

**OPENING SPEECH BY HER EXCELLENCY DR.
SAMIA SULUHU HASSAN, PRESIDENT OF THE
UNITED REPUBLIC OF TANZANIA, DURING
OPENING CEREMONY OF THE COMMONWEALTH
LAW MINISTERS' MEETING DELIVERED ON 04TH
MARCH, 2024 IN ZANZIBAR**

- *Honourable Hemed Abdulla, Second Vice President of Zanzibar,*
- *Honourable Samiu Kuita Vaipulu, Deputy Prime Minister and Minister of Justice and Prisons,*
- *Honourable Amb. Dr. Pindi Hazara Chana(MP), Minister for Constitutional and Legal Affairs of the United Republic of Tanzania;*

- ***Honourable Mwalimu Haroun Ali Suleiman,***
Minister for President's Office - Constitution, Legal Affairs, Public Service and Good Governance of the Revolutionary Government of Zanzibar;
- ***Honourable Hamis Ramadhan Abdallah,*** *Chief Justice of Zanzibar;*
- ***Honourable Zuberi Maulid,*** *Speaker of the House of Representative;*
- ***Right Honourable Patricia Scotland,*** *Secretary General of the Commonwealth;*
- ***Prof. Luis Franceschi,*** *Assistant Secretary-General and Senior Director of the Secretariat's Governance and Peace Directorate;*

- *Honorable Ministers and Attorney Generals from Commonwealth Member Countries;*
- *Excellency High Commissioners here present;*
- *Government representatives from different Ministries, Departments and Agencies;*
- *Development Partners present here;*
- *Heads of Tanzania Security Organs;*
- *Representatives from Non-State Actors;*

- *Distinguished guests;*
- *Ladies and gentlemen.*

Good afternoon to you all!

1. Welcoming remarks

It is my singular honor and pleasure to welcome you all to the United Republic of Tanzania and particularly to Zanzibar! We are happy to host this esteemed gathering which serves as a testament to our collective commitment to the rule of law, justice, and good governance.

I commend you *Madam Patricia Scotland* for your leadership and apt coordination of this Meeting. We thank you for choosing Tanzania as a venue of this meeting, and particularly Zanzibar. I also appreciate the Commonwealth Secretariat for the work it has been doing with member countries to advance the cause of access to justice.

Special gratitude to the Honourable Ministers for the work you have been doing. I also welcome your commitment to use the Commonwealth Law Ministers platform to promote access to justice and rule of law.

Madam Patricia and Delegates, we are very thankful for condolence messages for the loss of our second

President of the United Republic of Tanzania, the late Honourable Ali Hassan Mwinyi. Thank you for condoling with us!

2. Use of Technology to Promote Access to Justice

Honourable Ministers,

I note with satisfaction the timely choice of the theme, ‘Technology and Innovation: How Digitization Paves Way for the Development of the People-Centered Justice’.

It is, suffice to say, that Our Commonwealth community is witnessing rapid development in technology and also socio-economic sectors. The potential role of technology and innovation in fostering the rule of law cannot be overemphasized. It is important for the

legal sector to also embrace technology in the dispensation of justice to ensure there is timely and efficient access to justice for all.

Henceforth, the Judiciary in Tanzania is endeavouring to address the backlog of cases through adoption of electronic tools. The Judiciary has embarked on virtual court sessions, e-filing systems, and Artificial Intelligence, which enhances transparency and accountability in access to justice. To start off, it beefed up its own IT team charged with digitization of Court Processes. As of last year, it started piloting an electronic Case Management System to facilitate the registration of cases online, and the assigning of cases for Judges and Magistrates, it is

done electronically. This has provided a tool for monitoring of how the cases are being handled.

The Government of Tanzania continues to support the Judiciary in adopting technology and digitization. We have facilitated connectivity between different Courts through our fibre optic network, under close support by the e-Government experts.

The expectations of the people of the Commonwealth are high and they are firm in the conviction that technology and its efficient use presents opportunities to better ensure access to justice. Furthermore, the Commonwealth network can serve as an

apt forum for finding consensus through consultation and sharing of experiences. It is in this regard that, we welcome this very important meeting of yours.

As such, it is our expectation that this Meeting will enhance the application of technology in dispensing justice and strengthen collaborations amongst ourselves.

Honorable Ministers

During this meeting, we look forward to hearing and learning from your experiences and best practices on your respective jurisdictions, on how we can best take advantage of technology and innovations in fostering

access to justice for all. It is important that we also continue to share experiences on how to best advance this cause.

3. Access to Justice, the Tanzanian Experience

Honourable Ministers,

Tanzania has been making major strides in addressing challenges related to the access to justice. You will recall that the 2019 Declaration on Equal Access to Justice by the Commonwealth Law Ministers, identified a number of challenges encountered by the peoples of the Commonwealth to the attainment of access to justice. These challenges poverty and high cost to access justice,

access to legal aid, complex legal language, limited legal capability, corruption, geographic inaccessibility and the lack of confidence in the justice system. I thought it is important to briefly highlight key measures taken by Tanzania to address some of these challenges to better ensure access to justice.

In this case, I wish to premise what I am going to say by underscoring that the rule of law and access to justice in Tanzania are held in high regard and are adhered to. The independence of the Judiciary and access to justice are constitutionally guaranteed.

