

FOREWORD

I am delighted to welcome the publication of the *SADC Law Journal* which is solely dedicated to the legal aspects of regional integration in the Southern African Development Community (SADC). While there is a great deal of scholarly writing on the economic and political aspects of regional integration in SADC, there is a shortfall of legal writing on such integration. This initiative fills in an important gap and is consequently laudable. As President of the SADC Tribunal (Tribunal), I understand the vital role that scholarly legal academic writing plays in shaping the jurisprudence of any legal regime. I am confident that the *SADC Law Journal* would carve out a niche for itself in this regard.

The inauguration of the *SADC Law Journal* is timely; it comes at an appropriate time when several questions have been raised about the mandate and jurisdiction of the Tribunal. There have also been some misconceptions about the role of the Tribunal in strengthening regional integration in SADC. It is important to note that the success of regional integration in SADC greatly depends on the extent to which the Tribunal ensures that the SADC Treaty, SADC Protocols and other SADC norms are properly interpreted. In this regard, the *SADC Law Journal* would serve as a platform for disseminating the Tribunal's interpretation of various aspects of such Treaty, Protocols and other norms.

In the long run, the *SADC Law Journal* would serve as a forum for enlightening the public as to the importance of the Tribunal in the process of strengthening regional integration in SADC. We, at the Tribunal, also believe that the *SADC Law Journal* will be an important tool in creating greater awareness about the Tribunal and its activities not only in the southern African region, but also at the international level, and providing readers with latest developments in the evolving area of the SADC body of laws.

I consider that the *SADC Law Journal* should serve as a platform where prominent scholars and distinguished legal practitioners alike can share their views on various aspects of the SADC Treaty, SADC Protocols and other SADC norms. The wealth of knowledge and experience of these scholars and legal practitioners should help shape the legal discourse on regional integration and examine core legal issues in the SADC integration process.

Such issues should not, in my opinion, necessarily be limited to areas that have been brought before the Tribunal for interpretation, but should also extend to other areas that fall within the SADC body of laws. To this end, the *SADC Law Journal* should publish innovative articles in the following areas, among others: the mandate, jurisprudence, and authority of the Tribunal; evaluation of the SADC Treaty, SADC Protocols and other SADC subsidiary legislation; the relationship between SADC, other African regional communities and

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the African Union; comparative studies between SADC and other regional integration bodies; rule of law, democracy, human rights and trade issues within the context of regional integration in SADC and the harmonisation of national laws within such context. It is gratifying to note that those areas are in fact the focus of the Journal's endeavours.

In terms of quality of the *SADC Law Journal*, the Editorial Board and International Advisory Board consist of highly renowned international scholars and officials. With the quality of such scholars and officials, I am convinced that only the best academic writings will be published in the *SADC Law Journal*. As Chairperson of the SADC Law Journal Trust and President of the Tribunal, I feel privileged, together with my colleagues of the Tribunal, to be associated with this landmark enterprise.

I, therefore, enjoin all stakeholders in the SADC regional integration process to throw their full weight and support behind the *SADC Law Journal* and make it an enduring success.

Last but not least, in my capacity as Chairperson of the SADC Law Journal Trust, I will fail in my duties if I do not place on record the valuable assistance given by the Konrad-Adenauer-Stiftung and its Director, Dr Anton Bösl, in ensuring the ongoing publication of the *SADC Law Journal* as a viable process.



Justice Ariranga G Pillay
President of the SADC Tribunal