



**“Journey to Self-Reliance”**

**SOUTHERN AFRICAN CHIEF JUSTICES’ FORUM**

**DRAFT STRATEGIC PLAN**

**2022 – 2026**

## Table of Contents

<b>ACKNOWLEDGEMENTS</b>	<b>3</b>
<b>EXECUTIVE SUMMARY</b>	<b>4</b>
<b>ABOUT SACJF</b>	<b>5</b>
<b>HOW SACJF ESTABLISHED ITS STRATEGIC PRIORITIES</b>	<b>6</b>
<b>STRATEGIC GOAL AND OBJECTIVES:</b>	<b>7</b>
<b>1. INTRODUCTION</b>	<b>9</b>
<b>2. STRATEGIC CONTEXT</b>	<b>9</b>
<b>3. CORE IDEOLOGY: MISSION, VISION, AND VALUES</b>	<b>16</b>
<b>4. GOAL, OBJECTIVES AND KEY STRATEGIES</b>	<b>18</b>
<b>5. STRATEGIC OBJECTIVE 1:</b>	<b>19</b>
<b>6. STRATEGIC OBJECTIVE 2:</b>	<b>21</b>
<b>7. STRATEGIC OBJECTIVE 3:</b>	<b>24</b>
<b>8. STRATEGIC OBJECTIVE 4:</b>	<b>26</b>
<b>9. STAKEHOLDER ANALYSIS AND MATRIX</b>	<b>28</b>
<b>10. MONITORING PLAN TO ACHIEVE RESULTS:</b>	<b>30</b>

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## EXECUTIVE SUMMARY

This Strategic Plan 2022-2026 (Strategy 2026) outlines the dynamic road map that the Southern African Chief Justices' Forum (SACJF or the Forum) will take to transform into a more self-reliant strategic enabler in promoting administration of justice, consolidating democratic progress, bridging the justice gap, defending the rule of law and contributing to economic prosperity in the East and Southern Africa (ESA) region. Strategy 2026 will consolidate the position of the SACJF as the regional leader in ensuring access to justice for all, promoting judicial independence and effectively contributing to sustainable economic growth through curbing corruption, trafficking, money laundering and illicit financial flows (ILFs) while promoting human rights as a priority in the ESA region. While the SACJF seeks to provide answers in the form of five-year objectives and strategies, it is alive to the fact that the most effective organisations and networks in the 21<sup>st</sup> Century will need to continuously refine their strategies as the external landscape evolves, the unexpected happens, bringing new challenges and opportunities needing fast learning and adapting to make the judiciary and justice administration remain relevant in the eyes of the people in the ESA region. COVID-19 has brought a sea of change, causing extra-ordinary disruptions in our daily lives. What started as a public health pandemic, is now both a human rights crisis and a socio-economic disaster threatening social cohesion, peace and stability in the ESA region. Corruption, trafficking, money laundering, illicit financial flows and terrorism financing in a context where the region's natural resources have invited extractive investors with no long term interest in the development of the ESA region are also increasingly becoming a potential driver of underdevelopment, instability and conflict in the region. With a deliberate focus on the big picture and the long term, strategy 2026 defines a clear "destination" – of where the SACJF wants to be – while encouraging flexibility and creativity throughout the journey. In short, through Strategy 2026, the SACJF is consciously trying to place a big building block towards contributing to attainment of sustainable development goals, AU's Agenda 2063 and the objectives, values and principles of the African Union (AU) contained in the Constitutive Act to "promote and protect human and peoples' rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law" in the ESA region.

Building on the achievements of the past five years while making strategic choices among competing priorities and in light of external realities and internal capacities and resources, Strategy 2026 establishes the SACJF's direction for the next five years; Sets out the goals and objectives in line with its uniqueness and comparative advantage and also Strives to consolidate the significant gains made under the previous Strategic Plan. It sets out the vision and mission of the Forum. The Plan has one Strategic Goal and four Strategic Objectives that are distinct but interdependent and mutually reinforcing reflecting the SACJF's understanding of justice as a cornerstone of building peaceful and prosperous societies especially in the context of rising new forms of authoritarianism, conflict, inequality, corruption, money laundering, illicit financial flows and financing of terrorism. SACJF has also identified four Internal building blocks/enablers as part of establishing a sustainable operating model to achieve the Strategic Goal and deliver high-impact, sustainable and measurable results to all the stakeholders, including the "end users of justice". Since SACJF is operating in a fast-paced environment with a great deal of uncertainties, it takes a unique approach of ingratiating scenario planning as part of an adaptative management framework in this strategic plan.

