

## **Editorial**

This issue consists of 10 contributions dealing with various topics. The first article, by Odile Lim Tung, discusses the international framework on the transboundary movement of genetically modified organisms, focusing on key issues and concerns regarding identification and traceability, the relationship between international agreements, the harmonisation of national regulation, risk assessment and risk management, socio-economic considerations, implementation and dispute settlement. In the second article, Haneen McCreathe and Raymond Koen demonstrate that section 47(1) *Superior Courts Act* 10 of 2013 does not limit section 34 of the *Constitution of the Republic of South Africa*, 1996. They argue that it passes constitutional muster at the first level of enquiry, thereby obviating the need for advancing to the second level of enquiry contained in section 36 (the limitation clause) of the *Constitution*. Third, Johann Knobel reflects on the contributory role of environmental law and policy in the successful conservation interventions on behalf of the rare Spanish Imperial Eagle (*Aquila adalberti*), with the aim of gaining insights that may be more universally applicable, including in jurisdictions such as South Africa. The fourth article, by Willene Holness and Sarah Rule, discusses the outcome of three cases in the Equality Courts and how these cases promote accessibility and access to justice for persons with disabilities. They examine three barriers to access to justice in accessing the Equality Courts, which were identified during a workshop on accessibility. Koos Malan reassesses judicial independence and impartiality against the backdrop of judicial appointments in South Africa in the fifth article. He identifies two main camps involved in the conflict, which he describes as the transformationists, on the one hand, and the liberals, on the other. In the second last article, Monray Botha indicates how the different functions, theories and models of labour and company law accommodate and promote the interests of employees in corporations and will also attempt to reconcile these differences. In the last article, Loretta Feris and Louis Kotzé consider the regulation of acid mine drainage in South Africa and whether it is sufficient to address serious environmental threats caused by mining practices.

The first case note, by Isolde de Villiers, deals with the case of *Maphango v Aengus Lifestyle Properties (Pty) Ltd* 2012 5 BCLR 449 (CC) in the light of the spatial justice turn identified in the works of Michel de Certeau, Henri Lefebvre and Doreen Massey. The second case note, by Robert Sharrock, examines the competence or usefulness of rectifying an incorrect party description in a contract required by law to be in writing, which was dealt with in *Osborne v West Dunes Properties* 176 2013 6 SA 105 (WCC). The last contribution of this edition is by Tamara Cohen. She discusses the case of *Popcru v Ledwaba* [2013] 11 BLLR 1137 (LC), where the labour court was required to consider if the collective agreements concluded between the employer and the majority union could be relied upon to prohibit the minority union from securing organisational rights.

Editor

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