

Curriculum Vitae: Prof Gaopalelwe Mathiba

Personal Details

Full Names: Gaopalelwe Lesley Mathiba
Physical address:
e-mail, phone:
Nationality: South African
Race, Gender: Black African, Male (He/Him)
ID Number:

Academic Qualifications

2023: **Doctor of Philosophy, PhD**, Faculty of Law, University of Cape Town (UCT), South Africa
2020: **Master of Laws (LLM) cum laude**, Dullah Omar Institute for Constitutional Law, Governance and Human Rights; Faculty of Law; University of the Western Cape (UWC), South Africa
2019: **Bachelor of Laws (LLB)**, Faculty of Law, North-West University (NWU), South Africa
2014: **National Senior Certificate (NSC)**, Sebetwane Secondary School, North West, South Africa

Supplementary Qualifications and Training

2023: **Protection of Forcibly Displaced Persons (AHRC2023)**, Centre for Human Rights, Faculty of Law, University of Pretoria (UP), South Africa - attended
2023: **New & Advanced Fundamentals of Employment Equity Training**, University of Cape Town, South Africa
2020: **Human Participants Research Ethics Training**, Rhodes University (RU), South Africa
2017: **Juta's Electronic Product Training**, Juta & Company (Pty) Ltd and/with NWU, South Africa
2016: **Certificate in Teaching & Learning Facilitation**, North-West University, South Africa
2016: **Certificate in Supplemental Instruction**, North-West University, South Africa

Employment Record

April 2026 – to date **Associate Professor**, Department of Private Law, College of Law, University of South Africa (UNISA)
Sept. 2022 – Mar. 2026 **Senior Lecturer**, Department of Private Law, Faculty of Law, University of Cape Town, South Africa
Mar. 2022 – Aug. 2022 **Lecturer**, Department of Public, Constitutional and International Law, College of Law, University of South Africa (UNISA), South Africa
Sept. 2020 – Feb. 2022 **Lecturer**, Faculty of Law, Rhodes University, South Africa

Teaching (@ UCT)

2022 onwards: Law of Property, PVL2002H (*convenor*)
Advanced Property Law, PVL4601S (*convenor*)
South African Mineral Law: Context, Theory & Reform, PVL4504S (*block teaching*)
Comparative Mineral Law in Africa, PVL4630F (*block teaching*)
Property Law in a Constitutional Order, PVL4625S (*co-convenor*)

Committee Membership/Participation

2022 onwards: Higher Degrees Committee
Transformation Committee
Research and Social Responsiveness
University Research Committee (URC): Conference Travel Committee
Research Data Management Governance Committee
VC Reviewer: RAC & DEC reviews
Several Task Teams/Sub-committees

Visiting Scholar/Fellowships

2025 - 2028: **Visiting Research Fellow/Scholar** at Copenhagen Business School (CBS), Department of Management, Society and Communications, Frederiksberg, Denmark on project on Frontiers of natural resource and sustainability governance for a just and fair energy transition (host: Prof Karin Buhman)

2025 - 2026: **Visiting Scholar** at University of Notre Dame, Notre Dame Law School, USA, upon nomination by UCT Law Faculty as part of the UCT/Notre Dame MoU. The Global Visiting Professor Programme under Notre Dame Law School's Global Layering Initiative (host: Prof Paul Miller and Prof Bruce Huber)

Special Appointments

2025 - : Lead Commentator: The **Mineral and Petroleum Resources Development Amendment Bill** submissions on behalf of the **SAHRC's Committee on Business and Human Rights**

2024 - : Member of **Section 11 Committee on Business and Human Rights** of the **South African Human Rights Commission (SAHRC)**

2024 - : Member of the **Civic & Voter Education Law Project (CVELP)** at the University of South Africa, College of Law, Pretoria

2022 - : Member of the **Scientific Network on Evictions and Housing Rights** at the University of Groningen, Faculty of Law, Netherlands

