

**REGIONAL WORKSHOP ON ADMINISTRATIVE JUSTICE REFORM IN
EASTERN AND SOUTHERN AFRICA**

IN GABORONE, BOTSWANA, 28. – 31. AUGUST 2018



A constitution which is not only protecting basic human rights but also embedding general democratic principles is the first step to a well-working state under the rule of law. These norms and values, however, must be reflected in the constitutional reality. The aspirations of the constitution remain of theoretic nature if they are not implemented in society and accessible to the citizens.

When speaking about a responsive and participative model of democracy, the citizens must be assured to have means of protection against the violation of their constitutional rights. An efficient and independent administrative law therefore has the objective to protect the citizens from unlawful interferences.

Even though several countries from eastern and southern Africa followed the example of Namibia to ensure a right to fair and reasonable administrative justice, the persistent problem has remained that of implementation. This is particularly crucial considering the fact that in

common law system the means of control are traditionally not statutory but originate from case law (judicial review).

This workshop brought together experts from various countries within eastern and southern Africa to exchange their ideas and experiences in a bid to chart a way forward on how to institute fair, effective and independent administrative justice system in the aforementioned regions and the continent as a whole. Due to the similar historical background and purely or partially common law system that many of them ascribe to, related problems and approaches were discussed.

It was noted that the development of the ideal administrative justice system on the continent is a long-term venture but one which must be undertaken for the citizens' full enjoyment and realization of their constitutional rights. This workshop was the first among many subsequent meetings, events and activities that the experts will engage in towards the realization of fair, effective and independent administrative justice system in Africa. The establishment of an association comprising academic experts, judicial officers and practitioners from the different States was mooted for consideration and implementation as a means of creating a strong network that would push forth the various undertakings in a common and coordinated manner.

The Konrad Adenauer Stiftung under the aegis of its Rule of Law Program for Sub-Saharan Africa supports this initiative under the coordination of a renowned South African professor for administrative law, Prof. Hugh Corder.