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## ABOUT SACJF

In recognition and amplification of the important role that judiciaries play within the regions, the Southern African Chief Justices Forum (SACJF) was established in 2003 to, among other things, uphold the rule of law, democracy and independence of the courts and to promote contact as well as co-operation among the courts in the various regions of their operation. SACJF provides a formal platform, structure and framework through which the Chief Justices of Eastern and Southern Africa and Africa at large are able to collectively reflect on critical issues on justice delivery and adopt action plans to address those issues in a systematic and sustained way in order to strengthen justice delivery in the region.

As part of building shared values in the ESA region around effective and integrated administration of justice, the SACJF has worked over the years:

- ☐ To promote, protect and defend the independence of judiciaries in Eastern and Southern Africa.<sup>1</sup>
- ☐ To promote the rule of law, human rights and access to justice for all.<sup>2</sup>
- ☐ To develop standards and guidelines on the protection of the independence of the judiciary, including through fair and transparent judicial selection and appointment processes.<sup>3</sup>
- ☐ To promote good governance, asset forfeiture and the combatting of corruption, money laundering and all forms of illicit financial flows.
- ☐ To promote contact, co-operation, peer learning and peer review among the courts and judiciaries in the Eastern and Southern African regions, as well as in other regions.
- ☐ To promote and protect the welfare and dignity of judges in the member countries.
- ☐ To generally promote the interests of the judiciaries of member countries and, where it is considered appropriate to do so, of any other country in any region.
- ☐ To engage, influence and foster positive relations with judiciaries in other regions on the African continent, with the ultimate aim of strengthening an African judicial continental structure.
- ☐ To promote strategic partnerships for leveraging sustainable sources of funding and comparative advantages.
- ☐ To foster active participation in the African Union in furtherance of the AU objective of ensuring Africa's integration and sustainable development.
- ☐ To promote effective cooperation and collaboration with global structures such as the Venice Commission, International Commission of Jurists, the European Union, United Nations Office of Drugs and Crime as well as other United Nations agencies.

Amongst some of the key achievements made by SACJF under its first strategic plan are the following:

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<sup>1</sup> For example, this has been achieved through conducting Fact Finding Missions to countries where significant threats to judicial independence would have been identified. For example, in 2018, a Fact-Finding Mission was undertaken to Seychelles and SACJF successfully engaged the government of Seychelles on the resolution of the threats. See <https://sacforum.org/news/report-sacjf-fact-finding-mission-republic-seychelles>

<sup>2</sup> For example through the various training program that are offered under the Judicial Institute for Africa (JIFA) program. See <http://www.jifa.uct.ac.za/>

<sup>3</sup> See for example the *Lilongwe Principles and Guidelines on the Selection and Appointment of Judicial Officers* available at <https://sacforum.org/content/lilongwe-principles-and-guidelines-selection-and-appointment-judicial-officers-0>

- i. Establishment of a fully-fledged organisation that has operational governance structures which include the Management Committee and the Secretariat. Though constrained by limited resources, these structures have been able to meet regularly and discharge their functions as per the Constitution of SACJF.
- ii. Establishing, expanding and maintaining strategic partnerships. These include collaborative partnerships with the International Commission of Jurists, the Democratic Governance and Rights Unit, Africa Judges and Jurists Forum , the United Nations Office on Drugs and Crime and African Legal Information Institute.
- iii. Develop standards and guidelines on critical aspects of judicial independence. This includes the “*Lilongwe Principles and Guidelines on the Selection and Appointment of Judicial Officers*”, adopted in October 2018 to guide judicial selection and appointment processes in the SACJF member jurisdictions.
- iv. Promoting continuous learning for judicial officers. SACJF has supported the establishment of the Judicial Institute for Africa (JIFA) in partnership with the ICJ and the DGRU. JIFA offers SACJF members regular training. These include training of junior and middle level judges on core skills and training of senior judges and judicial leaders to promote continuous leadership development.
- v. Defending the independence of the judiciary and the rule of law in contexts where SACJF members come under undue pressure. This has been done by way of constituting high level panels of jurists to conduct fact finding missions in jurisdictions where there would be a crisis threatening the independence of the judiciary. Under the previous strategic plan, two such missions were conducted and successfully resulted in the resolution of threats against judicial independence in eSwatini (2015) and Seychelles (2018). 2 former Chief Justices Othman and Sakala also carried out a mission to help resolve the judicial crisis in Lesotho in 2018. In addition, SACJF has also published public statements defending the rule of law. For example, in 2020 the Forum spoke out against illegal attempts to remove the Chief Justice of Malawi.

