ROUNDTABLE ON STRATEGIES TO STRENGTHEN HUMAN RIGHTS PROTECTION IN AFRICA

DAY 1: 20 OCTOBER 2011

SESSION 1: OPENING

08h30 – 08h50: registration

Chair:

09h00- 10h30: Welcome and opening remarks
Keynote address: [the African Court]

10h30 – 10h45: Discussion

10h45 – 11h00: TEA/COFFEE/HEALTH BREAK

SESSION 2: REFLECTIONS ON THE AFRICAN COURT

CHAIR:

11h00 -11h20: The role of the African Court in the current climate of human rights protection in Africa – a perspective from Africa. The African Commission on Human and Peoples’ Rights has been the premier institution tasked with protecting and promoting human rights. It has developed a rich jurisprudence in human rights protection in Africa. The African Committee on the Rights and Welfare of the Child is a further institution tasked with a specific area of human rights protection.
[Member, African Commission on Human and Peoples’ Rights]

11h20 – 11h40: Structural and institutional strengths and weaknesses of the African Court affecting its effectiveness. Access to the African Court; enforcement of judgments, including provisional measures; the budget of the African Court are some of the issues having an impact on the effectiveness of the Court.
[Judge, African Court on Human and Peoples’ Rights]

11h40 – 12h00: The location of the African Court in the other regional systems responsible for protection of human rights – a perspective from outside Africa. The African Court is perhaps the youngest regional judicial mechanism across the regions. While Africa may look to the European and Inter-American human rights system for inspiration, the realities in Africa may provide these systems with new approaches to addressing human rights violations.
[.......]
12h00 – 13h00: DISCUSSION

13h00 – 14h00: LUNCH

SESSION 3: ACCESS TO REGIONAL JUDICIAL MECHANISMS FOR VICTIMS OF HUMAN RIGHTS ABUSES

14h00- 15h30

CHAIR:

Access to the African Court on Human and Peoples’ Rights is critical to an effective court and redress to victims of human rights violations. In some instances, regional courts have original jurisdiction, while in others the exhaustion of local remedies is a requirement before access. Who has access to these courts? Does the principle of exhausting local remedies undermining access to justice for victims of human rights violations? Is the condition of access to these courts a limitation or an opportunity for litigants? Lessons to be learnt from the Economic Community of West African States Court of Justice; East Africa Court of Justice; Southern African Development Community Tribunal; the Inter-American and European human rights systems

Panellists: 4

15h30- 15h45: TEA/COFFEE/HEALTH BREAK

SESSION 4: ENFORCEMENT OF JUDGMENT IN MUNICIPAL COURTS

CHAIR:

15h45 – 16h00: Principles on enforcement of judgments of regional courts.

16h00- 16h15: Challenges in the enforcement of African Court judgments at municipal level [representative: African Court on Human and Peoples’ Rights]

16h15 – 16h30: The Mike Campbell v Zimbabwe judgment of the SADC Tribunal. Challenges in seeking enforcement in Zimbabwe and South Africa. The applicable procedures at domestic level to recognise such judgments.

16h30 – 16h45: Lessons from the ECOWAS Court of Justice. An example of quick justice for victims? Hadijatou v Mani Koraoau v Niger

16h45 – 17h00: Examples from the European Human Rights Court and the Inter-American Human Rights Court.
17h00 – 17h30: Discussion

COCKTAIL

DAY 2: 21 OCTOBER 2011

CHAIR:

09h00 – 09h15: RECAP OF FIRST DAY

SESSION 4: THE PROSECUTION OF INTERNATIONAL CRIMES IN AFRICA

09h15 – 09h30: The extension of the African Court to include Overview of the legal instrument in the context of the International Criminal Court. A background to the developments at the African Union

09h30 – 09h45: The key aspects of the protocol on the amendments to the Protocol on the Statute of the African Court of Justice and Human Rights

09h45 – 10h00: The implications of this new court on the African Court and its core mandate of holding States responsible for violations for human and peoples’ rights

10h00 – 10h15: Does Africa need a supra-national judicial body with criminal jurisdiction? What does this mean for State sovereignty; universal jurisdiction? Arguments for and against

10h15 – 10h30: TEA/COFFEE/HEALTH BREAK

10h30 – 11h00: DISCUSSION

SESSION 5: LITIGATION CHALLENGES – FROM THE PERSPECTIVE OF THE LEGAL REPRESENTATIVE

CHAIR:

Litigation at regional human rights bodies such as the African Court, African Commission, the Inter-American Human Rights Court and the European has its challenges. The complainant/victim; the preparation of the application; budget; securing lawyers; location of the regional judicial body; attendance at the hearing; the length of time to reach judgment; and follow-up with the implementation of a decision at local level are some of the considerations for a legal representatives launching actions at regional judicial bodies.

11h00-11h45: Panellists: 3
11h45 – 12h15: DISCUSSION

SESSION 6: CLOSURE

CHAIR:

12h 15 – 12h45: Summary of discussions and highlighting key recommendations

12h45 – 13h00: Closing remarks

18H00: TAMARIND DHOW DINNER

DAY 3: 22 OCTOBER

Chair: Tito Byenkya, Chairperson, African Court Coalition

09h00- 09h15: Welcome, adoption of the agenda

09h15 – 10h00: Report from the Executive Committee: activities and finances
   Tabling of the Executive Committee Manual and Strategic Plan for 2012-2015

10h00-10h30: Tabling of constitutional amendments

10h30 – 11h30: Voting procedure

12h00: Presentation of new Executive Committee

DEPARTURE OF PARTICIPANTS