



DIRECTORATE OF INFORMATION AND COMMUNICATION

Press Release

African Union Working Towards Institutionalization of Traditional African Democratic Culture

Kampala, Uganda, 15th September 2017: The consultative workshop that engaged East African judiciary and traditional justice structures, representative of East African Countries, AU Organs, RECs in the region, Academia, Civil Society Organizations (CSOs) and think-tanks to promote Constitutionalism and Rule of Law that was held from 13-15 September 2017 in Kampala, Uganda concluded today.

During the meeting, Mr. Mbari Calixte Aristide, Ag. Head of the Division of Democracy, Governance, Human Rights and Elections of the Political Affairs Department in the African Union Commission (AUC) explained that the workshop was the third in a series that began in West and Central Africa. He said, it will continue in North Africa and Southern Africa with the aim of meeting the relevant stakeholders in each region of the continent. Highlighting the importance of the Workshop he noted: "The ultimate objective of this exercise is to promote and guarantee the fundamentals of the Rule of Law in the administration of justice, as a guarantee of stability, peace and social cohesion."

Mr. Mbari Calixte Aristide reflected the African Union Commission position stating: "AUC recognizes that national, regional, continental and international collaboration is necessary to make a difference and improve the standard of living of African populations. Strengthening and promoting the rule of law are key elements in ensuring political stability and socio-economic development. I am convinced that this initiative is the beginning of a dynamism that will be sustained."

Opening the meeting Lady Judge Kiggundu Jane, Deputy Head of International Crimes Division at the High Court of Uganda called for collaboration between the formal and informal justice structures in bridging the gap between the two mechanisms for law and order.

During the three day sessions, presentations were made, discussions held and identified challenges and participants came up with concrete recommendations. The workshop identified some of the models in East African Region that bridge the work of the traditional and formal justice structures. It also recommended mapping what models are available. With regards to the challenges of the judiciary in East Africa, it was pointed out scarcity of funding, absence of judicial independence, accountability and judiciary infrastructure, non-compliance of traditional law and miscommunication with regard to various language used.

On the same subject matter, it was recommended that Judiciaries and the African Union

Directorate of Information and Communication. African Union Commission

E mail: dic@africa-union.org

Organs and Institutions should adopt policies, procedures and mechanisms for the development of indigenous justice institutions based on shared African values of “Unbuntu”.

Among the importance of traditional justice mechanisms listed, the Gacaca courts in Rwanda was well noted for their role in fixing major problems, reinforcement of reconciliation, truth, forgiveness and justice; community building and citizen participation and strong emphasis in the system.

Challenges of these traditional justice mechanisms were identified as: conceived notion of the inferiority of formal justice structures; non-existence of codification of the law; patriarchal nature of the system. The workshop recommended that the Traditional Justice Mechanisms should be legally recognized as part of the judiciary and enabled to make binding rulings.

Key objective of the meeting was to incorporate traditional and informal justice systems and structures into the formal justice structures for justice to prevail for all. This exercise should be replicated in all sectors for smooth and rapid integration, prosperity and to making peace happen adopting a citizens centered approach.

The meeting alluded the importance of moving towards integrating Africa’s traditional and indigenous practices and knowledge, conflict resolution mechanisms, justice mechanisms, medicines and healing practices, environment conservations methods, resource management and development mechanisms, etc... into the ongoing development initiatives. Research shows that some of these traditional and indigenous practices and mechanisms are set aside due to the effects of colonization and other setbacks.

It is high time that these areas be revisited and integrated into the modern and formal development approaches for the realization of the Agenda 2063 ideals.

Media Inquiry

Rahel Akalewold, Directorate of Information and Communication | African Union Commission | E-mail: Rahela@africa-union.org / DIC@africa-union.org

For further information, please contact:

Directorate of Information and Communication | African Union Commission | E-mail: DIC@africa-union.org | Web Site: www.au.int | Addis Ababa | Ethiopia

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