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#### HOW SACJF ESTABLISHED ITS STRATEGIC PRIORITIES



To build a decent evidence base in order to more accurately assess the performance of the past SACJF strategic plan, a rapid assessment of the organisation was conducted utilizing the After-Action Review methodology. This methodology is framed around 4 questions (i) what was supposed to happen? (ii) what happened? (iii) What worked and why? (iv) What didn't work and why? Or what can be done differently? For this exercise, the consultants interviewed various stakeholders relevant to justice administration in the ESA region. These included members of the SACJF Secretariat, the International Commission of Jurists (ICJ), Africa Judges and Jurists Forum (AJJF), Southern African Judicial Administrators Association (SAJAA), the United Nations Office on Drugs and Crime (UNODC), Democratic Governance and Rights Unit (DGRU), Judicial Institute for Africa (JIFA) and African Legal Information Institute (AfricanLII). The consultants also co-organised and participated in numerous virtual symposia and webinars on threats to judicial independence in the ESA region as well as the impact of COVID-19 on administration of and access to justice in the ESA region where resource persons included leading academics, civil society and eminent jurists. These strategic stakeholders in justice administration in the ESA region gave their views and cross-fertilized ideas on how to scale the growth of the SACJF into a modern viable and sustainable institution. The one-on-one interviews provided a unique opportunity to interact, engage and obtain the views of the SACJF Secretariat and strategic stakeholders. The consultants also carried out a monkey survey targeting key stakeholders through purposive sampling technique as part of a deliberate process of enriching the evidence base for Strategy 2026. The consultants also interviewed select Chief Justices and Deputy Chief Justices in the ESA region. Based on the views of the SACJF collective members and validated by a critical exploration of regional trends and analysis, the SACJF strategic objectives were developed. All these objectives relate to the impact that the SACJF seeks to have on Justice, the rule of law, human rights, transparency, and accountable governance fields. The process of developing this strategic plan was generously supported by the United Nations Office on Drugs and Crime (UNODC). The SACJF expresses its deep gratitude and appreciation to UNODC.

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**STRATEGIC GOAL AND OBJECTIVES:**

**GOAL: An independent, effective, responsive, relevant and integrated judicial system which serves the interests of all people and groups, including the poor and most vulnerable members of the society**

To effectively contribute towards the achievement of the global goal stated above, Strategy 2026 will focus on four distinct but interrelated objectives:

**Objective 1:** To promote, protect and defend the independence of judiciaries in Eastern and Southern Africa. The SACJF will seek to strengthen the institutional independence of the Judiciary with adequate financial resources and move away from the Executive run or driven court administration to models that allow the Judiciary to

control its own resources, be self-accounting and autonomous from the Executive and Legislature.

**Objective 2:** To promote the rule of law, human rights and access to justice for all. The SACJF will work to enhance access to justice through institutional and legal reforms as well as through strategies to empower justice seekers and remove the obstacles which hinder access to courts. Some of these obstacles include high litigation costs as well as complex laws/rules and court procedures accompanied by a lack of infrastructure and accessible court buildings particularly in the rural areas. The SACJF will promote constitutionalism through enforcing the principle that those who wield power must act constitutionally and account for their actions.

**Objective 3:** To promote good governance, asset forfeiture and the combating of corruption, trafficking, money laundering and all forms of illicit financial flows (IFFs). The SACJF will help governments in the ESA region through use of law and judicial systems to put in place measures which will combat corruption, trafficking, money laundering, tax evasion and international bribery, which make up the bulk of IFFs so that recovered resources in the ESA region are used to develop and benefit the ESA region to allow ESA to be more self-reliant and less donor dependent, in accordance with the Sustainable Development Goals.

**Objective 4:** To improve institutional strength of the SACJF. The Forum will work to create a professionally run and viable modern institution. The SACJF will also work to build a robust institution with a high-performance team and effective governance systems and structures. To effectively build the SACJF, this strategic plan will put more focus on the internal building blocks, with the following being priorities:

1. **SACJF Leadership:** Increase the leadership roles that the Secretariat and Management Committee members play on key issues especially those identified as key objectives.
2. **Structure, Process, and Resource Alignment:** Build the strength and institutional capacity of the SACJF, align and integrate staff and organisational structures, resources and administrative processes in order to achieve the SACJF's objectives in a way that is primarily driven by the SACJF itself.
3. **Learning Community:** Foster a learning community in which the Secretariat, Management Committee members, volunteers and partners share insights across disciplines and sectors, and use the resultant learning to assess impact and develop future strategies.
4. **Range of Funding Streams:** Increase and diversify the range of revenue streams to maximize effectiveness in connection with the SACJF's objectives.
5. **Sustainable Operating Model:** Ensure that the SACJF's operating model is dynamic, sustainable and responsive to changing environments.

