

**REMARKS BY MR. OMAR MAKUNGU, CHIEF JUSTICE OF ZANZIBAR  
AT THE OPENING OF THE 11<sup>TH</sup> EAST AFRICAN MAGISTRATES AND  
JUDGES ASSOCIATION (EAMJA) CONFERENCE, ZANZIBAR BEACH  
RESORT, ZANZIBAR ON 13<sup>TH</sup> AUGUST, 2013.**

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**Your**

**Excellence, the Honorable Dr. Ali Mohamed Shein President of  
Zanzibar and Chairman of the Revolutionary Council;**

**Your Lordships, the Honorable Chief Justice of Tanzania, and  
South Sudan;**

**The Hon. Deputy Chief Justice of Kenya;**

**The Hon. Acting Dep. Chief Justice of Uganda;**

**My Lord, the President of the East African Court of Justice;**

**The Hon. Speaker of the House of Representatives of Zanzibar;**

**Your Lordships, the Hon. Principal Judges of the Partner States;**

**Your Lordship, and Ladies Justices and Judges of various ranks.**

**The Hon. President of (EAMJA)**

**The Hon. Minister of Justice and Constitutional Affairs of Zanzibar.**

**The Hon. Attorney General of Zanzibar.**

**The Hon. DPP of Zanzibar.**

**The Hon. Regional Commissioner, Urban West, Zanzibar.**

**Your Worship, the Registrars, Kadhis, and Magistrates.**

**Distinguished Delegates from EAC. Partner States**

## **Distinguished Guests**

## **Ladies and Gentlemen**

## **All Protocol observed**

## ***ASSALAM ALLEIKUM :***

First of all, praised be to Allah, who gives us opportunity to be together in this special Forum.

Secondly, It is my real pleasure to welcome you all today to Zanzibar on behalf of Judiciary of Zanzibar, and indeed, on my own behalf on the occasion of this opening of the 11<sup>th</sup> East African Magistrates and Judges Association (**EAMJA**) Conference. I extend to you the warmest possible welcome, and I trust that this Conference will be as fruitful and as enjoyable as its predecessors.

May I assure you that we Zanzibaris feel a very deep sense of gratitude and, if I may put this way, of propriety that this Conference should be held here in Zanzibar, often referred to as the Spice Island and one of the largest Island in our region.

On a light-note, I do hope that you shall find some time away from your hectic schedule and put aside your robes in order to sample the beauty and cuisine that Zanzibar has to offer.

**Your Excellence Mr. President.**

At the outset permit me before I welcome you to give your opening remarks to say few things:

First and foremost I wish to congratulate thousands of Muslims Citizens of our member states for completing the Holy Month of Ramadhan and they just celebrated **EID ALFITR**. I wish them **EID MUBARAK**.

Secondly I would like to thank EAMJA for their decision to propose Zanzibar as the venue for this August meeting and a group of Judges Magistrates,

and Kadhi's of widely differing ranks and from throughout the East African Community to meet here in Zanzibar. I would like to say how particularly pleased we are to have this first opportunity as Associate member of this Association to host this Conference. This is a golden opportunity for us. As you know that the opportunity never come twice but we hope that we will always have the chance of organizing another conference such as this. No doubt for this one we faced some challenges but I assure you we will be ready to face another challenge for the benefit of this Association. I am sure that I speak for us all and that we are all grateful to be given time on this beautiful Island to focus our thoughts together on the difficult and sensitive topics chosen under the theme. May I respectfully suggest too that we are all as informal as possible in our discussions this week. Many of us are friends already, I hope that by Friday we may all be friends; but from the outset we can be confident of the mutual respect that we hold for one another and Brother and Sister Judicial Officers, whatever our Judicial rank or title.

The three-day meeting thus provides a perfect opportunity for us, the members of the Judiciary to learn from and to share the different

experience from our respective Partner States. We hope to learn from the Chief Justice lessons from the common law regime as practiced by the Republic of Kenya; Republic of Uganda and the United Republic of Tanzania as well as that of Civil Law practiced by the Republic of Rwanda and the Republic of Burundi. It is my belief and perhaps feasible proposal that the Community should borrow and implement the best practices from both systems.

Thirdly, There would be no conference in Zanzibar without the stamp of your personal commitment, Mr. President. On behalf of Zanzibar Judiciary Mr. President I wish to thank you very much for the wonderful cooperation you extended to us in the planning of this conference and for you accepting our invitation to be the guest of honour of this conference. It is an act of extreme hospitality and leadership for you accepting to meet and greet Chief Justices and their delegates. Your presence is very vital to us because I believe that you are part and parcel of us for many reasons, including the following :

- i. that being the first conference of its kind to be held in

Zanzibar which requiring your blessings;

ii. that being a medical doctor you know better than most of

us the causes and effect of abortion;

iii. that being the President of Zanzibar you are part and parcel of the death penalty. Normally a judge convicts and pronounces a death penalty to an accused person but that sentence has no effect unless and until you give your consent. Experiences show that most of your predecessors were reluctant to give that consent. For those reasons I am sure you are in a good possession to guide and advice us on the topics of our theme.

***Your Excellence the Present.***

Allow me to end my remarks by thanking all delegates for finding time to attend this conference. I want to thank the Revolutionary Government of Zanzibar for the full support of the Conference and People's Bank of Zanzibar, Zanzibar Legal Service, ICJ – Kenya and other partners

for their financial support. We also felt and appreciated the cooperation and presence of some dignitaries of the Government of Zanzibar.

I am also sincerely grateful to my staff at the Judiciary and various committees who have always worked tirelessly to ensure the success of the conference. I apologize in advance on their behalf if anything goes wrong. It was not intended but that due to un experience.

After that short remark, I now have the singular honour and pleasure to welcome you Mr. President to give us your words of wisdom, advice guidance and encouragement.

***Thank you for listening. Mr. President you are welcome.***