
Speech Official Launch of the JSC-ICJ Zimbabwe Justice Sector EU supported programme

Constitutional Court, HARARE, 15 May 2015

The Vice President of the Republic of Zimbabwe and Minister of Justice Legal and Parliamentary Affairs Hon. Emmerson Mnangagwa

**The Ambassador of the European Delegation to Zimbabwe,
The Chief Justice of Zimbabwe and Chairperson of the Judicial Services Commission and the Judicial College of Zimbabwe Hon. Godfrey Chidyausiku,**

The Prosecutor General Honourable Johannes Tomana

The Attorney General of the Republic of Zimbabwe. Hon. Advocate Prince Machaya,

**The Ambassadors of European Union Members states here present,
The Secretary in the Ministry of Justice Legal and Parliamentary Affairs, Ms Virginia Mabiza,**

The Acting Secretary of the Judicial Services Commission Hon. Justice Rita Makarau

The Directors within the Ministry of Justice and other Government Ministries,

Judges here present

Members of the Legal Fraternity

The secretariats for the Judicial Services Commission and International Commission of Jurists

It is a privilege for me to take part in such an important process; not just as a Commissioner of the ICJ but also as a proud Zimbabwean jurist.

The ICJ is composed of 60 eminent judges and lawyers from all regions of the world, the ICJ promotes and protects human rights through the Rule of Law, by using its unique legal expertise to develop and strengthen national and international justice systems. Established in 1952, in consultative status with the Economic and Social Council since 1957, and active on the five continents, the ICJ aims to ensure the progressive

development and effective implementation of international human rights and international humanitarian law; secure the realization of civil, cultural, economic, political and social rights; safeguard the separation of powers; and guarantee the independence of the judiciary and legal profession.

Over the past 5 years the ICJ has run two consecutive programmes in the Justice sector in Zimbabwe worth over US\$ 2,800,000.00. The funding for these programmes was generously provided for by the EU delegation to Zimbabwe through two separate grants. The development of activities under the various programmes was informed initially by the resolutions from the Joint Zimbabwe Judicial-Legal Practitioners Colloquium (commonly referred to as the Bar-Bench Colloquium). The Bar-Bench annual Colloquia that started in 2009 have been an extremely important intervention in the justice sector in establishing ongoing dialogue between the Judiciary and the Law Society of Zimbabwe on important matters in justice administration. The colloquium which was held on 09 - 12 September 2010 at the Elephant Hills Hotel, Victoria Falls was significant in several ways: -

- It contributed to ending years of suspicion, mistrust and unproductive relations between the legal profession and the judiciary;
- It was a significant catalyst that led to the various programming initiatives that the JSC, the Law Society of Zimbabwe and the ICJ have undertaken and continue to do so;
- But perhaps its most weighty contribution was that it was agenda setting. It set out four priority areas that were to define the intervention paradigm in the justice sector. The four point plan set four priority areas for (a) Development of a judicial Strategy (b) Development or finalization of a Judicial Code of Conduct (c) Carrying out a comprehensive Judicial Needs Assessment and (d) Continuing Legal Education for judges and lawyers.

The ICJ, with financial assistance from the EU has been supporting the JSC, the legal profession and Law Society to design and implement programmes that address each of these mutually identified and agreed priorities. These priority areas have also become a basis on which other development partners to the sector have found entry areas to support the justice sector in Zimbabwe.

In 5 years that the ICJ has worked in the justice sector (through the Support of the EU) it has been able to contribute to the continuous legal training of judges and registry staff through the holding of

symposiums, induction programmes and a peer-to-peer exchange programmes. The ICJ has also worked with the JSC to see the development of court rules, initially with the Constitutional Court Rules and now the Labour Court Rules. The ICJ has also assisted in the development of strategic plans for various justice sector actors; including the JSC. Other activities that have been conducted include:

- Purchase of Court E-Library.
- Conducting Judicial Needs Assessment.
- Supporting participation at and hosting of the Southern Africa Chief Justices Forum (SACJF)

The project that we are launching today was developed following consultations with various actors in the sector. The JSC produced a concept note in June 2014 which detailed three priority areas these were set out as follows:-

- Review of the JSC Strategic Plan 2012 – 2016
- Resuscitating the Judicial College of Zimbabwe
- Training and development for Judicial and non-judicial staff

I am proud to note that these have been fully catered for in the new project. The project also provides seed money to launch training programmes for the National Prosecuting Authority. Zimbabwe's constitution establishes for the first time in the country's development a National Prosecuting Authority which is "*independent and is not subject to the direction or control of anyone*". This project will seek to work with the NPA to develop a code of ethics for prosecutors and establish a training curriculum that will be used by the NPA in its training of prosecutors.

The project we are launching will also foster greater cooperation between the EU and actors in the justice delivery system in Zimbabwe. A lot of the activities proposed under this programme are foundational and have to do with the Zimbabwean stakeholders in the justice sector defining long term strategy and identifying activities (e.g. the drafting of curriculums) and priorities for the various affiliate and partner institutions to achieve the JSC's vision of "striving towards a world class justice" in Zimbabwe.

Some of the activities that will be carried out under this project include:

- Organising judicial symposia;

- Working towards the re-establishment of the Judicial College
- Organising training workshops for non-judicial court staff;
- Organising training for prosecutors, magistrates and lawyers;
- working for the full implementation of international human rights and rule of law standards as they relate to the administration of justice, including the ACHPR Guidelines and UN Basic Principles on the Independence of the Judiciary and UN Basic Principles on the Role of Lawyers
- Working with the Law Society of Zimbabwe to improve the professional integrity of legal practitioners;
- Supporting the revision of Court Rules;

It is my fervent hope and belief that this Project will result in improvement in administration of justice in Zimbabwe. It is also my hope that it will also result in greater legal protection of human rights as enshrined in the new constitution of Zimbabwe and to meet Zimbabwe's international legal obligations pursuant to UN, African Union and UN treaties to which it is Party. Our new constitution is world class but is not self-executing. It needs functional institutions constituting the different branches of government. An independent, impartial, professional, efficient and effective judiciary as the JSC is trying to achieve is a necessary cog for Zimbabwe to infuse a culture of constitutionalism. The ICJ is therefore proud to be associated with this new project and looks forward to a long and fruitful relationship with the partners in the project.

Thank you