Service as an Academic Reviewer

2024 - : Section Editor, *Southern African Public Law Journal*, UNISA

2019 - : Technical Editor, *Journal of Law, Democracy and Development*, UWC

2018 - 2020: Associate Editor, *South African Journal on Human Rights*, Wits

Postgraduate Supervision, Evaluation and/or Assessment

2025 *PhD Supervisor*, ..., thesis title: An empirical assessment of inclusive decision-making and public participation of mine communities on mining activities: The case study of Mapela community

- 2025 *PhD Co-Supervisor, ...*, thesis title: Enhancing mineral tenure security through community participation and investment: A framework for sustainable mining in South Africa
- 2025 *External Member* of PhD Evaluation Committee of ..., thesis title: The involvement of members of traditional communities in the decision-making process of awarding a mining permits and rights – study supervisor: Prof/Judge Elmien du Plessis
- 2025 *External Member* of PhD Evaluation Committee of ..., thesis title: Evaluation of land expropriation implications on South African businesses – study supervisor: Prof Warren Freedman
- 2025 *LLM Supervisor, ...*, dissertation title: Towards the sustainable formalisation and regulation of artisanal and small-scale mining in South Africa: Lessons from Ghana
- 2025 *LLM Supervisor, ...*, minor dissertation title: Leveraging PAJA to advance land reform in South Africa: A comparative analysis with Zimbabwe
- 2024 *PhD Supervisor, ...*, thesis title: Resource nationalism in the mining sector in Zambia: A comparative study with the South African legal framework
- 2023 *LLM Supervisor, ...*, minor dissertation title: The rationale for state custodianship of mineral resources under the MPRDA: A conceptual analysis of equitable access to the mining industry and black economic empowerment
- 2023 *LLM Supervisor, Lelapa Tsosane (UCT)*, minor dissertation title: Section 54 of the MPRDA: An imbalance of conflicting interests of the landowner and the mining right holder

Academic Publications

Peer-Reviewed Chapters in Books

- Mathiba, G ‘The constitutionality of the Covid-19 moratorium on evictions in South Africa’ in Boggenpoel, Z et al. (eds.) *Property and Pandemics: Property Law Responses to Covid-19* (2021) at 208-228
- Mathiba, G ‘Mine community displacement and resettlement in South Africa’ in Graham, H; Davies, M and Godden, L (eds) *Routledge Handbook of Property, Law and Society* (2022) at 61-74 (with Mostert, H)
- Mathiba, G “Strengthening the Gambia’s electoral regime: A quest for inclusive and participatory democracy” in S Nabaneh, A Abebe & G Sowe (eds.) *The Gambia in Transition: Towards a New Constitutional Order* (2022) Pretoria Law University Press, at pg 129-157
- Mathiba, G “Combating financial exclusion of low-income earners through financial education in South Africa: Assessment and recommendations” in H Chitimira & T Warikandwa (eds.) *Prioritising Financial Inclusion in Southern Africa: A Contemporary Law and Economics Perspectives* (2022) Juta & Co, at pg 129-152 (with Magau, PT)
- Mathiba, G “Law of property and law of intellectual property” in L Meintjies-van der Walt, A Barrat & K Pillay (eds.) *Introduction to SA Law: Fresh Perspectives* 4th edn. (2024) Maskew Miller Learning, at pg 344-353 (with Sono, N)
- Mathiba, G “The obligation of mining companies to protect mining communities against Covid-19: *AMCU v DMRE*” in R Cramer & B Kengni (eds.) *Covid-19 and Mining:*

Reflections on a Pandemic (2023) Juta, at pg 33-36

Mathiba, G “Displaced and disempowered: The gendered impacts of land-use conflicts and relations on women in the extractive sector” in H Mostert, G Mathiba & J Hassman (eds.) *Grassroots Governance: Communities and Mining Governance* (2025) Juta & Co, at pg 1-25 (forthcoming)

