater support to underserved communities while addressing systemic barriers to justice.

The case management system has been introduced to the pro bono legal practitioners on our panel and should greatly improve the management and tracking of cases they accept on behalf of our clients.

At the EPF Tech Hub on 11 December 2024, this milestone was celebrated with the signing of an MOU between ProBono.Org and EPF. Present were Meluleki Nzimande, Chairperson of ProBono.Org; Shafie Ameerma, National Director of ProBono.Org; Nathan Mariemuthu, Founder of EPF; Simbarashe Mhlanga, CEO of EPF AI Campus;

The Digitisation of Access to Justice

By Masi Ncube, Regional Manager, Cape Town

On 3 April 2025, the Cape Town Regional Manager formed part of a panel for a dynamic session entitled "Building Capacity for Policymakers and Businesses in Public Key Infrastructure Implementation" at the second annual Without Borders Summit hosted by the Cloud Signature Consortium (CSC).



The CSC is a non-profit association of industry and academic organisations committed to building standards for cloud-based trust services that support web and mobile applications and comply with the most demanding electronic signature regulations in the world. The CSC gathered experts in business, government and academia to examine practical solutions for online accessibility

and cybersecurity for the most vulnerable. ProBono.Org's presence amplified the voices of the downtrodden as the issues of digitisation of access to justice, the opportunities eSignatures bring for the marginalised

and the power of capacity-building were discussed. More specifically, ProBono.Org's partnership with the Empire Partner Foundation was highlighted where the digitisation of ProBono.Org's case management has allowed the team to do more to assist those in need of pro bono legal assistance.

ProBono.Org was honoured to have contributed to the engaging discussions aimed at inclusive technological development for all.

Politics and International Executive Orders: Frozen Aid and the Impact on South Africa's Most Vulnerable

By Nhlanhla Madlala, Durban Intern



The year 2025 marks 25 years since Nkosi Johnson took the stage at the 13th International AIDS Conference in Durban. The 11-year-old HIV/AIDS activist was watched by the world and addressed a delegation of more than 10,000 people, including world and industry leaders. South Africa at this time was a drastically different landscape to what it is today in its struggle against HIV/AIDS. Since then, approximately seven million people in South Africa have been on life-saving treatment, a feat made possible by the government's national health department. The country has seen its fight against this epidemic become one of the most significant responses in the world; a stark difference to the stigma, fears and isolation faced by those who had contracted the virus just two decades ago.

Mark Heywood, a South African human rights and social justice activist, in his 1998 article, *Human Rights and AIDS in South Africa: From Right Margin*

to Left Margin, accurately predicted the effects of the political stance of the time on the outcome of the efforts against the epidemic. He argued that South Africa's ability to combat the HIV/AIDS epidemic would be seriously hampered by the government's failure to address structural inequalities, integrate human rights principles into HIV/AIDS legislation, and launch a comprehensive HIV/AIDS treatment programme on time. He was correct. The political scepticism and denial of the impact of the virus by the former government of the time saw the death toll rise to approximately 330,000 deaths in five years between the years 2000 and 2005.

The landmark ruling of *Minister of Health and Others v. Treatment Action Campaign and Others* (the TAC case) affirmed the Section 27 right to access health care enshrined in our Constitution. The Constitutional Court delivered the words, "The magnitude of the HIV/AIDS challenge facing the country calls for a concerted,

co-ordinated and co-operative national effort in which government in each of its three spheres and the panoply of resources and skills of civil society are marshalled, inspired and led. This can only be achieved if there is proper communication, especially by government.” This is the rallying call which saw the court order the government to make antiretroviral drugs accessible to HIV-positive pregnant women to stop the virus from being passed on to unborn babies.

What followed this judgment was a snowball effect that ultimately resulted in the mobilisation of HIV/AIDS treatment plans. It laid the foundation for addressing the issue of human rights violations by integrating rights, particularly socioeconomic rights, into the HIV response through supportive legal and policy frameworks; policies such as the Broad Framework for HIV/AIDs and STI Strategic Plan for South Africa, 2007-2011.

