

THE SOUTHERN AND EASTERN AFRICA CHIEF JUSTICES' FORUM CONFERENCE AND ANNUAL GENERAL MEETING IN KAMPALA, UGANDA 30TH SEPTEMBER – 05TH OCTOBER, 2024

REMARKS BY THE CHAIRPERSON OF THE FORUM

- 1. Your Excellency the President of the Republic of Uganda Mr Yoweri Kaguta Museveni, Members of Parliament and Cabinet Ministers present, the Management Committee of the Forum and Members of the Forum, Honourable Chief Justices, Honourable Judges, Your Worships the Magistrates, Senior Government officials present, the Secretariat of the Forum, Members of the Southern and Eastern Africa Judicial Administrators Association and All Protocol observed, Ladies and Gentlemen.**
- 2. Your Excellency as Chairperson of the Forum I wish to thank you and your Government for allowing the Forum to hold its Conference and Annual General Meeting in this beautiful city**

of Kampala. We bring with us warm greetings from many jurisdictions who are members of the Forum. We further wish to extend our sincere gratitude to the Judiciary and the people of the Republic of Uganda for the warm African hospitality which has been extended to the Forum since our arrival. To that extent I wish to express my deepest gratitude to His Lordship, Mr Justice Alfonse Chigamoy Owiny-Dollo, the Chief Justice of the Republic of Uganda for graciously hosting this year's conference and providing the necessary facilities and a conducive environment which is essential to the success of the conference and Annual General Meeting.

- 3. Furthermore, we wish to extend our sincere appreciation to the distinguished delegates who are gathered here and who have travelled all over the world to share with us their knowledge and expertise. We also acknowledge the attendance of the Honourable Chief Justices from South Sudan, Somalia and Burundi, and, we look forward to them joining the Forum and becoming our members.**

4. Our sincere appreciation is equally extended to the International Commission of Jurists-Kenyan section for rendering both financial and technical support in the preparation and hosting of the conference. Similarly, we wish to thank the joint effort of the Local Organizing Committee and the Secretariat of the Forum for working tirelessly in the preparations of this conference. The conference is held under the theme *“Enhanced Access to Justice: Underscoring Reforms in African Judiciaries:* the distinguished panels of Keynote Speakers and discussants will lead the various topics under this theme followed by the plenary sessions.

5. As a Forum we recognize and believe in the doctrine of Separation of Powers between the Executive, the Legislature as well as the Judiciary. We further recognize the principle of the Independence of the Judiciary which is enshrined in the national constitutions of the member countries of the Forum. However, we take full cognizance of the reality that many Judges continue to be persecuted in many parts of the African

continent for executing their mandate as required by the National Constitutions, the African Charter on Human and people's Rights, the Universal Declaration of Human Rights as well as the Charter of the United Nations.

6. The Forum is a voluntary association of Chief Justices from countries in Southern and Eastern Africa, and, it was established in 2003 in recognition of the important role that judiciaries play in the administration of justice. The main objectives of the Forum are as follows:

- ❖ To promote, protect and defend the independence of judiciaries in Southern and Eastern Africa;**
- ❖ To promote the rule of law, human rights and access to justice for all;**
- ❖ To develop guidelines on the protection of the independence of the judiciary, including the fair and transparent judicial appointment processes;**

- ❖ **To promote and protect the welfare and dignity of judges in the member countries;**
- ❖ **To promote the interests of the judiciaries of member countries and where it is considered appropriate to do so, to promote the interests of any other judiciary;**
- ❖ **To foster active participation in the African Union in furtherance of the African Union objective of ensuring Africa's integration and sustainable development; and,**
- ❖ **To promote effective co-operation and collaboration with global structures such as the World Conference on Constitutional Justice (WCCJ), the International Commission of Jurists (ICJ), the Conference of African Constitutional Jurisdictions (CJCA) and other United Nations Agencies.**

7. Your Excellency we are meeting here today at a critical time and defining moment when the natural resources of the

African continent are being plundered and looted by foreign interests and this has caused untold economic hardship and suffering to the people of Africa with high levels of poverty and unemployment notwithstanding that the continent is endowed with many natural resources. Many of the African people are dying in the Mediterranean Sea trying to secure a better life abroad. It remains a historical tragedy that whilst the African continent is so rich in natural resources but it remains the most poverty stricken continent in the World. The time has come for the African people to unite together and begin to utilize their natural resources for their own benefit and trade amongst themselves in finished products instead of exporting raw material at a price determined by foreign interests.

- 8. We note with concern the ongoing war in many parts of the World particularly in Africa, the Middle East and Europe and the huge loss of innocent lives coupled with the failure of the United Nations to intervene and stop the human suffering. There is an urgent need for the reform of the United Nations**

Security Council not only to allow the African continent to have its representation but to remove the veto power of the five permanent members of the Security Council which is the cause of the carnage and human suffering worldwide.

9. Your Excellency, as I conclude my remarks, I wish to personally thank you in my capacity as the Chairperson of the Forum for taking a keen interest in the improvement of the terms and conditions of the Judges of Uganda including their salaries and post-retirement packages, the improvement of the infrastructure for the judiciary, the improvement of the annual budgetary allocation for the judiciary as well as providing the necessary judicial posts for the appointment of Judges, Magistrates and the other required Judicial Officers. Recently, you commissioned the prestigious newly constructed Twin Towers, which houses the Court of Appeal and the Supreme Court of the Republic of Uganda. It is disheartening that in many judiciaries forming part of the Forum the conditions of employment for Judges and other Judicial Officers are not

attractive with very low salaries and shameful post-retirement packages, inadequate infrastructure for housing courts with judges sharing chambers and court-rooms, insufficient personnel without the provision of new judicial posts and an inadequate annual budgetary allocation. It is against this background that I would urge African countries to support their judiciaries with adequate financial resources if the administration of justice and the rule of law are to be realised.

10. Your Excellency we thank you for gracing this conference despite your busy schedule. We hope that Members of the Forum and distinguished delegates will find time to visit many parts of your beautiful country and experience true African hospitality. It remains for me to wish the Forum and distinguished delegates fruitful deliberations during this Conference.

I thank you, and may God the Almighty bless us all.

**M. C. B. MAPHALALA
HONOURABLE CHIEF JUSTICE OF ESWATINI AND
CHAIRPERSON OF THE SEACJF**