Peer-Reviewed Journal Articles

Mathiba, G Compulsory acquisition of property for urban densification in South Africa: An answer to the chronic housing backlog? (2024) 16(1) *International Journal of Urban Sustainable Development* at 299-316

Mathiba, G The incorporation of the FPIC principle in South African policy on mining-induced displacements: Bottlenecks and opportunities (2023) 16(1) *International Journal on Minority and Group Rights* at 327-349

Mathiba, G Corruption in land administration and governance: A hurdle to transitional justice in the post-apartheid South Africa (2021) 42(3) *Obiter* at 561-579

Mathiba, G Loosening the grip on the landowners in eviction disputes: An appraisal of *Grobler v Phillips* (2024) 38(1) *Speculum Jurist* at 1-16

Mathiba, G ‘Rethinking the regulation of mining activities in a declared protected environment: *MEJCON* case analysis’ (2020) 34(2) *Speculum Juris* at pg 146-155 (with Lefenya, K)

Mathiba, G ‘Revitalising the role of the Auditor-General under the auspices of the Public Audit Amendment Act 5 of 2018: A quest for public financial accountability’ (2019) 54(4) *Journal of Public Administration* at pg 532-545 (with Lefenya, K)

Mathiba, G ‘Recent developments on attachment and execution (foreclosure) against residential property in South Africa’ (2025) *South African Journal on Human Rights* (under review)

Mathiba, G ‘The role of the International Monetary Fund (IMG) in relation to social protection’ (2019) 20(1) *ESR Review* at pg 25

Mathiba, G ‘Evictions and tenure security in South Africa: A review of *Baron v Claytile*’ (2018) 19(2) *ESR Review* at pg 12

Conference Presentations & Guest Lectures

Mathiba, G “Mining and community considerations: South African perspective” (2025), guest lecture presented at the Copenhagen Business School (CBS) for a PhD course: *The Role of Stakeholders as a Regulatory Force for Sustainable Natural Resource Usage* of the Arctic Academy for Sustainability (10 April 2025)

Mathiba, G “If only they had enhanced agency Kumba: A counterfactual probing into the case of displaced Dingleton mine community” (2025), paper presented at the 84th Annual Conference of the Society for Applied Anthropology (SFAA) in Santa Fe, New Mexico, USA (24-28 March 2024)

Mathiba, G “Enhancing accountability for environmental damage in South Africa, Zimbabwe, Mozambique and Swaziland: Towards environmental justice” (2021) paper presented at the Environmental Law Association (EIA) Annual Conference, online (15-18 September 2021)

Mathiba, G “The FPIC principle and mine-community evictions in South Africa” DST/NRF

MLiA Lunchtime Research Seminar, UCT – Cape Town, 21 November 2022

Mathiba, G “The FPIC principle and mine-community evictions in South Africa” DST/NRF MLiA Lunchtime Research Seminar, UCT – Cape Town, 21 November 2022

Mathiba, G “Critical assessment of the whistleblower protection in the AU Convention on Preventing and Combatting Corruption: South Africa in Context” (2021) paper presented at the 5th Annual Conference of the Law and Development Network – *Beyond the Crisis: Challenges and Opportunities for Law and Development*, LDRN, Nelson Mandela Metropolitan University, 24-26 November 2021

Mathiba, G “The potential of asset recovery in deterring corruption and other transnational crimes: South African perspective with insights from *Bobroff v NDPP*” (2021) paper presented at the 4th International Conference on the Right to Development, Centre for Human Rights, University of the Free State, 1-2 November 2021

Mathiba, G “The mine community displacement and resettlement conundrum in South Africa” (2021) paper presented for the Property, Law and Society Handbook Book Project, Hybrid (online & University of Melbourne), 17-19 November 2021 (with Mostert, H)

Mathiba, G “The descriptive historical evolution of land reform project in South Africa: The good and the bad” (2018) paper presented at the North-West University Law Faculty Research Seminar, Mafikeng, June 2018