2025 is also the year which has seen unprecedented political shifts, nationally and internationally. This is South Africa’s first year under the new Government of National Unity (GNU), a first in the country’s democratic history. This year also includes South Africa’s continued stance against Israel in the Palestinian conflict and South Africa’s growing political and international stance as a member of BRICS, representing the global south.

On 20 January 2025, the United States government, through an executive order titled, “Reevaluating and Realigning United States Foreign Aid” announced a 90-day freeze on all US foreign aid. The United States government has, for more than two decades, been the steadfast leader in the global HIV/AIDS response through the US President’s Emergency Plan for AIDS Relief (PEPFAR), the Global Fund to Fight HIV/AIDS, TB and Malaria and through its support to the Joint United Nations Programme on HIV/AIDS (UNAIDS). United Nations statistics place US foreign aid at more than US\$ 100 billion to date in the global fight against HIV/AIDS, with the US accounting for around 73% of donor funding for HIV/AIDS worldwide. In a presentation to Parliament, Health Minister Dr Aaron Motsoaledi mentioned that approximately 20% of South Africa’s annual HIV/AIDS response consisted of billions of rands from US foreign aid.

Even though the courts have provided the legal mandate by which HIV/AIDS care and treatment could legally be accessible in the public health system, the actual soldiers on the front lines are the NGOs, health

workers, volunteers, and the people on the ground whose dedication it has been to make resources available for HIV/AIDS treatment that have ensured that the judgment did not remain mere words on paper.

It is not surprising then that these front line soldiers would be the first to feel the impact of the executive order. On 21 February 2025, the Parliamentary Monitoring Group Standing Committee addressed the impact US foreign aid cuts would have on the Western Cape’s healthcare services. One of the key issues discussed was the financial impact. It was mentioned that R365 million had been lost for this financial year in the Western Cape alone due to the funding cuts. This affected ten NPOs listed in the report and the G2G programme, which was directly funding 700 healthcare workers.

The sudden ‘overnight’ withdrawal of aid also meant the loss of funding for hundreds of donor-funded organisations and clinics throughout the country which administer life-saving treatment. Not only that, but this decision threatens to jeopardise years of HIV/AIDS research. Ironically, it was Human Rights Day on 21 March, the day that celebrates strides made to protect the vulnerable in our country, but the opposite has happened. That weekend saw a few cancellation letters being sent to various health organisations announcing the suspension of grants. One of those organisations, the Wits Health Consortium at the University of the Witwatersrand, which oversees HIV/AIDS clinical trials and donor-funded initiatives, received cancellation letters that Friday night.

Amidst the adversity, the government has seen that this is an opportunity for self-reliance. Dr Aaron Motsoaledi said he no longer wanted South Africa to depend on aid. “It’s only that you remember the era when PEPFAR started when people offered your money; you couldn’t reject it. But I believe it was something that we should not have allowed to flourish.” Better management of the national fiscus to ensure sovereignty is to the advantage of not just the most vulnerable in our country, but also so as not to be at the ‘mercy of others’, to the advantage of our politicians.

South Africa, the young democratic nation that it is, is no stranger to adversity. Nelson Mandela’s Rainbow nation arose out of adversity.

What is to arise from this new adversity is yet to be seen.

EVENTS

Access to Justice Stakeholder Engagement

On 28 February 2025, ProBono.Org attended a stakeholder engagement session hosted at the Soweto Campus of the University of Johannesburg. The event was convened by Justice Minister Mmamoloko Kubayi and Deputy Minister Andries Nel, under the theme “The plight of the poor and the role of NGOs in ensuring dignified access to justice.”

The purpose of the engagement was to hear directly from the community about the challenges they face and the frustrations experienced in accessing justice. The Minister expressed a strong commitment to working collaboratively with NGOs to find solutions and make access to justice for all a reality in South Africa.

As part of the engagement, ProBono.Org was able to highlight to the Minister the role that ProBono.Org plays in the access to justice ecosystem.



