

**OPENING ADDRESS BY H.E. SAMIA SUHULU HASSAN, VICE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA ON THE OCCASION OF THE SWEARING-IN OF THREE NEWLY ELECTED JUDGES OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS AT THE SEAT OF THE COURT, 27 AUGUST, 2018 - ARUSHA, TANZANIA**

Honourable Ambassador Dr. Augustine P. Mahiga, Minister for Foreign Affairs and East African Cooperation;

Honourable Mrisho Gambo, Arusha Regional Commissioner;

Honourable President of the African Court on Human and Peoples' Rights;  
The Attorney General of the United Republic of Tanzania;  
Honourable Vice President of the Court;  
Honourable Judges;  
Honourable Justices from other International and National Courts

Representatives of International and Civil Society Organizations;

The Solicitor General of the United Republic of Tanzania;  
Representatives of the Arusha Municipality;  
Distinguished Guests;  
Members of the Press;  
Ladies and Gentlemen

**Distinguished Guests,**

I have come to this distinguished gathering as a representative of His Excellency Dr. John Pombe Magufuli, President of the United Republic of Tanzania. The Court had extended to him an invitation to grace this solemn ceremony, and he had equally wished to join you personally. However, due to some pressing exigences, he could not, and has requested me to personally represent him at this swearing-in ceremony.

I particularly want to extend hearty congratulations to the newly-elected Judges, among them a distinguished Tanzanian Judge. I am delighted by the fact that, of the three new Judges, two are women and this, puts women at a slight edge over their male counterparts in the continental Court, as we now have six women to five men.

**Honourable President,  
Judges of the African Court,**

Your appointment to serve at the apex Human Rights Court in the continent should not be taken for granted. It signifies the confidence that your individual countries have by nominating you, and the trust African Heads of State have in appointing you, but more importantly, it demonstrates African citizens' reliance on you as the guarantor and protector of their rights. This confidence must never be betrayed, because an institution like the African Court strives on the level of confidence bestowed on it by the people it is established to serve. You personify fairness and justice and you must be seen as such at all times and in all you do.

**Excellencies,  
Distinguished guests,**

The African Court, like some other international and regional human rights tribunals is a Court of last resort. Those who seize the Court do so after attempting to resolve their disputes in their domestic courts. We are all familiar with the saying that the wheels of justice grinds exceedingly slowly, and in our continent, where the wheels can actually do grind to a halt; it may take between 10 to 20 years for some disputes to go through the domestic courts. Therefore, when complainants come before you, they come with a lot of expectation and a high level of anxiety. They expect a quick resolution of their disputes. Of course, as Member States, when we are brought before international tribunals, we also expect matters to be dealt with expeditiously, as FOR JUSTICE DELAYED IS JUSTICE DENIED FOR ALL.

**Distinguished Guests,**

Tanzania has been and will continue to champion the course of human rights. Our history is built on respect for human dignity and our record on the fight against racism, discrimination and violation of human rights is clear. In ratifying the Protocol and depositing Article 34(6) declaration, Tanzania was restating its commitment to the protection of human rights at home and on the continent as a whole.

It was therefore not surprising to us when the African Union decided that we should host the African Court. We are determined to support the Court, like we have done with other African institutions, and are resolved to making Tanzania a shining example and Arusha the human rights capital and seat of justice in Africa.

## **Excellencies,**

Today, Arusha hosts a number of international and regional judicial and human rights bodies, including the UNMICT, the African Court, the EACJ, and boasts of a number of international and regional human rights NGOs, such as PALU, East African Law Society, Coalition for an Effective African Court, to mention just a few.

I understand the Court has received over 180 cases within the very short period of its existence. This is remarkable when compared with the experiences of other similar regional Courts. The government of Tanzania has been and will continue to support the work of this Court in order to make it one of the greatest and best Court in Africa and perhaps all over the world. Last week the Solicitor General and Deputy Solicitor General of Tanzania visited the Court to explore ways for enhanced engagement in the effective and expeditious resolution of cases against the government of Tanzania. I hope other Member States who have been brought before this Court will take a similar course.

## **Excellencies,**

The government of Tanzania is committed to the full implementation of the judgments and orders of the Court, as it is an undertaking we made under Article 30 of the Protocol when we ratified the same. To ensure full and timely compliance with Court judgments, certain internal and external factors come into play which may delay the process. Some of these may have to do with the capacity of the State to execute the judgment, the clarity of the judgment itself and in some cases, the legal regime under which the state is operating.

It is therefore important for the Court to adopt clear and implementable judgments that leave no room for misinterpretation to facilitate easy and quick implementation. The Court and the African Union may also seek ways and means of assisting States, through for example, technical assistance and other support, to ensure effective and timely implementation of Court judgments.

## **Hon. President, Distinguished Guests,**

In 2007 we made an undertaking to the African Union to host the African Court and to provide it with the best working conditions. We have, to the best of our ability, provided the Court with the best working conditions, including these beautiful temporary premises, while waiting for the construction of the permanent

structures. Measures are underway to commence construction of the permanent premises of the Court. Already a 25-acre land has been secured at the LAKI LAKI area, the architectural designs have been prepared and presented to both the Court and the African Union, and talks are ongoing with the relevant government departments on when to commence construction. I believe this will be very soon.

The Government is committed to making your stay here as comfortable as possible and we will continue to engage with you and other relevant stakeholders to ensure that the Court discharges its mandate under the best conditions.

**Hon. President,  
Distinguished Guests,**

In my parting words, I would like to reiterate my Government's commitment towards realization of Human Rights by supporting the good work done by this Honourable Court. Let me also, use this opportunity to renew our commitment to honour our obligations as a Host country to the African Court. We appeal to other Member States to complement our efforts in fulfilling our obligations.

Lastly, for those of you who are coming to Tanzania and Arusha in particular for the first time, please find time to explore the hospitality of its people and don't forget to savor the beauty of our numerous attractions. Just to remind you that our snow-capped Kilimanjaro Mountain and our renowned Ngorongoro and Serengeti National Parks are just a stone throw-away from Arusha town.  
***Karibuni Sana !***

**Long live the African Court, Long Live the African Union.**

**Asanteni Sana !!**