

SPEECH BY HIS EXCELLENCY, THE PRESIDENT OF THE

REPUBLIC OF ZAMBIA, MR EDGAR C. LUNGU

ON THE OCCASION OF THE OFFICIAL OPENING OF

THE ANNUAL JUDICIAL CONFERENCE

14TH - 18TH NOVEMBER, 2016

AT

AVANI VICTORIA FALLS RESORT, LIVINGSTONE

- **My Lady, the Hon. Chief Justice of the Republic of Zambia, Mrs. Justice Irene C. Mambilima**
- **My Lord, the Hon. Retired Chief Justice Mr. Justice Annel Silungwe**
- **My Lord, the Hon. Retired Chief Justice Mr. Justice Mathew S. W Ngulube**
- **My Lord, the Hon. Retired Chief Justice Mr. Justice Ernest Sakala**
- **President of the Constitutional Court of Zambia, My Lady, Justice Hildah Chibomba**
- **My Lords and Ladies, Hon. Judges of the Supreme Court and the Constitutional Court**
- **My Lords and Ladies, Hon. Judges of the Court of Appeal**
- **My Lords and Ladies, Hon. Judges of the High Court of Zambia**
- **United Nations Development Programme Country Director, Mr. Martim E. Maya**
- **The Learned State Counsels present**
- **The Permanent Secretary, Mrs. Thandiwe Oteng**
- **Honourable and distinguished resource persons**
- **Chief Administrator**
- **Acting Chief Registrar**
- **Hon. Registrars**
- **His Worship, the Mayor of Livingstone**
- **Distinguished participants**
- **Director of Ceremonies**

I am pleased to open and officiate at this year's Annual Judicial Conference which is being held under the Theme- ***“Strengthening the capacity of the Judiciary to respond to the needs of the public”***. This Theme could not have come at a better time than now when our country has just undergone extensive constitutional and other legal reforms. The need to strengthen the capacity of our judicial system and make it cope with our fast evolving legal system cannot, therefore, be overemphasised. I am glad that this year's Theme demonstrates a genuine desire, on your part, to build capacity and serve the Zambian public better.

I wish to thank Her Ladyship, the Hon. Chief Justice for bringing together the Honourable Judges and other judicial officers to come and share the knowledge of the law and judicial experiences. I have been informed that this year's Conference is also being attended by our retired Hon. Chief Justices and our retired Hon. Judges of the

High Court and the Supreme Court. Let me commend you, Hon. Chief Justice, for having come up with the idea of bringing the retired reservoirs of judicial knowledge and experience to come and share their knowledge and vast experience on the Bench with serving adjudicators.

I wish to commend UNDP for partnering with you and also all the officers who assisted you to put this conference together. For the Resource Persons, who have joined us from outside Zambia, I wish to welcome you to Zambia and urge you to take advantage of your visit to gaze and marvel at the numerous tourist attractions that Livingstone, our tourist capital, has to offer. Take time to admire the beautiful scene of the mighty Victoria Falls, fondly referred to by our people as the '*Mosi-o-a-tunya*'. Please feel free to extend your stay in Zambia beyond the duration of the Conference so that you can also visit other parts of this

Country. You will discover that indeed Zambia is “**the real Africa**”.

My Lady, Honourable participants,

I do recall that in my opening address at last year’s Annual Judicial Conference, where I was ably represented by Her Honour, the Vice President Mrs. Inonge Mutukwa Wina, I made a promise that this year I would grace this highly esteemed event. My presence here, this morning therefore, is not only a fulfilment of that promise but also a demonstration of the importance that my administration attaches to the Judiciary.

I want to assure you that to the extent possible, my administration stands ready to play its due role in ensuring that this Country’s Judiciary is fully empowered to function independently and to deliver justice to our people expeditiously and in a fair and just manner. My administration will continue to respect and abide by the

doctrines of separation of power and independence of the Judiciary.

Being a lawyer myself, I understand the importance of having an independent Judicial Arm of Government to the economic, social and political welfare of this Country. I understand that an independent and efficient judicial system plays a critical role in attracting investment into the Country. Investors are usually afraid of investing in a country where the system for the resolution of commercial disputes takes so long that it hinders the operations of their businesses. Further, an independent judiciary helps in ensuring that disputes between citizens do not degenerate into chaos but are resolved with civility.

Let me reassure you that my Government will continue respecting the independence of the judiciary, upholding the rule of law and strengthen all institutions of governance. I would urge you to reciprocate by also playing your part in

ensuring that you nurture and maintain public confidence in the Judiciary by being accountable to the law.

This year's Conference is particularly important because it is being held in a year in which our Constitution underwent some of the most extensive amendments. The amendments, among other things, introduced the Constitutional Court, the Court of Appeal and specialised courts of the High Court to enhance citizens' access to justice and reduce the backlog of cases. As we all know, justice delayed is justice denied.

The amendments to the Constitution also stirred the enactment of a number of new Acts of Parliament and consequential amendments to existing Acts of Parliament. It is no wonder that this was one of the busiest years in your judicial calendar as the Judiciary had to deal with not only operationalizing the two new Superior Courts and the specialised Courts of the High Court but also preside over

additional litigation arising from the new provisions of the law.

I should remind you, however, that the creation of the Constitutional Court and the Court of appeal should not turn out to be an ornamental addition to our Court structure. The two Courts should bring value to our legal system by ensuring that delays in the delivery of justice to our people are minimised.

My Lady, Honourable participants,

I have looked at the programme for this year's Conference and I am glad to state that programme has covered a broad range of topics. I have particularly noted that the topic on ***“Court Governance policy and case flow management”*** will give your Lordships tips on how to manage your cases and ensure that you dispense justice to our people in the quickest possible manner. I have also seen from the programme that the discussion of this topic

will be complemented by the topic on “**discussion on delays in criminal trials – stakeholder perspective**”. It is my hope and expectation that after this Conference there will be a marked reduction in the amount of time cases take before our Courts especially criminal matters.

I also commend you, Hon. Chief Justice, for including topics on mediation and arbitration as these alternative dispute resolution mechanisms are very helpful in decongesting the Courts.

Before I conclude my remarks, let me reiterate that my Government will continue to respect the independence of the Judiciary and the role the Institution plays in providing checks and balances on the Executive and the Legislature. Further, I am as keen, as you are, if not more, to see to it that the backlog of pending judgments and cases becomes a thing of the past. As we perform our judicial duties, we should always remember the famous words of British

jurist, historian and statesman Viscount Bryce of Dechmont (1838-1922) who once said the following:

“There is no better test of the excellence of a government than the efficiency of a judicial system; for nothing more clearly touches the welfare and security of the average citizen than the feeling that he can rely on certain and prompt administration of justice.”

During this Conference, I urge you to do an exercise of self-introspection and assess your performance as an institution in 2016. Utilise the experiences you gained in 2016 to build on your performance in 2017. There is much to be gained from self-introspection especially that we have, in our midst, our three retired Chief Justices and retired Judges of the Supreme Court and the High Court who have the advantage of having been part of the Judiciary and now

watching the performance of the Judiciary from their retirement Bench.

With these remarks, I now declare the 2016 Annual Judicial Conference officially open.

I thank you and wish you very fruitful deliberations.