



AFRICA JUDGES & JURISTS FORUM

ALL AFRICA JUDGES AND JURISTS SUMMIT

NAIROBI | 2024

Theme:

“Pivoting judiciaries for the transformation of Africa into the global powerhouse of the future.”

COMMUNIQUE

17-19
SEPTEMBER 2024

PARTNERS



FRIEDRICH NAUMANN
FOUNDATION *For Freedom*
Kenya



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All Africa Judges and Jurists Summit, 2024

Communique

Having met in Nairobi, Kenya from 17th of September to 18th of September 2024;

Expressing our deep appreciation to the Judiciary of Kenya for hosting this Summit, and our resource partners for supporting the organisation of this Summit;

Recognising that articles 7 and 26 of the African Charter on Human and Peoples' Rights guarantee everyone the right to a fair and public hearing by an independent and impartial tribunal, in the determination of rights and obligations and of any criminal charge;

Conscious that article 3(g) and (h) of the Constitutive Act of the African Union make it an objective of the African Union to promote democratic principles and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;

Recalling that in 2013, the African Union (AU) adopted the AU Agenda 2063 as a blueprint on Africa's developmental goals, aspirations and objectives;

Noting that judiciaries are a key stakeholder for the achievement of all the developmental aspirations set out under AU Agenda 2063, particularly Aspiration 3 on "An Africa of Good Governance, Democracy, Respect for Human Rights, Justice and the Rule of Law.";

Noting the progress that has been made by African judiciaries towards promoting good governance, democracy, human rights, justice and the rule of law;

Affirming that judiciaries are an equal pillar amongst the three branches of the state;

Recognising and appreciating the courage that has been demonstrated by African judiciaries, to defend and enforce the rule of law under difficult socio-economic and political circumstances, including underfunding of judiciaries, external interference with judicial independence and persecution of judges as retribution for their impartiality;

Aware that the undermining of judicial independence and integrity, and the persecution of independent judges are also enabled and perpetrated by actors from within judiciaries;
Concerned about the challenges confronting constitutional democracy and the rule of law on the continent, including shrinking civic and democratic space, impunity, corruption and general disinclination to conduct credible free and fair elections;

Committed to promoting access to justice, including on the repair of the ongoing harm and suffering of the African people as a result of the historical injustices of slavery and colonialism;

Reaffirming our dedication to promoting the rule of law as a tool for achieving development in Africa;

We adopt this communique and through AJFF, commit to:

1. Undertake measures to defend, protect and promote the independence of judiciaries in Africa, including by offering solidarity to judges who face persecution for their impartiality, and engaging stakeholders on the implementation of regional and international standards on the independence of judges and lawyers.
2. Advocate for the judiciaries of Africa to be recognised through a seat at the African Union.
3. Deepen collaboration with the African Union human rights and rule of law bodies, to promote the development of and the implementation of African regional human rights and rule of law normative standards.
4. Work towards the establishment of a judicial fund to protect judicial officers in distress or who are being persecuted for their impartiality and other reasons, in line with Resolution No. 2 of the '[Monomotapa Plan of Action on Addressing Emerging Threats to Judicial Independence in Africa](#)' of April 2016.
5. Strengthen collaboration with the Mandate of the United Nations Special Rapporteur on the protection of the independence of judges and lawyers, including by undertaking collaborative measures to defend, protect and promote the independence of judges in Africa.
6. Undertake measures to strengthen the capacity of judges and the institutional capacity of judiciaries and judicial training networks in Africa to address contemporary challenges which affect timely delivery and access to justice, protection of human rights and the enforcement of the rule of law.
7. Undertake measures to promote financial independence of judiciaries in Africa, including advocating that at least 3% of the national budget be ring fenced for the judiciary.
8. Provide legal and technical assistance to the African Union and other stakeholders on the implementation of the African Union Resolution AU/Dec.847(XXXVI) adopted in February 2023, on the need to claim reparations to address the ongoing suffering of the African people as a result of slavery and colonialism.
9. Promote the decolonization and harmonization of African domestic legal systems to embody and give expression to progressive African values.

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10. Strengthen African judiciaries' engagement with emerging technologies, including Artificial Intelligence, and leverage on them to advance the rule of law and access to justice.
11. Undertake measures to strengthen the role of judges in protecting civic space, including through the application of regional and international standards on freedom of expression, freedom of association, freedom of peaceful assembly, and the right of access to information.
12. Undertake measures to promote electoral justice, including championing the development of a coherent pan African jurisprudence on the adjudication of electoral disputes.

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