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1.0 SECRETARIAT NEWS

Featured News:

PALU appointed as the new International Coalition for the Responsibility to Protect (ICRtoP) Chair

The Pan African Lawyers Union (PALU) was appointed as the new ICRtoP Chair for a two-year term when the Steering Committee of the ICRtoP its fourth meeting in New York on 22nd and 23rd October 2012. The meeting discussed the guiding priorities for the ICRtoP Secretariat and the Coalition as it works to advance the Responsibility to Protect worldwide. The Steering Committee is composed of the Pan Africa Lawyers Union, the Asia-Pacific Centre for R2P, Coordinadora Regional de Investigaciones Económicas y Sociales, the East Africa Law Society, Human Rights Watch, Initiatives for International Dialogue, the International Refugees Rights Initiative, Oxfam International, the Stanley Foundation, West Africa Civil Society Institute, and the World Federalist Movement-Institute for Global Policy.

Discussions focused on a range of topics, including normative developments and country cases, and upcoming activities of the Coalition. The ICRtoP reported that in the coming year Coalition members are organizing a range of events such as awareness raising workshops, trainings, and research initiatives in Southeast Asia, the Middle East, Europe, Central and South America, West Africa and the African continent. Many of the members organizing these projects are working in partnership with regional and sub-regional arrangements as well as UN actors.

PALU would like to thank the Steering Committee and ICRtoP for this wonderful opportunity and looks forward to a fruitful next two years.

For more information you can visit:

<http://www.responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/4511-icrtop-holds-fourth-steering-committee-meeting-country-updates-syria-myanmarburma-rtop-related-publications>

Annual Africa Prosecutors Association's Conference & Annual General Meeting (APA-AGM)

The 7th APA conference and AGM took place in Windhoek, Namibia from 7th to 10th October 2012 with the theme ‘Strengthening Institutional Capacity of Prosecution Authorities and Agencies in Africa–Uniting Africa’s Prosecutors.’ The APA conference and AGM was preceded by a gala dinner held on 7th October 2012 with Dr P Shipoh, Permanent Secretary in the Namibian Ministry of Justice and Windhoek Mayor, Her Worship Elaine Trepper addressing attendees. From 8th to 10th October various sessions took place and a number of themes including- “Independence and Accountability of Prosecution Authorities and/or Agencies; Co-operation between and among Prosecution Bodies and other like-minded organisations; universal jurisdiction as well as discussions on a draft prosecution guide and regional forum- were under the spotlight.

The APA-AGM adjourned with the re-election of Namibia's Prosecutor-General Olyvia Imalwa as the APA President. Her five Vice-Presidents are as follows:-

- Angola was elected as Vice President Southern Africa;
- Tanzania was elected as Vice President East Africa;
- Egypt was elected as Vice President for North Africa;
- Cape Verde was elected as Vice President for West Africa;
- The Democratic Republic of Congo was elected as Vice President for Central Africa.

South Africa was elected as Treasurer-General for a four-year term; Mozambique was elected as Secretary-General. Uganda, Algeria and Rwanda were elected as additional committee members.

For more information you can visit:

[http://www.africaprosecutorsassociation.com/pdf/7conference/apa-7th-agm and conference article.pdf](http://www.africaprosecutorsassociation.com/pdf/7conference/apa-7th-agm%20and%20conference%20article.pdf)

International Institute of Law Association Chief Executives (IILACE), Annual Conference & General Meeting (AC-AGM)

PALU took part in the 2012 annual IILACE meeting held in Hong Kong from 17th to 20th October 2012. The annual conference brings together executive directors and chief executive officers from around the world to discuss issues of relevance to Bar Associations Law Societies.

The objectives of IILACE are to:

- a) Facilitate the exchange of views and information between members on key issues affecting law associations, being law societies and bar associations; and develop a network for communication among chief executive officers of law societies and bar associations;
- b) Promote and defend the status and interests of the legal profession, law associations and the rule of law;
- c) Hold periodic forums for discussion of matters of mutual interest.

Apart from the PALU CEO, seven other African CEOs drawn from Eastern and Southern Africa also participated.

