



REMARKS

BY

**H.E. DR. STERGOMENA LAWRENCE TAX
SADC EXECUTIVE SECRETARY**

ON THE OCCASION OF THE OFFICIAL OPENING OF

**THE VIRTUAL MEETING OF THE COMMITTEE OF MINISTERS OF
JUSTICE/ ATTORNEYS GENERAL**

3RD AUGUST 2020

Honourable Mwigulu Lameck Nchemba, Minister of Justice and Constitutional Affairs of the United Republic of Tanzania,

Honourable Ministers of Justice/ Attorneys General,

Chairperson of the Committee of Senior Legal Officials, Permanent Secretaries and Delegates from SADC Member States,

SADC Secretariat Staff,

Partners from the Media,

Ladies and Gentlemen.

May I welcome you all to this meeting of the Committee of Ministers of Justice/ Attorneys General, which is being held virtually for the first time due to the extraordinary circumstances necessitated by the COVID-19. Notwithstanding the challenges, it is our collective duty to ensure business continuity. SADC as a dynamic Organization has put in place measures that has enabled business to continue, and indeed business must continue, and life must go on! We thank our Member States for the dynamism and commitment to SADC cooperation and integration agenda, as evidenced by your participation in this meeting.

Allow me to also extend our gratitude to the Chairperson of this Committee, Honourable Mwigulu Lameck Nchemba, Minister of Justice and Constitutional Affairs of the United Republic of Tanzania, for the leadership provided in steering the work of the Committee, during the year, and especially in this difficult and challenging environment of COVID-19. While extending our gratitude to the Chairperson, may I also congratulate him for his appointment as the Minister of Constitutional Affairs and Justice of the United Republic of Tanzania, and welcome him to this Committee of Ministers of Justice and Attorneys General.

On a sad note, on 23 July 2020 we lost His Excellency Benjamin William Mkapa, former President of the United Republic of Tanzania,. H.E. President Mkapa was one of the most visionary and dedicated leaders of our time, and a Pan-Africanist at heart. We also lost the former Chairperson of this Committee, the late Honourable Augustine Mahiga, who passed away on 1st May 2020. Honourable Mahiga, like the late President Mkapa, was a true Pan-African, a humble person, and a dedicated and visionary leader, who will forever be missed by many. In recognition of the great contributions made by these great leaders to the SADC agenda, and in their honour, may we all rise and observe a minute

of silence [**Minute of silence**]. May their souls rest in eternal peace, and may their legacy be cherished forever!

Honourable Ministers/Attorneys General

COVID -19, with its unprecedented challenges, has indeed changed our way of life, with added pressure on national economies. May I commend Member States for putting in place rigorous response measures that have gone a long way in containing the spread of the pandemic, mitigating its impacts on our economies, and protecting the livelihoods of our citizens. The SADC Secretariat has also undertaken an assessment of the socio-economic impacts of the pandemic on Member States' economies, and a report with concrete regional measures will be tabled to Council and Summit this month. In addition to this comprehensive assessment, the Secretariat produces bi-weekly reports on COVID-19 global and regional developments, based on which recommendations are provided to Member States on responses to the pandemic, and measures to mitigate its impacts. We call upon member States to continue using these analytical reports.

Honourable Ministers, Attorneys General

The virtual nature of your meeting has necessitated a reduced agenda focusing on urgent matters, in readiness for Council and Summit meetings scheduled for later this month. COVID-19 should nonetheless not be a hindrance to business continuity. In this regard, we will together come up with ways of ensuring that the Committee discharges outstanding matters in line with the Action Plan of the Ministers of Justice/Attorneys General that was approved in July 2016.

Since your last meeting in July 2019, various SADC Sectoral Committees were convened, your meeting today will therefore, among others, consider resolutions from these Sectoral Committees that require legal inputs and clearance by your Committee. Whereas, it is pleasing to note that a number of SADC Member States have made notable progress in the ratification and implementation of SADC Protocols and Legal Instruments, there is still a need to move with speed in areas that are lagging behind. The importance of ratifying and implementing approved SADC Protocols as enabling regional legal frameworks, need not to be emphasized if the region is to fully achieve the desired level of regional integration. The SADC Board of Auditors, in its report to Council for the year ending 31 March 2019, shows that the region lags behind in signing and ratifying certain Protocols and legal instruments. The report further, indicates that, if the slow pace in Ratification of Protocols and other Instruments is unattended, it may delay the attainment of SADC objectives as stipulated in the SADC Treaty, or lead to non-attainment of the said objectives. In

this meeting, your Committee, is expected to deliberate on this very important matter, identify challenges if any, and provide guidance on how Member States can ratify SADC Protocols and other Legal Instruments within a reasonable time, with a view to ensuring that the SADC Regional Integration Agenda is not stifled.

Honourable Ministers/Attorneys General

As you may recall, the SADC Heads of State and Government adopted a Protocol on Employment and Labour in 2014. This protocol was developed pursuant to the SADC Common Agenda to accelerate sustainable socio-economic growth and contribute to poverty eradication in the region as articulated in Article 5 of the SADC Treaty. The Protocol specifically seeks to advance attainment of social justice and decent work by promoting the harmonisation and setting of minimum labour standards in the SADC region, based on International Labour Standards. Notwithstanding the noble intentions of this Protocol, only a few Member States have signed the Protocol, with only one ratification.

Recognising the slow pace of signing and ratification of the Protocol, the Committee of Ministers of Employment and Labour and Social Partners, at its meeting held in Dar es Salaam, Tanzania in March 2020, deliberated over the matter, noted some difficulties and areas that may require further consultations, and approved the development of a new Protocol. The new protocol is expected to ensure that the Employment and Labour Sector operates within the parameters of a legally binding governance and institutional framework, and addresses the encountered difficulties. Your Committee will receive a report and provide legal guidance on the matter.

Furthermore, a Draft Agreement Amending the Protocol on Firearms, Ammunitions, Light Weapons and other Related Materials; and a Draft Agreement on the Status of the SADC Standby Force will also be tabled for your consideration during the course of your meeting. May I call upon the Committee to examine these critical legal instruments.

Honourable Ministers/Attorneys General

As I conclude, may I extend our gratitude to SADC Member States and to the Members of this Committee, for the continued efforts and commitment in discharging the Committee's mandate. Once again, may I thank Honourable, Mwigulu Lameck Nchemba, Chairperson of the Committee, for his remarkable leadership in steering the work of the Committee of Ministers of Justice/ Attorneys General. Allow me to also thank the Senior Legal Officials, under the exemplary leadership of Prof. Sifuni. E. Mchome, for their hard work in preparing for your meeting, and leading the technical

work of the sector in the SADC region. Allow me to also thank my Team, the Secretariat staff for their dedication and professionalism, and the usual support that has always enabled me to discharge my duties. I look forward to fruitful deliberations in your meeting.

**I thank you for your attention,
Merci beaucoup,
Muito obrigada,
Asante sana.**