SACJF leaders and their partners will pull all this together to really make a difference, maintain momentum, defend the independence of the judiciary, promote accountable governance and demonstrate a social shift from good to great while remaining true to their mission and purpose.



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## 1. INTRODUCTION

This second five-year Strategic Plan (2022-2026) was crafted by the SACJF as the successor plan to the first four-year Strategic Plan (2016-2019) whose extended tenure expired in September 2021. The core purpose of this Strategic Plan is to articulate the direction and priorities for the SACJF in the coming five-years (2022-2026).

The document is organized into the following sections:

***Strategic Context:*** What issues and trends, both internal and external to the SACJF, shaped its thinking about the future?

***Core Ideology:*** What are the enduring commitments that enable the SACJF to act with clarity of purpose and integrity?

***Objectives and Key Strategies:*** What are the highest priority outcomes that the SACJF aspires to achieve over the next five years and why do they matter? For each objective, what are the long-range approaches that the SACJF will pursue?

***Way Forward:*** What has the SACJF learnt and how do these lessons inform its leadership activities as it moves toward the future?

These sections follow the stages of the strategic-planning process that guided the development of this Plan.

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## 2. STRATEGIC CONTEXT

The strategic context for this Plan was derived from examining both the internal and external landscape in which the SACJF does its work.

What issues and trends, external to SACJF, shaped the thinking about the future?

### ENVIRONMENTAL SCAN:

The SACJF recognises that strategic planning must be done in context. A thorough review of the external operational environment was carried out to determine macroenvironmental factors that may affect the SACJF's operations directly or indirectly. The Political, Economic, Social, Technological, Legal, Environmental and Governance (PESTLEG) analysis identified those factors, in the macro-environment that affect the operations of the SACJF. In addition, the SACJF conducted research, strategic dialogues and listening tours targeting Chief Justices, a critical mass of lawyers, development practitioners, policy makers and other strategic partners regarding development needs and aspirations, emerging trends and organizational strengths and vulnerabilities. The thinking that went into this Strategic Plan was significantly shaped by what was learnt through this research and strategic dialogues. The SACJF's strategic context over the next five years will be shaped to a large extent by COVID-19's impact, which started as a public health emergency and quickly transmogrified into a global political, socio-economic, humanitarian and

human rights crisis. COVID-19's impact on the regional and global development efforts has been devastating, turning back the clock of progress across many standard development metrics including democratic progress in the region. In East and Southern Africa (ESA), COVID-19 has amplified the existing intersecting and overlapping triple challenges of poverty, inequality and democratic backsliding. Its impact will be felt for a long time to come. Within this fast-paced environment, this strategic plan focused on the following key trends:

## **JUDICIAL INDEPENDENCE**

The interference in judicial independence largely by the Executive Branch of States does not only compromise the rule of law but threatens hard-fought democracies of member states from the colonial and racist regimes. Whilst the independence of the judiciaries is well documented and articulated in the constitutions of member countries, the challenge has always been the failure to fully implement in letter and spirit the constitutional provisions guaranteeing judicial independence due to lack of commitment including absence of political will. Some of the more egregious cases of interference by the Executive in the affairs of the courts have been identified and addressed by the SACJF. Lack of Institutional Independence to ensure the Judiciaries in the regions have their own self-governance entities legally proclaimed with dedicated budgets, infrastructure and other targeted resources will be addressed by the SACJF in the next 5 years. A Judiciary that is truly representative and informed by the demographics of each member state is sensitive and relevant to gender, socio-economic and cultural aspects in the adjudication of cases. It is therefore important that SACJF member states through their Chief Justices lead the transformation agenda of the Judiciaries in the regions by ensuring that more women are appointed as Judges and to other positions of judicial leadership. In order for the SACJF to achieve and sustain its strategic objectives, it is imperative that priority be given to both the independence and transformation of the Judiciary in the ESA region. The current statistics on gender diversity of judicial leadership in the member states of the region suggest a need for intervention through a consolidated and regionally coordinated programme of action. The SACJF will also encourage its member Chief Justices to hold regular dialogues with members of the legal profession in their respective jurisdictions through such frameworks as Bar-Bench Colloquia and symposia to discuss the state of the independence of the judiciary, access to justice and the rule of law in the ESA region.

