

Anél du Plessis

For a more sustainable South Africa

All South Africans have an enforceable right to an environment that is not harmful to health or well-being and, despite being a water scarce country, every South African has a right to the access of clean drinking water.

"We have some of the best environmental laws in the world but a traditional lack of compliance and enforcement has diluted the system," said Professor Anél du Plessis of the Faculty of Law, North-West University (NWU) where she is heading the Masters Programme in Environmental Law and Governance.

A case in point is the Green Court in Hermanus, launched in 2003 and boasting an 80% conviction rate for environmental contraventions, but was disbanded just a few years after the launch of the seemingly successful pilot programme.

This led to a situation where South African courts, who were once again tasked to deal with environmental crimes, became overburdened. Concomitant with a lack of training and experience of prosecutors and magistrates, this led to a dramatic drop in the successful prosecution of some environmental crimes.

"I am passionate about addressing this situation and I have spent the past few years conducting research and teaching on the dynamics between local government, sustainability and environmental rights."

Anél, who serves on the National Secretariat of the Environmental Law Association of South Africa (ELA) since 2005, said it is her hope that her efforts will lead to a greater awareness and understanding of the environmental governance role of municipalities in South Africa, will have a tangible impact at the level of policy-making and practice and, ultimately, a more sustainable South Africa.

As a Y1-rated scientist, Anél is involved in environmental law training for the private and public sectors and has supervised a number of postgraduate and postdoctoral law students wanting to contribute to the development of local environmental governance in South Africa and the African region.

"In order to create opportunities for engagement between all three spheres of government, political role-players, community members and scholars, I have enjoyed organising several colloquia in North-West and Gauteng over the past eight years." The latest in this series of colloquia is focused on the development and enforcement of municipal bylaws.

The colloquia are made possible through funding from the German Konrad Adenauer Foundation and with the institutional support of the Faculty of Law of the NWU.



The German Alexander von Humboldt Association has also made available funding for a three year research project focused on safe and sustainable cities in South Africa (2016-2018). According to Anél, this project is an exciting opportunity to determine the features of a safe and sustainable city and to assist local authorities in South Africa to start transitioning to sustainability and overall community wellbeing.

Right side of the law

"We have great environmental principles reflected in our laws and these should govern the thinking of top-level executives in corporates and be filtered down to the men and women working for them," Anél said, explaining that a cradle-to-grave approach was needed for every development project undertaken.

While community involvement underscores a positive trend among end users Anél laments that the larger South African community is not yet fully aware of its responsibility in terms of sustainable use of the country's natural resources – also towards future generations. She believes that we have come a long way to understand our environmental vulnerabilities but that a lot remains to be done to strengthen ecosystem and human resilience.

Anél initially studied BA Law with Psychology as a major, but the law won out and two years later she had her LLB from the North-West University, the final six months of which completed in Leiden in the Netherlands as an exchange student.

"I decided to do a Masters degree in Import and Export Law and in 2004 I did a year internship at the Centre for Environmental Management of the North-West University and the South African Human Rights Commission, which is where my interest in the field of Environmental Law and Local Government was sparked," Anél recalled.

By the time Anél had completed her Masters she realised that a

doctoral degree is an important key to one's career as an academic researcher. "My LL.D helped me become a recognised expert in my field. With that came funding for projects which I was interested in and the ability to attract students into the field via scholarships and grants."

Anél edited the first book in South Africa dealing with the environmental law and local government interface in the country and she believes that this book helps to show how all-encompassing the environment is and it illustrates the many ways municipalities and local communities can follow to improve the air we breathe, the water we drink, the constructions we live in, and the land we live off."

Share the knowledge

"There are not many academics who are prepared to share their knowledge and resources in order to create opportunities for their students to become researchers and leaders in their fields of study the way Anél does," said Professor Willemien du Plessis, Professor of Law at the NWU. "She works for the greater goal of our Faculty and the university, not just to further her own career."

Willemien, who has known Anél for many years, first as her LL.D supervisor and now as her friend and colleague, said she is not surprised that Anél has achieved so much in her young academic career because of her inner fire to achieve what she sets out to do.

According to Anél, it has not always been easy to achieve her goals though. "I have been very privileged in terms of opportunities and the doors they have opened for me. Equally fortunate to have learnt many lessons and a lot about the challenges of Africa and the rest of the developing world through these opportunities. The greatest lesson being that you need to look beyond the personal sacrifices and immediate difficulties, and there have been many, and then make responsible use of every opportunity that comes your way."

Bursaries, scholarships, grants and prizes

Deutscher Akademischer Austausch Dienst (DAAD) Scholarship (LLD)

National Research Foundation (NRF) Thuthuka Grant

Max Planck Institut für Ausländisches Öffentliches Recht und Völkerrecht Fellowship Grant

USA Fulbright Association Postdoctoral Scholarship (6 months) – Environmental Law Institute (Washington DC) and Pace Law School (New York)

NRF Competitive Support for Unrated Researchers (Office of the Vice-Rector (NWU: Research) towards one month research visit to Melbourne University and the University of Sydney, November 2013)

Alexander von Humboldt Stiftung Postdoctoral Scholarship – Von Humboldt University, Berlin, Germany – Research Chair in Public International Law: Prof Georg Nolte

NWU Focus Area Grant towards LL.D studies and other research outputs

Selected for participation in the one year South Africa Netherlands Research Programme on Alternatives in Development Research Capacity Initiative Training Scholarship

NRF Travel and Research Grants

NWU Research Unit Financial Award towards LL.D studies and research project outputs (2007-2016)

Recipient of the international IUCN (International Union for the Conservation of Nature) Academy of Environmental Law Junior Scholarship Prize (2013)