

AGENDA

Wednesday, 19 April 1989

p.m. Reception for delegates and invited guests hosted by the Chief Justice of Zimbabwe, The Hon. Justice Enoch Dumbutshena followed by dinner for delegates.

Thursday, 20 April 1989

9.00 a.m. Opening Ceremony presided over by Chief Justice Dumbutshena.

Inaugural Address by the President of Zimbabwe, The Hon. R.G. Mugabe.

10.30 a.m. First Session

1. Presentation by the Hon. Justice Lallah on "International Human Rights Norms".

Discussion of the sources of International Human Rights including:

(a) International and Regional Treaties relating to human rights

(b) Customary international law with particular reference to:

- The UN Charter

- The Universal Declaration of Human Rights

- Declaration, Resolutions of the General Assembly, Declarations by Commonwealth Heads of Government, etc.

(c) The jurisprudence of the various international mechanisms

- The UN mechanisms

- The European system

- The Inter-American system

- The African system (in outline only)

p.m.

Second Session

2. Presentation by H.E. Justice Keba M'Baye on "The African Charter on Human and Peoples' Rights, 1981"

Discussion on the regional application of human rights norms in the African context including:

- (a) The civil, political, economic, social and cultural rights elaborated in the African Charter;
- (b) The concept of "duties of the individual" in the African Charter;
- (c) The mandate and jurisprudence of the African Commission on Human and People's Rights;
- (d) The relevance of the African Charter to the freedom and independence of African judiciary.

Evening:

Reception by the Law Society of Zimbabwe.

Friday, 21 April 1989

a.m.

Third Session

3. Presentation by the Hon Justice Kirby on "The Role of the Judge in Advancing Human Rights".

Discussion on:

4. Judicial techniques and strategies to translate human rights and fundamental freedoms into practical reality through the interpretation of legislation and the common law including rules of procedure, evidence, amicus curiae briefs, locus standi, etc.
5. The question of funding of public interest litigation and legal aid, the role of national human rights commissions, etc.

p.m.

Fourth Session

The Relationship between International and Regional Human Rights Norms and Domestic Law.

6. Presentation by Mr Anthony Lester, QC., on "Personal Liberty and Reasons of State".

This session will focus on the role of courts in balancing personal liberty and reasons of State having regard to the following:

7. The Incorporation of International and regional human rights norms in relevant African national constitutions.
8. The extent to which the international and regional African human rights standards are given domestic constitutional or legislative protection in the field of civil and political rights.
9. Locating the lacunae: If there are gaps, how can these be filled by:
 - (a) The development of the common law by judicial techniques with reference to international human rights norms, or
 - (b) The direct application of international or regional customary law by domestic courts.

Evening: Dinner hosted by the Minister of Justice for Zimbabwe, The Hon. Emmerson Mnangagwa, M.P.

Saturday, 22 April 1989

a.m. Fifth Session

10. Presentation by the Hon Justice P N Bhagwati on "Fundamental Rights in their Economic, Social and Cultural Context".

Discussion on:

11. The extent to which the international and regional African human rights standards are given domestic, constitutional or legislative protection in the field of Economic, Social and Cultural Rights.
12. Locating the lacunae: If there are gaps, how can these be filled?

Sixth Session

13. Close of conference and discussion on follow-up.