

Pan African Lawyers' Union (PALU)
2019 Annual Conference and General Assembly
Hotel Eda Oba, Lomé, Togo

Theme: The Future of the Legal Profession in Africa:
Effective tools to succeed in a changing environment

Welcome address presented by Emeka J. P. Obegolu,
President of PALU during the opening ceremony of the 2019
annual conference of PALU

[Protocols](#)

[About the Pan African Lawyers' Union \(PALU\)](#)

1. PALU is the pre-eminent lawyers' association on the African continent. It brings together five (5) regional lawyers' associations, over 55 national lawyers' associations, and close to 2,000 individual members, including 5 Special Endowment Members (SEM) and over 60 Life Members (LM).
2. PALU was founded on 9 September 2002, in Addis, Ababa, Ethiopia, by Bar leaders and eminent lawyers from across the African continent consequent upon the voluntary dissolution of previous lingua based associations of African Lawyers and their merger into PALU, so that we could, for the first time, have a **single, overall, continental lawyers' body** that would bring us together, across our geographic, linguistic and legal traditional divides.
3. PALU seeks to use the legal profession as an entry point to add value to the African society and therefore this Conference needs to be viewed as an opportunity for serious introspection on what contribution PALU and partners are making towards creating conditions for better quality of livelihoods on the African continent and for Africans wherever they are.
4. Beyond membership dues and other material support, we have a duty to contribute intellectually to the organization. I invite us all to offer and commit to serving on the PALU Members' Committees with dedication. It is the cross-fertilization of ideas within the professional environment provided by PALU that will move the legal profession and the quality of governance on the African continent to higher levels.
5. Lawyers associations, be they Bar Associations or Law Societies, and whether they operate at sub-national, national, regional, continental or global platforms, exist to do one, a combination or all of the following: -
 - a. **Regulation** of the profession
 - b. **Representation** of the profession to the public, governments, intergovernmental organizations and the world at large
 - c. **Public interest** advocacy

6. **REGULATION** of the profession requires us to invest in legal education: pre-admission and post-admission; to formulate Codes of Ethics and other regulatory instruments that are in tandem with current developments in our societies and economies; to constantly build the capacity of our members, through conferences, seminars, publications, etc; and to establish modalities and mechanisms within the profession that can enforce these standards, and discipline the minority within the profession that violate these standards.
7. **REPRESENTATION** of the profession, our “trade union” function, requires that we effectively represent the profession and its interests to government (both central and local or devolved government), to institutions of global and continental governance, and to the public at large. It also requires that we constantly source and acquire privileges and benefits for members.
8. **Our PUBLIC INTEREST** mandate should be construed as broadly as possible to enable us to, collectively, contribute to development in our societies: encompassing political, economic, social and cultural development. This should include – although not be limited to – contributing to the fair administration of justice; the just rule of law; constitutionalism; democracy and good governance; the protection and promotion of human and peoples’ rights; law reform and access to justice, etc.
9. At supra-national level, this mandate includes contributing to people-centred regional integration and continental unity, and contributing to a fair and just world and globalization that works for all of the people all of the time.
10. PALU believes in having strong legal and judicial institutions, as our ultimate guarantors for sustainable development, the rule of law, democracy, good governance, human and peoples’ rights, and for assertively combatting impunity, at the national, (sub) regional, continental and global levels. We further believe in the necessity of proactively and innovatively working towards co-operation, collaboration and even complementarity between these institutions at these various levels, on the African continent, as elsewhere in the world.
11. For this reason, not only has PALU supported and actively engaged the various organs and institutions of global governance, but it has also actively participated in, and advocated for, a strong Pan-African and (sub) regional judicial and legal architecture, including: -
 - a. Being the most prominent external actor at the existing African Court on Human and Peoples’ Rights, which, in its current form, is a Court for state responsibility for violation of human or peoples’ rights. We have done more cases at that Court than all other players put together: some of them as Applicant’s Counsel, others as *Amici Curiae*, and others as *pro bono* Legal Aid Provider, appointed by the Court itself. We also drafted the Court’s Legal Aid Funding framework, whose Statute was adopted by the African Union (AU) at its Summit (in January 2016). We also formulated its draft Legal Aid Funding Strategy, and have similarly contributed – alongside others – to the Court’s periodic strategic planning.

