

# **Outcome Statement of the International Conference on Access to African Supranational and Regional Law**

*Held in Johannesburg, South Africa on 5  
and 6 November 2012*

Participants at the international conference on Access to African Supranational and Regional Law convening in Johannesburg, South Africa from 5 to 6 November 2012 jointly organized by the African Legal Information Institute, a project of the Southern Africa Litigation Centre, and the United Nations Development Programme, and gathered speakers and delegations from the Court of Justice of the Economic Community of West African States, the International Criminal Tribunal for Rwanda, the Pan-African Parliament, the East African Court of Justice, the East African Legislative Assembly, the Tribunal of the Southern African Development Community, the secretariat of the Common Market for Eastern and Southern Africa, the African Committee of Experts on the Rights and Welfare of the Child, as well as the Judiciary of the Seychelles, SADC Parliamentary Forum, the Africa i-Parliaments Action Plan, the National Council for Law Reporting (Kenya), and the Southern African Legal Information institute. Development partners, civil society organizations and academia also attended the workshop.

Based on the issues discussed at the workshop including, Access to Information; Free and Open Access to Regional Law; Challenges and Opportunities for Access to Law in Africa; ICTs for Access to Legal Information; Information and Interoperability Standards Enabling Open Access to Law in Africa, participants

**Acknowledged** the significant and ongoing efforts taking root in Africa to modernize and reform the law, legal and judicial systems;

**Reaffirmed** that knowledge of and access to law and judicial decisions is an essential component to a modern legal and judicial system, and consequently constitutes one of the basic tenets of the rule of law, an attribute of a transparent and functioning judicial system and an essential element of legal security that encourages investment, which in turn affects overall functioning of investment and trade that is encouraging for inclusive and sustainable development;

**Reaffirmed** their commitment to the values enshrined in, among other instruments, the African Charter on Democracy, Elections and Governance, on democracy, good governance, rule of law and strengthening human rights mechanisms in Africa;

**Recalled** that people in Africa are demanding more openness and access to the policies and laws that affect them for true empowerment, and the need for institutions to disseminate legal information to create conditions necessary for equality and fairness of functioning legal systems and democratic institutions;

**Recognized** the need for complementary and collective approach to traditional paper publications and making free Internet based access to legal information available;

**Acknowledged** the strategic significance of information and communication technologies for successful regional integration, for public participation, as well as for reinforcing the institutional strength of regional courts and organizations;

**Noted** that the advent of new information technology has facilitated access to law and resulting achievements and successes of pioneers in free distribution of law that provide useful working models to learn from and build on at a regional and continental level in Africa;

**Further** recognized the potential of information and communication technologies to reinforce the institutional capacity of regional structures in Africa to raise awareness of their work, disseminate policies to a national level, and allow for broader public participation into their processes;

**Remain committed** to upholding the values of transparency, awareness and public participation in recognition of the role they play in sustainable and inclusive economic and human development on our continent;

**Acknowledged** the role that institutions in Africa play in generating and disseminating legal information, the potential role that they could play in securing free access to legal information and the necessity of implementing information and interoperability standards of regional and global significance to ensure African regional law and policy information is made available;

**Took note** of the development of free access to law initiatives in Africa and their role in enabling citizens' access to African law for increased legal empowerment and access to justice;

**Identified** the urgent need for financial and technical support to develop capacities within their organizations to carry out projects relating to free and open access to the law and policy of treaty bodies and regional institutions

**Accordingly the meeting resolved to:**

- (i) Encourage free dissemination of legal information that makes local, regional and international usage possible and to improve beneficial regional legal exchanges and academic learning about the multiplicity of legal systems in Africa;
- (ii) Develop the capacities of continental and regional institutions and organs to harness, document, and produce legal information using paper-based publications and new information technologies available;
- (iii) Widely circulate this outcome document to all concerned African regional treaty bodies and African regional organizations.

**The meeting recommended that:**

- (i) African regional treaty bodies and African regional organizations should endorse and implement universal, free, open, timely and full access to the public legal and policy information produced by them;
- (ii) African regional treaty bodies and African regional organizations should increasingly advocate for the implementation of information and common interoperability standards within their information management practices and within their information systems;
- (iii) African regional treaty bodies and African regional organizations continue to engage with development partners, the Free Access to Law Movement, the standards community and other relevant organizations working within the field of access to legal information, to implement standard-compliant access to regional law in Africa;
- (iv) IT and information professionals from African regional treaty bodies and African regional organizations meet regularly to share knowledge, experiences and best practices for the harmonization of IT structures and concepts, and enjoins the leadership of the various African regional organizations and treaty bodies to commit to this goal;
- (v) Strategic planning meetings at expert level should be held at least annually and coordinated by any or all of the following: African regional treaty bodies, African regional organizations, the Free Access to Law Movement and others.