For more information you can visit:

www.iilace.org

Hiil's fifth Law of the Future Conference

PALU represented by the CEO, Donald Deya took part in the fifth Law of the Future Conference, which was held on 1st and 2nd November 2012 in The Hague. It focused on the Law of Future and multilevel rule making and what challenges it brings. The conference was about understanding the main challenges of multilevel law-making and based on that, developing solutions. The aim of the meeting was to formulate a Report identifying four areas where innovation is most needed:

- Meaningful participation of citizens and end-users;
- Transparency: making it more attractive to open the doors;
- Building bridges between competing rules;
- Reducing the burdens of using rules.

The highly facilitated two-day meeting was used to develop innovations to deal with those challenges for the benefit of law-makers in parliaments, legislation professionals, corporate counsel and law firms assisting them, judges and lawyers, and the highest courts.

For more information you can visit:

<http://www.hiil.org/events/innovating-justice-forum-2012>

56th Congress of the International Union of Advocates (UIA)

PALU participated in the 56th Congress of the UIA in Dresden, Germany, from 31st October to 4th November 2012. Issues discussed during the Congress were topical for the legal profession on the continent, including Alternative Business Structures, Law & Religion and Relations Advocates-Clients.

In the Human Rights Commission, a documentary relating the key events that led to the murder of the internationally renowned Human Rights activist Floribert Chebaya, and the ensuing trial, was discussed. This was a prime opportunity for many participants to finally reflect of the proceedings of the trial of the accused since the showing of the documentary is prohibited in many African countries, including in the Democratic Republic of the Congo.

CSOs Discuss Extension of the Jurisdiction of the East African Court of Justice

The Pan African Lawyers Union (PALU) in conjunction with the East African Civil Society Organizations' Forum (EACSO) and the Open Society Initiative for East Africa (OSIEA) organised a Consultation aimed at Facilitating a Common CSO position on the Extension of the Jurisdiction of the East African Court of Justice on Monday 29th October 2012 in Arusha, Tanzania.

The objectives of the Meeting were to:

1. Bring together select bar associations and CSOs with a view to brainstorming the prospects and permutations of the extension of the Court's jurisdiction to cover human rights, cross-border trade and commercial law and/ or international crimes;
2. Raise awareness on the state of progress in the extension of jurisdiction of the EACJ;
3. Garner proposals and recommendations that can be applied in the extension process;
4. Develop a common CSO position on the extension of the jurisdiction of the Court to cover international crimes;
5. Compile a comprehensive policy paper outlining the legal and policy implications of empowering the EACJ to try international crimes;
6. Increase the capacity of bar associations and CSOs to engage and advocate with the EAC and Partner States on the extension of the EACJ's jurisdiction.

Participants ranged from CSOs, Bar Associations and various specialists with extensive knowledge on the East African Community and its Court. The team will now endeavour to draft a report of its proposals that will be presented to the East African Community for consideration.

2.0 NEWS FROM OUR MEMBERS

Hon. Judge Matthews Nderi Nduma Elected Principal Judge, Industrial Division, High Court of Kenya

Hon. Judge Nduma who was appointed as a Judge of the High Court of Kenya, Labour Section earlier this year was further elected Principal Judge of the industrial division of the High Court of Kenya.

PALU would like to extend its congratulations to Hon. Judge Nduma.

Sheila B. Keetharuth appointed UN Special Rapporteur on Eritrea

Ms. Sheila B. Keetharuth, a human rights lawyer and defender from Mauritius, and a member of PALU, was recently appointed as the UN Special Rapporteur on the situation of human rights in Eritrea. The UN Human Rights Council confirmed the appointment during its session which ended on 28th September 2012. PALU would like to congratulate Ms Keetharuth on her appointment and wish her all the best as she embarks on this important path.

PALU would also like to express its appreciation for her participation in the PALU Strategic Planning process as she was one of the instrumental members and active participants that contributed towards the planning process.

3.0 NEWS FROM OTHER ORGANIZATIONS

Nigerian Bar Association change of leadership

On 31st August, 2012, the Nigerian Bar Association (NBA) inaugurated a new set of National Officers. These were:

NBA President: Okey Wali, SAN
NBA General Secretary: Emeka J.P. Obegolu, Esq.