South African Human Rights Commission Workshop: Exploring Synergies for Access to Justice

The South African Human Rights Commission (SAHRC) is a Constitutional Chapter 9 body that uses alternative dispute resolutions to deliver equitable solutions for the poor and vulnerable in line with the Bill of Rights.

Recognising the value of collaborative efforts, the SAHRC has expressed interest in working with ProBono.Org and like-minded organisations to expand their reach and impact. With a footprint in all nine provinces through their regional offices, the SAHRC aims to sign a Memorandum of Understanding (MOU) with ProBono.Org. This partnership would focus on fast-tracking the constitutional theme of access to justice especially for the poor, the needy and the most vulnerable members of our society.



Human Rights Festival - March 2025

In honour of Human Rights Day, the annual Human Rights Festival was held over the weekend of 21 to 23 March at Constitution Hill, well attended by many members of the public, artists, activists and civil society representatives. The festival included massed drumming, poetry, a book fair, a creators' market, panel discussions, a concert and the We the People Walk. Along with NGOs and organisations from across South Africa, ProBono.Org had a stall in Activism Row, where our staff were happy to engage with the public to let them know about how they could get access to justice through our legal clearing house model.



PARTNERSHIPS

Building Bridges for Justice: ProBono.Org’s Strategic Partnerships with PILnet and the SADC Lawyers Association

In December 2024, ProBono.Org signed a Memorandum of Understanding (MOU) with PILnet and the SADC Lawyers Association (SADC LA), a milestone initiative aimed at strengthening pro bono and public interest lawyering across Africa, beginning in the Southern African region.

The purpose behind the MOU is to foster cross-border collaboration by sharing best practices with our counterparts on the African continent, starting with the SADC region and venturing into the rest of the African continent, with a long-term vision of expanding this initiative globally, where pro bono work is done extensively with the assistance of PILnet. As the only clearing house in South Africa, operating since 2006, ProBono.Org is uniquely positioned to lead this work.

The journey began with engaging with SADC LA, laying a strong foundation for collaboration. The signing of the MOU with SADC LA marked a pivotal moment, not only showcasing ProBono.Org’s experience in coordinating pro bono legal work but also opening the door to deeper partnerships.

Shortly thereafter, a formal relationship was established with PILnet, a global organisation committed to advancing access to justice through public interest law. An initial meeting on 19 December 2024 revealed an alignment in values and goals. Together, ProBono.Org and PILnet are working to expand the reach of pro bono services by combining our skills and talents to reach a larger group of people, locally and globally.

This collaboration places ProBono.Org within a broader movement of legal empowerment, one where skills and innovation are shared to ensure justice reaches those who need it most.



Golf Day Fundraiser

In partnership with the Empire Partner Foundation, ProBono.Org will host a Golf Day on 28 May at the Killarney Country Club. This is a fundraising event for the organisation, where we invite the golfers among the legal profession and others to participate. Opportunities include Four Ball participation or direct sponsorship. There will be prizes and an auction at the evening dinner.

More information can be found here. Please support this initiative and join us for an exciting day out.

We welcome new interns in our Durban and Cape Town offices.

DURBAN

Fezile Latha is a dedicated and driven individual from the KZN South Coast. She holds an LLB from the University of KwaZulu-Natal. Passionate about creating a world of equality and justice, Fezile is committed to ensuring that everyone has access to legal representation. As part of the ProBono.Org family, she strives to make justice accessible to all.

Her motto in life is “If you fail to plan, you plan to fail” by Benjamin Franklin.

Her interest in law is socio-economic rights, especially Basic Education and Health Care Services. She believes that the youth are the future of our country and must be protected in all measures. She is determined to make a change and impact society in a meaningful manner.



CAPE TOWN

Siyeyisa Pokwana is an LLB graduate from the University of the Western Cape with a strong passion for social justice. This passion has led him to join ProBono.Org as a legal intern, where he contributes to providing access to justice for marginalised communities. Before this, he worked as a Research Assistant at the Research Unit for Legal and Constitutional Interpretation and Theory under UWC’s Law Faculty. He has also gained practical experience as a student legal advisor at the UWC Law Clinic, where he provided legal support and engaged with clients on various legal matters.



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WORK

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