Moreover, the Executive and the Judiciary maintain excellent working relations. In 1996, our Judiciary introduced what it calls a Law Day, an annual celebration and forum for reflection on how it carries out its constitutional mandate of dispensing justice. To mark the excellent working relations between the Judiciary and the Executive, each year the President officiates Law Day and registers the Executive's concerns and commitment, and give an assurance to continued cooperation with the Judiciary. This tradition has endured and cementing the good working relationship between the Executive and the Judiciary, which in my view, is critical in the administration of justice in any country.

(i) Limited Legal Capability

Number two I want to talk on limited legal capability and here, I wish to notify, that the Government supports the Judiciary by addressing various obstacles which affect its capability to ensure access to justice. This is done in the framework of supporting implementation of the Judiciary's Strategic Plan (SP) whose Vision is "*Timely and Accessible Justice for all*". This includes things pertaining to policies, infrastructure and also, we have continued to increase supporting staff and judicial facilities, to better ensure the operational capability of the Judiciary. personnel.

As the Tanzanian Judiciary policy focuses on improving the criminal justice system in the country, in 2023 the Government formed a Commission to examine the performance of the nation's criminal justice institutions in view of promoting fairness, efficiency, and upholding the human rights, and this has been said by the Minister. In July 2023, the Commission submitted its report with wide-ranging and transformational recommendations for improving our criminal justice system. All administrative recommendations are in various stages of implementation while those which requires policy or legislative changes are to be

implemented in due course. This can be an area of interest for those who may wish to work with us on this issue.

(ii) Access to Legal Aid

I also want to highlight on another obstacle to access to justice, which is the legal aid. Our current system provides for access to legal aid by Court-appointed advocates for those deemed to be in need of it in both civil and criminal proceedings.

To complement this, as it has been said by the Minister, our Government launched a massive *Mama Samia Legal Aid Campaign (MSLAC)*. The campaign involves the provision of legal aid and education to the

citizens on constitutional and legal issues, access to justice, and cross-cutting issues such as gender-based violence, violence against women and children, land administration, issues of inheritance, dispute resolution including Alternative Dispute Resolution (ADR), and human rights in general.

The campaign has managed to sensitize the people on their rights and access to justice. As a result, many disputes on land, matrimonial, inheritance and Gender Based Violence have been resolved at community levels. Having noticed high demand for legal aid, the Government called upon other stakeholders to play their part in providing legal aid. And we are very thankful,

because we do have the volunteering paralegals but we do have non-state actors who are also providing legal aid to the people, we are very thankful.

(iii) Complex Legal Language

As you may have already noticed, in Tanzania, the majority of our population speak the national language; Swahili. For along time however, most of the Judiciary conducts were done in english. And so, complexity of the language that is used in judiciary services has been another challenge to access justice.

Up until 2021, the Government decided that all existing laws and the new bills to come, be presented in Swahili, and upon adoption will be translated into English,

for the regional and International use, ofcourse. This exercise of translating all existing laws is ongoing. I firmly believe this will go a long way in making the legal system more accessible by our people.

(iv) Geographical inaccessibility

I will also like to talk on geographical accessibility. In dealing with this setback, and in recognition of the fact that we are having different judicial services spaced very far apart, throughout the country, one innovative approach in the Judiciary's Strategic Plan is the construction of Integrated Justice Centers, or IJC for short. IJCs offers judicial services as a one stop centre for access to justice from Primary court to the Court of Appeal. They

accommodate prosecutors, legal aid providers, the police, lawyers/advocates, and social service workers, so as to complete the justice chain. They are all under one roof, so the IJCs are equipped with modern e-justice tools, training rooms and consolidated citizens' services. Having all these services under one roof, not only eases access but also saves time and money in the course of accessing justice.

(v) Lack of confidence in justice systems

Another point which I am glad to note is that, various efforts that are being taken have changed the public's perception in the Judiciary and its functioning. To

cite one study, in 2023, **REPOA**, an independent research institution based in Tanzania did a follow-up perception study to gauge people's confidence in the Judiciary. It noted that whereas in 2015 the confidence levels were at 65%, in 2023 this level had risen to 88% and this is because of all those efforts that we have taken to facilitate access to justice.

4. Conclusion

Honourable Ministers, Ladies and Gentlemen;

In parting, I wish to underscore that Tanzania remains committed to working closely with our Commonwealth partners to address emerging legal challenges, enhance legal education and training, and

promote the development of robust legal frameworks that empower our societies and ensure equal justice for all. I am confident that deliberations over the course of this meeting will pave the way for impactful and actionable outcomes that will bolster the rule of law within our jurisdictions and uphold the principles of justice, fairness, and equality across our Commonwealth.

Madam Secretary-General,

We commend the undertakings at Commonwealth Secretariat. We also appreciate our partnership and the technical support and assistance in developing our human capital. We are looking towards continuing working

together in raising resources for developing toolkits that reflect emerging dynamics and needs .

Madam Secretary General and Delegates,

Once again, we welcome the delegates to Tanzania and Zanzibar, and I believe you will find time to explore the beauty of this Island (Zanzibar).

Having said that, It is now my pleasure to declare the 2024 Meeting of Law Ministers from Commonwealth Member States officially opened.

I thank you for your kind attention.