

**SPEECH BY HON. JUSTICE DR FAUSTIN NTEZILYAYO, CHIEF JUSTICE AND
PRESIDENT OF THE SUPREME COURT OF RWANDA, DURING THE EAST
AFRICA MAGISTRATES AND JUDGES ASSOCIATION (EAMJA) ANNUAL
CONFERENCE**

Kigali, 07 November 2022

Your Lordship the Chief Justice present,

Honorable Judges,

Honorable Magistrates and other judicial officers,

Distinguished Guests

Ladies and Gentlemen,

It is a great pleasure and honor to join you for the 19th East African Magistrates and Judges Annual General Assembly and Conference and take this opportunity to thank the organizers for choosing Rwanda as the host Country.

On behalf of the Rwandan Judiciary and on my own behalf, I warmly welcome all of you to Rwanda the land of a thousand hills, Karibuni Sana, Murakaza neza.

Ladies and gentlemen,

The theme of this Conference, “***The EAC Courts Efficiency in Adjudicating Emerging Cross Border Issues: Challenges and Strengths***” is founded on the recommendation of the 16th EAMJA Conference held in 2018 which came as an enforcement of Article 126(2)(b) of the EAC Treaty that calls on all Member States to harmonize all their national laws pertaining to the Community.

The obligation to align national laws, rules, and procedures, especially to facilitate the effective functioning of the Common Market and the Monetary Union is also reiterated in Article 47 of the EAC Common Market Protocol and Article 22 of the EAC Monetary Union Protocol.

Therefore, throughout this Conference, we will share experience and knowledge on the rationale behind harmonizing judicial remedies on cross-border issues, such as commercial-related concerns and human rights issues.

The Conference will analyse the intended actualization of fair competition and consumer protection standards and the impediments at play. Current issues and challenges in the harmonization of EAC tax systems, such as insolvency of multinational companies and

liabilities of corporate governors, are vital topics for judicial debate. Moreover, we will air views on the current trends of electronic payments, bitcoin transactions, and judicial handling of financial disputes that hamper businesses, independence in corporate governance, and protection of the rights of minority shareholders.

We will also have ample time to assess challenges and prospects of EAC Courts in the imposition of compliance with EAC Common Market Protocol and investor protection. And it is an opportunity to evaluate the adjudication and alternative dispute resolution of disputes arising from cross border commercial contracts and their subsequent enforcement within the EAC Member States.

We will thereby reflect and resolve on the role of judges in the eradication of modern slavery, the fulfilment of regional and internal obligations towards refugees and asylum-seekers in EAC, protection of migrants and family rights on matters pertaining to status, family reunification and the right to work.

Lastly, during this Annual General Meeting, the long-awaited gender policy that was developed and worked on by the outgoing EAMJA council members in conjunction with the ICJ-Kenya will be officially launched.

As we will be discussing on these topics listed on the Conference agenda, I also know that we will seize this opportunity to interact and exchange on various reforms that are being carried out in our respective Judiciaries. Indeed, considering today's complex and rapidly changing environment, where people expectations for quality justice are high, our respective governments have been working to transform and modernize justice systems by implementing procedural reforms, integrating technology, and realigning judicial financial models – with the ultimate goal of improving efficiency in the administration of justice. The COVID-19 pandemic has accelerated those plans, while especially underscoring greater need to leverage technology to improve service delivery in the judiciary and other justice institutions.

The impetus of reforms has become even more urgent given the pressing need to maintain public trust and confidence in our justice systems. More specifically, regarding digital reforms to enable the functioning of e-courts, we are strongly advised to build the public's trust that technological advances will protect their individual rights and improve access to justice, thus the imperative to adequately tackle issues pertaining to technology access and digital literacy.

Preserving public trust and confidence in our Judiciaries is of the utmost importance. As guardians of the rule of law, our judiciaries earn that trust and confidence by faithfully performing their constitutional duties/Treat mandate (EACJ) where ethical standards and principles of independence, impartiality, integrity and equality are strictly upheld. I am confident that, as some recent judgments delivered by courts in our respective

jurisdictions can testify, we will continue to live up to these expectations as we continue to strengthen our capacity and capabilities.

Adjudicating complex disputes such as the ones involving not only emerging cross border issues on our agenda in this Conference, but also corporate human rights violations, and associated climate change or related environmental disputes has been quite challenging for our judiciaries who have yet to fully develop competency and expertise to deal with them. Nevertheless, our courts are increasingly demonstrating eagerness to promoting the rule of law in those fields of law through their judgments and pronouncements. But we all agree that for effective and efficient resolution of disputes involving emerging cross border issues and other related disputes, there is a need for continuous capacity and knowledge building.

The Judiciary of Rwanda will remain supportive of the East African Magistrates' and Judges' Association and as regards this year's theme, I have no doubt that our exchanges will enable us to overcome the challenges we face in Adjudicating Emerging Cross Border Issues.

Apart from the Conference agenda and AGM business, I hope that our guests will find some time to explore some tourist sites our Country is endowed with and also spare some evenings to sample the Kigali night life.

Before ending my remarks, I wish to extend my sincere appreciation to the institutions which availed their support whether financial or through advice to ensure that this AGM and Conference starting today is a success. I also want to thank the local organizing team and the entire EAMJA Council for the tremendous work put into the preparation of this Conference. Let's all continue to work hand in hand to advance justice and the rule of law in our region and beyond.

Once again, I take this opportunity to welcome all of you to Rwanda and I wish you productive discussions and a successful Conference.

Thank you for your kind attention.

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