The President of the NBA is the principal spokesperson of the Bar. He administers the NBA with the assistance of the General Secretary who supervises the NBA National Secretariat under the directives of the President. The NBA National Secretariat is the hub of all NBA activities; it has the sufficient human resources to implement the policies and programmes of the NBA.

For more information you can visit:

www.nba.org.ng

The High Court of Nigeria declares capital punishment by firing squad unconstitutional

On 29th June 2012 the High Court of Lagos State in a ruling delivered by Honourable Justice Olokoba declared that the penalty of death by hanging or by firing squad is unconstitutional.

The applicants in the case were prison inmates that had spent 20 or more years on death row. After several unsuccessful 'prerogative of mercy' letters by the Legal Resources Consortium {LRC} an application was filed on their behalf on 1st February 2008 seeking the following reliefs:

- a) A declaration that the prescription of Mandatory Death Penalty for offences such as armed robbery and murder contravenes the right of the applicants to dignity of human person and their right not to be subjected to inhuman or degrading punishment under the Constitution of the Federal Republic of Nigeria, 1999;
- b) An order making the mandatory death sentence in the circumstances of the Applicants case unconstitutional, null and void;
- c) An order nullifying the mandatory death sentence by hanging or by firing squad imposed on the applicants for the offence of murder or armed robbery as unconstitutional.

On Friday 29th June 2012, the High Court of Lagos State refused prayers {a} and {b} and granted {c}. That the penalties of death by hanging or by firing squad were declared unconstitutional and the Lagos State Government was perpetually restrained from inflicting the penalty of death on the applicants by hanging or by firing squad.

The LRC legal team was led by Norrison Quakers SAN and are now working on the modalities for ensuring that all inmates on death row in Nigerian Prisons benefit from this decision.

4.0 UPCOMING EVENTS

27th Ordinary Session of the African Court

The 27th Ordinary session of the African Court will be held in Port Louis, Mauritius from 26th November to 7th December 2012. The *Mkandawire v Malawi* application will be heard in open court on 29th and 30th November 2012. However, no judgment will be delivered during this session.

For more information you can visit:

<http://www.african-court.org/en/>

Equality Now to hold a lawyers' training promoting the use of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Protocol)

Equality Now, in partnership with the Solidarity for African Women's Rights (SOAWR) Coalition, will host a lawyers' training on 3rd and 4th December 2012 in Nairobi, Kenya, to promote the use of the Protocol. The training will target lawyers and law firms/associations from English-speaking West, East and Southern Africa and specifically countries that have ratified the Protocol, as well as those that the SOAWR coalition is targeting for ratification. The meeting will provide step by step guidance for using the Protocol at both national and regional levels. Lawyers will be trained on using the Protocol in cases brought before national courts, and bringing complaints of violations of the Protocol to regional mechanisms such as the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights. The training seeks to use the Protocol on the Rights of Women effectively as a tool to advance the rights of women as well as encourage lawyers to push for judge made law that can add pressure on governments to enact new laws and policies that reflect the rights provided for within the Protocol.

For more information you can contact Caroline Muthoni at: cmuriithi@equalitynow.org

5.0 ADVERTISEMENTS & VACANCIES

ILEAP Fellow position with the COMESA Business Council

The COMESA Business Council (CBC) is requesting individual consultants to submit CVs for an ILEAP Fellow position with the COMESA Business Council.

For more information you can visit:

http://www.comesabusinesscouncil.org/index.php?option=com_content&view=article&id=64&Itemid=54

Vacancy for Deputy Registrar at the African Court

The African Court invites citizens of African Union Member States to apply for the position of Deputy Registrar (Post Level P5).

Applications should be submitted not later than 23 December 2012 and should be addressed to the postal address or email indicated hereunder:

African Court of Human and Peoples Rights
P.O. Box. 6274, Arusha, TANZANIA
Tel: + 255 732 979507/9, +255 732 979922
Fax: + 255 732 979 503
E-mail: humanresources@african-court.org

For more information you can visit:

<http://www.au.int/en/sites/default/files/Deputy%20Registrar,%20P5,%20En,%20Oct.pdf>