- b. Having formal Observer Status with the African Union (AU) and working closely with the Office of the Legal Counsel (OLC), the Department of Political Affairs (AUC-DPA) of the African Union Commission (AUC), as well as the African Governance Architecture (AGA), which brings together all the organs and institutions of the AU that have a bearing on democracy, good governance, human and peoples' rights and the fight against impunity on the continent.
 - c. Having formal Observer Status with the African Commission on Human and Peoples' Rights, and working closely with it, including training its staff, facilitating colloquia for its Commissioners, and representing it, on a *pro bono* basis, in its litigation at the African Court.
 - d. Also working closely with the African Union Advisory Board on Corruption (AUABC), the African Union Commission on International Law (AUCIL), and the Pan African Parliament (PAP), amongst others.
 - e. PALU drafted the first draft of the Protocol that could give the existing African Court a future jurisdiction over 14 serious crimes: the four (4) "Core Crimes" that are within the jurisdiction of the International Criminal Court (ICC); and an additional ten (10) crimes that are of serious concern to African people, including the crimes of Unconstitutional Change of Government, Corruption, Money Laundering, Piracy, Terrorism, Illegal Exploitation of Natural Resources and Trafficking in Persons, Drugs, Hazardous Wastes and other crimes.
 - f. We have also contributed to the formulation of the AU Model Law on Universal Jurisdiction; Protocols relating to the Pan African Parliament (PAP), the African Central Bank (ACB), African Investment Bank (AIB), African Monetary Fund (AMF), and also the Rules of Procedure of the African Governance Platform (AGP) and the Annexed Guidelines for State Parties' Reports under the African Charter on Democracy, Elections and Governance (ACDEG).
12. Of course, as a pre-eminent body of the continent's lawyers, we also work on other 'bread and butter' issues for African lawyers and citizens, including the law of regional integration, commercial law, cross-border legal practice and other areas of legal practice. In this regard, we have partnered with, amongst others, the **African Development Bank (AfDB)** and the **African Legal Support Facility (ALSF)**, and continue to do so.
13. We have ensured that our Annual Conferences incorporate, within them: -
- a. **An annual meeting of Bar leaders**, bearing in mind that the PALU Council (its second most importance governance organ, second only to the General Assembly) is composed of Presidents and Chairpersons of the national and regional lawyers' associations;
 - b. **An annual gathering of Bar Executives**, so that those who serve the legal profession can also build their capacities, exchange information and ideas, and find ways of co-operating and collaborating, for the good of the legal profession, and of our societies at large.

Importance of Collective Action

14. The challenge of building capable, effective, efficient and democratic States, that can protect their citizens, and provide public goods and services, including economic prosperity, development, equality and rights for all, is a mammoth task. This is especially relevant at this time when the continent is challenged by several developmental issues including but not limited to:
 - a. Electoral malpractices
 - b. Rule of Law
 - c. Independence of the Judiciary
 - d. Human Rights violations
 - e. Security
 - f. Corruption, etc
15. The theme of this 2019 annual conference of PALU speaks to the future of the Legal Profession in Africa with sessions designed to equip African Lawyers with tools to succeed in a changing environment even as we seek to affect our operating environment positively.
16. We will host in-depth discussions on these at the Conference. Our premise is that if we sufficiently raise awareness about and engage **succeed in a changing environment**” We intend to use the conference to commence a comprehensive debate with our members and partners on the changes, especially technological changes, that are taking place in our society: -
 1. Artificial Intelligence
 2. Machine learning
 3. Robotics
 4. Fifth-generation Internet, also called 5G
17. In this emerging world, some types of work will be eliminated and automated; but new types of work will arise. It is our sincere hope that the discussions that will flow from this conference will enrich our individual knowledge base in our quest to serve the needs of the next generation Africa. We will manage the change, direct and profit from it. Otherwise the change will change us, and leave us behind.
18. We have a duty, as professionals who believe in the rule of law and in political, social, economic and cultural development of our continent to actively get involved in these issues. This is what will guarantee a life of dignity for our people, and peace and confidence in our governance systems in Africa, whether at national, regional or continental levels.
19. On behalf of the organized legal profession in Africa, I take this opportunity to profusely thank the Bartonnier of the Ordre Des Avocats du Togo, the Local Organizing Committee and the Secretariat of the Pan African Lawyers Union, for convening – and successfully holding – this Conference.
20. Conferences of this nature do not happen without the material and financial support of a range of individuals and institutions. In this regard, I would like to mention and thank, in alphabetical order: -

1. **Financial Transparency Coalition (FTC)**
2. **Google Incorporated**
3. **International Centre for Not-for-Profit Law (ICNL)**

I would also like to acknowledge the traditional partners of PALU, who support our various endeavours throughout the year

1. **Open Society Foundations (OSF)**
2. **Raoul Wallenberg Institute for Human Rights and Humanitarian Law (RWI)**

21. In conclusion, we **urge all African lawyers' associations, especially the national-level Bar Associations and Law Societies,** to take this opportunity to: -

- a. Renew their commitment to PALU, as an ideal vehicle for collating our aspirations and ambitions, and co-operating and collaborating at the continental level, including jointly engaging the continental institutions of governance and encourage their members to also join and be active in PALU and in its Sections, Committees and fora.

Emeka J. P. Obegolu
President, PALU
July 17th 2019.