## **MIND "THE JUSTICE" GAP**

When COVID-19 spread to the ESA region, governments responded by undertaking various measures targeted at containing the spread of the virus, but these measures had a negative knock-on effect on the administration of justice by the courts. The poor and most vulnerable members of society, who had limited access to justice even before COVID-19 were impacted more adversely and disproportionately. For instance, some women, especially those who are vulnerable to GBV faced a double tragedy of facing abuse while in lock-down with the perpetrator and at the same time failing to seek swift justice due to the COVID-19 inspired restrictions that limited access to justice. These restrictions have worsened the inaccessibility of courts and legal representation; they severely undermined the capacity of the courts to perform even some of the most basic functions; they severely limited (and in some cases suspended) some of the constitutionally

guaranteed rights; they created delays in the resolution or finalization of cases; they constrained civil society, para-legals and university legal aid clinics from providing legal awareness at a time when such awareness was needed the most; and they undermined efforts to ensure transparency in court processes. Even before the COVID-19 pandemic, the World Justice Project had established (2019) that an estimated “5 billion people have unmet justice needs globally, including people who cannot obtain justice for everyday problems, people who are excluded from the opportunity the law provides, and people who live in extreme conditions of injustice.” To compress the justice gap, government and judicial bodies should consider increasing the financial and innovative technical capacity to the most accessible courts for the ordinary person.

## **LIMITED DEMOCRATIC CULTURE**

Whilst many SACJF member countries have legal frameworks which guarantee key principles such as the independence of the judiciary, multi-party democracy and fundamental human rights, the people in some of the member countries do not have a culture of demanding and defending democracy and human rights. When faced with repression and when judiciaries are under political attack or court orders are disregarded, the people do not always do enough to exercise their power to demand accountability from their leaders and to protect constitutionalism. Therefore, there is a need for judiciaries to promote the development of a democratic culture of holding politicians and public officials to account. In this sense, the SACJF notes the significance of the role of judiciaries to protect and defend civic space in order to allow citizens to organise lawfully and peacefully to hold their leaders to account. Judicial protection of democratic rights such as freedom of opinion, freedom of expression, the right to peaceful protest, freedom of association, the right to free, fair and credible elections and the right to administrative justice are key.

In addition, notwithstanding the legal guarantees of judicial independence, some of the judges lack a culture of asserting their independence especially when faced with persecution, threats and political repression. Therefore, the SACJF notes the importance of programs that are aimed at promoting a judicial culture of asserting independence especially in countries that are presided by repressive governments.

## **NEW AUTHORITARISM**

Even before COVID-19, some countries in East and Southern Africa were experiencing a democratic backsliding, a situation which was worsened with the global pandemic. COVID-19 is exacerbating existing fault lines in societies and generating grievances which resulted in increased intolerance, conflict, eroded civic trust and subsequently squeezing the civic space for democratic activism. In response to the common enemy, which is COVID-19, most governments also treated their citizens as the problem (and not as solution holders) and unleashed a wave of restrictive measures which in some cases, severely curtailed the democratic and civil society space in the region. In some countries, COVID-19 has been used as a pretext for governments to enact sweeping powers for surveillance and control and to suffocate debate and dissent. In a few jurisdictions, weaponization of law and selective application of law is reducing the ability of the civil society and the democracy activists to hold the government to account during the COVID-19 pandemic. Disproportionate, and at times extra-legal restrictions have also had unintended negative impact on the socio-economic and humanitarian situation. Governments ought to have

embraced the letter and spirit of the Siracusa Principles when dealing with a public emergency, such as the COVID-19 pandemic.

Far too many countries still find themselves with weak institutions that do not function independently and to the benefit of the African people. Often some courts have been undermined and are unable to offer real protection to people faced with oppression. In some sad cases the courts and the legal profession have been used as instruments of oppression and not legal protection of human rights. In some instances elections have not been free and fair and have resulted in conflict and serious violations of human rights. It is important that the judicial institution takes its place in deepening, consolidating and defending democracy and people participation in the civic affairs of their countries. Corruption, illicit financial flows, money laundering and financing of terrorism have had pervasive impact on governance and equitable utilisation and distribution of resources in ESA.

