



CONCEPT NOTE
FIFTH AFRICAN JUDICIAL DIALOGUE
(DRAFT)

**THEME: BUILDING TRUST IN AFRICAN
JUDICIARIES**

November 4-5, 2021

DAR ES SALAAM, UNITED REPUBLIC OF TANZANIA

I. Introduction

1. 2010 is a pivotal year in the annals of the African judicial world. It was in that year that the African Court organized for the first time a continental colloquium for regional judicial and quasi-judicial bodies. The purpose of the colloquium was to discuss avenues of cooperation in the promotion and protection of human and peoples' rights in Africa.

2. At the end of the colloquium, a key proposal to periodically organize meetings of this nature was accepted. The proposed meetings would bring together representatives of national jurisdictions, which are the first links in the effective protection of human rights as well as judicial or quasi-judicial, regional or sub-regional bodies with competence in human rights.

3. The first Judicial Dialogue was held in 2013. It brought together representatives of national, sub-regional and regional jurisdictions. Present at the meeting were presidents of Supreme Courts and Constitutional Courts, several representatives of national jurisdictions from thirty (30) countries of the continent and representatives of African Union bodies with a human rights protection mandate.

4. During the Dialogue, discussions focused, among other things, on the conditions for fruitful interaction between national and international jurisdictions on ways and means to promote and protect human rights in Africa. In addition, it was proposed that the African Union institutionalized the Judicial Dialogue as a bi-annual event. This proposal was subsequently approved by Decision EX.CL/Dec. 806 (XXIV) of the AU Executive Council.

5. After this first dialogue, three (3) other editions of the Judicial Dialogue took place in 2015 and 2017 in Arusha and in 2019 in Kampala (Uganda) under the auspices of the

African Union. Each of these editions brought together hundreds of national and international delegates as well as dozens of Chief Justices of African Supreme Courts.

6. The theme for the second Judicial Dialogue in 2015 was: "Building a link between domestic and international justice". The third Dialogue in 2017, whose theme was "Improving judicial efficiency in Africa", built on the previous one. At the end of the Dialogue, participants called for the African Judicial Network to become operational.

7. Held in 2019, the fourth Judicial Dialogue afforded participants the opportunity to discuss the topic of "Solving Contemporary Human Rights Issues in Africa: The Role of the Judiciary in Africa". Judicial authorities from forty-six (46) countries, those of international jurisdictions, representatives of various AU organs and UN agencies took part in the deliberations.

8. The 2021 Judicial Dialogue builds on previous ones, since it will address a theme related to the credibility of judiciaries in Africa under the theme "Building trust in African judiciaries". There is a dual perspective to this theme; on the one hand, it must be seen from the point of view of relations between courts and court users and, on the other hand, from the point of view of relations between judicial actors.

9. Whether in domestic or international justice, the question of trust is paramount. It is a guarantee of stability and security for any society. Trust ensures that judicial institutions gain credibility and overcome any hint of crisis. Without trust, no judicial institution can adequately accomplish its task and is therefore bound to be criticised by all sides. It is therefore imperative, as much as possible, to act in a manner that does not erode trust.

10. In this regard, it is important to address the issues of independence and impartiality, corruption, effectiveness and efficiency of the judiciary as well as the issue of a permanent dialogue between judges, all of which are essential factors of trust in domestic or international courts.

II. General objective

11. The general objective of the Fifth Judicial Dialogue is to enable African judiciaries to play their full role, in particular by building lasting trust not only between justice system actors but also between justice system actors and court users.

III. Specific objectives

12. The specific objectives of the Dialogue are as follows:

- Identify major obstacles to trust in the justice system in Africa;
- Assess the impact of the lack of trust in the justice system on African societies;
- Reflect on ways and means to foster sustainable trust in the justice system;
- Discuss ways and means to make the African judicial network effective.

IV. Place and date

13. The fifth Judicial Dialogue will be held in Dar es Salaam, United Republic of Tanzania, from 4-5 November 2021 in a hybrid form (virtual and face-to-face).

V. Methodology

14. Intended to be inclusive, the Fifth Judicial Dialogue will be conducted in an interactive manner, although resource persons will make presentations.

VI. Participants

15. The Dialogue will be attended by representatives of national Supreme/Constitutional Courts from across the continent, presidents and judges of regional and sub-regional courts, representatives of the African Union, lawyers and researchers, and representatives of human rights institutions who will discuss issues related to the administration of justice, the rule of law, judicial cooperation and the protection of human rights on the continent.

VII. Conference languages

16. The Dialogue will be conducted in English, French, Portuguese, and Arabic, with simultaneous interpretation. Some related documents will be available in these languages.

VIII. Additional Information

17. For further information, please contact: Office of the Registrar of the African Court on Human and Peoples' Rights, Email: registrar@african-court.org