

Karin Pluberg, GIZ (German Development Cooperation)

Speech for Judicial Dialogue 2017

Your Excellency Representative of the Government of Tanzania,

Honorable Judges, Chief Justices, Presidents and Registrars of the Courts,

Dear representatives of all African Union institutions from regional and continental level,

Dear participants and guests from the academic, legal and partner organisations;

All protocols observed.

It is a pleasure to see that – with a few exceptions – all of you made it safely to Arusha for this third Judicial Dialogue. Since the last 2 Dialogues were also held here, maybe it is just meant to be and I welcome you to this city called the “Geneva of Africa”.

I would like to thank and congratulate the entire staff of the African Court for the incredible work and outstanding efforts in organizing this event and making it possible.

round of applause

As just mentioned, the first Judicial Dialogue back in 2013 set the ground for a hopefully longstanding tradition of a bi-annual judicial conference, that puts on the agenda urging challenges that the judiciaries and legal systems face all over the continent and establishes a constant dialogue among legal practitioners.

At the second Judicial Dialogue in 2015, the need to reinforce links between national, regional and international Courts was pointed out, as well as the importance for there to be a common understanding of the human rights protection and promotion system on the continent.

Involving the continental level is –of course – an additional challenge, but it also brings new opportunities. The development of Human Rights jurisprudence at the regional and continental level can inspire national constitutional jurisprudence, for example. The different layers of legal systems need to work hand in hand and in order to guarantee a sound protection of the citizens, they need to do so in a harmonized way.

Mentioning the citizens and right holders as the addressees of the Human Rights system:

there is a need to reach out to them and to provide for transparent and timely information in order to facilitate easy access to Court, but also to make them understand how the protection system works.

In our modern times, digital solutions are inevitable and the institutional structure should make use of these new technologies in order not to lose the connection to, especially, the young generation.

As you can see in the outline to this years' Judicial Dialogue, the "development of strategies to incorporate technology in justice delivery based on a needs assessment of all African Union Member States" is one of the priorities to tackle.

On his note, I would like to mention that the African Governance Architecture (AGA) at the African Union level, has developed policies and guidelines for a transparent communication for all governance institutions, including those with a Human Rights protection mandate that could serve as a basis for discussion.

The other topics mentioned in the agenda for the next 3 days are

- To examine the state of judicial education in Africa and
- To brainstorm on the use of IT technologies in the judiciary and possible opportunities and challenges to e-justice in Africa and

All of this can be summed up in what are the **4 core elements of an efficient judiciary**:

- 1) The employees
- 2) Efficient structures and procedures
- 3) The trust of the public
- 4) The harmonized application of substantive law –because the judiciary can only be as good, just and modern as the laws it applies.

I wish you all fruitful workshops with discussions and exchanges about the mentioned topics, that will hopefully lead to the adoption of a plan of action for enhancing the collaboration by African judiciaries in the protection of human rights on the continent, taking into account the progresses made in the implementation of the recommendations of the previous Judicial Dialogue.

Thank you very much.