



ecocourt newsletter

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COMMUNITY COURT TO LAUNCH ITS INAUGURAL OUTREACH PROGRAMME IN 2019



Group photograph of Hon. Justice Edward Asante (middle), the Chief Registrar (1st left) and the delegation of Public Interest Lawyering Initiative for West Africa

The ECOWAS Court has unveiled a historic outreach programme that will enable it engage with the region's citizens as part of its campaign to improve public awareness and access to the Court whose role in the protection of human rights has become its defining mandate.

The phased outreach programme will be launched next year in communities in Sierra Leone, Liberia and The Gambia, the President of the Court, Honorable Justice Edward Asante told a delegation of Public Interest Lawyering Initiative for West Africa (PIWA) during its Friday, 19th October 2018 visit to the Court.

Justice Asante said the programme, the first by the Court, will complement the Court's existing public information platforms as well as sensitization campaigns, which are mainly focused on radio and television programmes with an advocacy component.

He expressed concern about the poor enforcement of the Court's decisions by Member States 'and our wish that the Civil society would help in pressuring the

States to comply with their obligations under provisions of the Protocol on the Court relating to the enforcement of the decisions of the Court,' that requires them to designate focal points for the purpose and enforce in accordance with their rules of civil procedure.

Information available at the Court's Registry showed that 28 decisions have been enforced while there is no record of enforcement for the remaining 53 decisions.

'A Court can't be effective except its decisions are enforced,' the President said, noting that the success of the Court is attributable to its independence, strength and insistence on holding Member States accountable for their Treaty obligations.

Earlier, the Nigerian focal point of PIWA, Prince Chima Williams, said the visit was to familiarize the members with the dynamics, processes and decisions of the Court as part its engagement with the Court.

He assured the President of the group's support, using

its network, in the area of the enforcements of its decisions and the expansion of the access by community citizens.

Members of PIWA are drawn from Cote d'Ivoire, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Senegal and Sierra Leone.

Later, the Chief Registrar, Mr Tony Anene-Maidoh made a presentation on the various aspects of the court, its mandate and jurisprudence followed by a question and answer session.

Also included in the delegation were officials representing Non-governmental Organisations (NGO's) from South Africa and the United States of America.

PICTURES FROM THE PIWA VISIT



PRESIDENT OF ECOWAS COURT CANVASSES FOR URGENT REFORMS OF STATUTES OF GIABA TO MEASURE UP TO MULTIPLE COMPLEX CRIMES WORLDWIDE



Hon. Justice Edward Asante

The President of the ECOWAS Court of Justice, Honorable Justice Edward Asante has called for the reform of the statutes of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) to enable it cope with the dynamics and complexity of global crimes.

The Dakar-based GIABA is an ECOWAS institution responsible for facilitating the adoption and implementation of Anti-Money Laundering (AML) and Counter-Financing of Terrorism (CFT) instruments in West Africa.

In a paper presented at the opening of a workshop held in Abuja for law Enforcement Agencies, the President branded the 1996 Statute as ‘outdated and woefully inadequate to meet the present challenges, much less those of tomorrow,’ which makes it imperative to undertake an urgent reform to equip the agency with greater capacity to deal with investigations, prosecutions and possible seizures, freezing, confiscation and recovery of assets and the proceeds of transnational crimes.

He said that lasting and fair solution to global challenges depended on the adoption of ‘a genuine multilateral and multifaceted approaches,’ reinforced by international coordination and cooperation.

‘ Designing legal frameworks for crime detection, seizures, freezing, confiscation and asset recovery from

money laundering, terrorism and other international crimes by individual State’s efforts simply cannot meet the needs of a world more interconnected and complex as we have now,’ the President noted.

Through the workshop, the President said GIABA has demonstrated an inclination to equip itself with a robust system for detecting, confiscating and recovering the proceeds of crime in Member States and assured of the Court’s willingness to provide the required support towards the realization of the objective of the workshop and mandate of GIABA.

The workshop focused on the Structure, Investigation, and Techniques of Criminal Assets Seizures, Freezing, Confiscation, Recoveries and Management in compliance with the United Nations Security Council Resolution. It was supported by the European Union as part of its efforts to strengthen the human resource base of GIABA towards the attainment of its mandate.