Mathiba, G “The role of traditional leaders in the proposed land expropriation without compensation discourse in South Africa” (2018) paper presented at the Conference on Traditional Leadership & Authority vs Local Government, Konrad Adenauer Stiftung & North-West University, Roots Potchefstroom, 13-14 September 2018

Technical Reports, Policy Analyses & Commissioned Reports

Mathiba, G “Commentary on the Draft Guideline for the Compilation of the Mandatory Code of Practice for the Mitigation and Management of COVID-19 Outbreak (GN 262 of GG 43304 of 11 May 2020)”, Submission made to the Department of Mineral Resources and Energy (DMRE) on behalf of Mineral Law in Africa response to call for input on the 2020 Draft Guidelines (with Mostert H & Cramer R)

Mathiba, G “Written comments on the Draft Mine Community Resettlement Guidelines, 2019” (2020) Submission made to the Department of Mineral Resources and Energy (DMRE) on behalf of Mineral Law in Africa response to call for input on the 2019 Draft Guidelines (with Mostert, H & Chege, K)

Mathiba, G “Strengthening FPIC for Inclusive Mining Decisions” (2024) Commissioned Report prepared for Corruption Watch (CW) in partnership with Transparency International as part of the Rallying Efforts to Accelerate Progress (REAP), available [here](#)

Mathiba, G “Commentary on the Draft Expropriation Bill, 2019” (2020) written submission made to the Department of Public Works on behalf of Mineral Law in Africa in response to call for input on 2019 Expropriation Bill

Book Reviews

Mathiba, G “Decentralisation and Constitutionalism in Africa, edited by CM Fombad & N Steytler – book review” (2020) 50(4) *Publius: The Journal of Federalism* 1-12

- Mathiba, G “Exploring the link between poverty and human rights in Africa, edited by E Durojaye & G Murungi-Mukundi – book review” (2020) 20(1) *African Human Rights Law Journal* 346-353
- Mathiba, G “South African schooling: The enigma of inequality” edited by J Jansen & N Spaull – book review” (2020) 18(3) *Journal of Transformative Education* 346-353

Science Engagement Publications

- Mathiba, G “Time to clean out the Augean stables of local government” (2019) *Daily Maverick* (28 May 2019, available [here](#))
- Mathiba, G “Covid-19 and South African universities: A raft of problems to ponder” (2020) *Daily Maverick* (09 April 2020, available [here](#))
- Mathiba, G “The Shell seismic survey judgment: A further endorsement of meaningful consultation” (2022) *AfricLaw* (06 September 2022, available [here](#))
- Mathiba, G “The Constitutional Court reinforces the ‘first come - first serve’ approach in granting prospecting and mining rights” (2022) *AfricLaw* (06 September 2022, available [here](#))
- Mathiba, G “Traditional leaders as ‘colonial agents’ and the land question” (2022) *AfricLaw* (28 June 2018, available [here](#))
- Mathiba, G “Scrutiny of mining right applications by mining communities: A reflective note on the Xolobeni judgment” (2022) *MLiA* (26 September 2020, available [here](#))
- Mathiba, G “Mining companies should not protect only mineworkers against Covid-19, but mining communities as well: AMCU v DMRE” (2020) *MLiA* (04 May 2020, available [here](#))
- Mathiba, G “The force majeure doctrine and Corona-virus: A mining industry perspective” (2020) *MLiA* (26 March 2020, available [here](#))
- Mathiba, G “The looming coronavirus-induced mass retrenchments: At the crossroads of MPRDA and LRA” (2020) *MLiA* (29 April 2020, available [here](#))
- Mathiba, G “Public sector procurement: The deconstruction of the SASSA debacle and aftermaths of non-compliance of the constitutional duties by the Minister of Social Development” (2017) 73(3) *Journal for Progressive Thought* (The Thinker)
- Mathiba, G “Some lessons from the Constitutional Court rulings in two important cases” (2016) 69(3) *Journal for Progressive Thought* (The Thinker) (with Khunou SF)

Referees

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