COURT PRESIDENT PLEDGES TO WORK WITH MEMBER STATES TOWARDS RESOLVING THE PROBLEMS MILITATING AGAINST THE ENFORCEMENT OF COURT’S DECISIONS

The new President of the ECOWAS Court, Honorable Justice Edward Asante has pledged to work with Member States and other stakeholders to fashion out a mechanism for improving on the level of enforcement of the decisions of the Court.

‘Only Nigeria and Niger have significantly enforced the decisions of the Court,’ the President said on Thursday, 11th October 2018 during a visit to the office of Nigeria’s Permanent Mission to ECOWAS in Abuja.

He said that Civil Society Organisations (CSO’s) will also be involved in the process as part of an effort by the Court, including extensive sensitization and advocacy programmes, to ensure an improvement in the level of enforcement.

While Courts’ were not normally preoccupied with the enforcement of their decisions, the President said the Community Court’s efforts were motivated by the nature of its role as a human rights Court whose jurisprudence has contributed to deepening democracy in the region by ensuring respect for human rights, one of its four-fold mandate.

Member States are required under Article 24 of the 2005 Supplementary Protocol on the Court, to determine the competent national authority for the receipt and processing of execution of the judgements of the Court in accordance with the rules of civil procedure in each State.

Only five of the 15 Member States- Burkina Faso, Guinea, Nigeria, Mali and Togo- have notified the Court of the designation of the focal points for the enforcement of the decisions of the Court.

Honorable Justice Asante also requested the head of the mission to help the Court in its ongoing effort to secure a suitable replacement office accommodation from the government of Nigeria, which is obliged under the headquarters agreement between the Court and the country, to provide an accommodation for the Court.

In welcoming the President, Ambassador Babatunde Nurudeen assured him that the office was 'seized' with the acute accommodation problem facing the Court and engaged in an inter-ministerial effort towards its resolution.

He acknowledged that the reduction of the number of judges of the Court from seven to five as part of the reform undertaken by the Community has placed a heavy workload on the judges but expressed confidence that with 'the experience of the new judges,' they would succeed in discharging their mandate without significant drop in their output.

ONE DAY INDUCTION TRAINING HELD FOR EXECUTIVE ASSISTANTS TO JUDGES

A one day induction training on the workings of the Court, its structure and mandate was on 3rd October 2018 held for the Executive Assistants to the newly appointed Judges of the Court.

The President of the Court, Honorable Justice Edward Asante compared the training to orientation programmes for new employees and as a 'critical management tool in giving new employees a sense of belonging and equipping them for a successful career in the organisation while promoting effectiveness and productivity.'

'The orientation programme offers us the opportunity to present the basic texts of the Court to the Executive Assistants, which they will be working with in the discharge of their responsibilities,' the President said in his brief opening remarks.

He characterised the Executive Assistants, each of which is attached to a judge, as 'critical support staff to the Honorable Judges as they play crucial roles in the work of the judges' that requires familiarisation with the basic information on the Court and their responsibilities.

The President said the training has been structured as an interactive session to enable them engage with the presenters and the judges who were also in attendance and urged the Executive Assistants to 'assimilate quickly and hit the ground running as the judges are in a hurry to launch into their mandate.'

The Chief Registrar of the Court, Mr Tony Anene-Maidoh enumerated the objectives of the training to include the induction of the Executive Assistants into the ECOWAS Court family; introduce them to the judges and senior staff; provide them with background information on the Court; imbue in them the appreciation of their roles and responsibilities and lay the foundation for synergy with the judges and other staff.

He also presented an overview of the Court dealing with its history, core mandate, structure, and basic texts of the court, the role of the Executive Assistants, the hierarchy and reporting lines for the Executive Assistants, Departments and the offices of the Judges.

The second presentation on the Court's Registry was made by Mr Athanase Atannon, the Deputy Chief Registrar.

The presentation by the Director of the Research and Documentation, Dr Ousmane Diallo, touched on the core mandate of the department, its relationship with the Executive Assistants, the court's jurisprudence, particularly its human rights mandate, the research process and the use of the library.

The last presentation on the Administration and Finance Department was jointly made by the Head of Division, Human Resources and Administration, Mr Siratoulai Gnamou, supported by the Personnel Officer, Mariam Kone.

It focused on the mandate of the department, human resource related issues, requirements for documentation, medical and other welfare related issues.

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