## **SOCIO-ECONOMIC SITUATION**

The COVID-19 pandemic continues to take a toll on African lives and economies, and according to the World Bank, “economic activity is projected to decline by 3.3% in 2020, confirming the region’s first recession in 25 years”. This situation could also push up to “40 million people into extreme poverty, erasing at least five years of progress in fighting poverty. Similarly, COVID-19 could set back progress in building human capital, as school closures will affect nearly 253 million students, potentially causing losses in learning”. “Underlying all 17 goals of the 2030 Agenda is a vision that no person should be left behind, but the gap between rich and poor both within and between nations has only grown. COVID-19 has exposed and is being aggravated by the entrenched injustices and inequalities under which too many people still live. Its impact has been most severe on poor, marginalized and vulnerable people who are least able to mitigate the effects of the crisis and who rely on disrupted public and social services” IDLO 2020 .

According to the World Bank October 2020 report, Eastern and Southern African countries were hit hardest by the economic impacts of COVID-19 partly because of the stronger output contractions in South Africa and Angola. Disruptions in the tourism industry and lockdowns will cause substantial slowdowns in Ethiopia, Kenya, and the island nations. Fragile countries in the region are expected to experience a strong decline in growth as COVID-19 exacerbates the drivers of fragility. Depending on the progression of the COVID-19 situation, the region may rebound in 2021, with varied growth across countries. “While South Africa is expected to experience a weak recovery, overall growth in Eastern and Southern Africa region is expected to average 2.7%”.

In such a context, the road to recovery will be long and complex and will require policies and investments that focus on connecting people to job opportunities, which can help end extreme poverty and inequality , particularly post-COVID-19. In a time of lockdowns and social distancing, investing in the digital economy and infrastructure will also be crucial to mitigate the impact of the COVID-19 pandemic and foster a sustained and just recovery. While Africa is rich in natural resources and wealth the sad reality is that the majority of Africans remain wallowing in abject poverty and that in some situations business and commercial interests have contributed to the violations of the rights of African people. This strategic plan has been finalized at a time of multiple shocks to the global economy.

Climate change remains a critical global challenge , with devastating socio-economic impact already evidenced on the continent. In 2018, the World Bank estimated that three regions (Latin America, sub-Saharan Africa, and Southeast Asia) will generate 143 million more climate migrants by 2050. Critical issues include large-scale human migration due to resource scarcity, increased frequency of extreme weather events, competition for food, water, and other resources. The intersection of climate change and migration requires innovative and comprehensive solutions to the multidimensional challenges it creates, including the development of informed and innovative jurisprudence.<sup>4</sup>

### **CORRUPTION, MONEY LAUNDERING AND ILLICIT FINANCIAL FLOWS:**

The socio-economic conditions in many SACJF member countries are characterised by low economic growth, high unemployment, rising poverty, starvation and lack of basic social services such as education, health care and adequate housing. This has been worsened by the outbreak of COVID-19 which has had a disruptive effect on both social and economic activities. However, corruption, money laundering, illicit financial flows and general mismanagement of public resources are the major contributing factors towards rising poverty. According to UNCTAD's Economic Development in Africa Report of 2020, each year an estimated \$88.6 billion leaves the continent as illicit capital flight. This is equivalent to 3.7% of Africa's GDP. UNCTAD further notes that stopping illicit capital flight could almost cut in half the annual financing gap (of \$200 billion) that the continent faces to achieve the Sustainable Development Goals.

Furthermore, Africa (including some members of SACJF) has become more vulnerable to illicit financial flows as opportunistic crimes take root. For example, with respect to illegal mining, foreign and domestic companies are being awarded mining rights and in order to pave the way for the mining ventures, the locals are in some cases being arbitrarily evicted from their homes. In some cases, mining takes place without authorization or in an illegal manner. Wildlife and other environmental crime continues to deplete the region's natural resources to the detriment of local communities and economies. Corruption has remained rampant, due for example to the abuse of procurement procedures involved in the purchase of personal protective equipment and other tools. Money laundering and various predicate offences characterise many of these business ventures and as a result, resources that could have otherwise contributed to local development, are diverted for more private use. The emphasis of asset forfeiture or asset recovery principles are therefore key to combating illicit financial flows.

Judiciaries must assert their authority in combating these vices, as a way of reducing poverty and enhancing good governance. In particular, judicial enforcement of socio-economic rights, the right to administrative justice, and the legal duties of state bodies to be transparent and accountable to the public are strategic ways of combating corruption, money laundering, illicit financial flows and the general abuse of public resources. In respect of the judicial enforcement of socio-economic rights, the SACJF notes and rejects the tendency to use the separation of powers doctrine and resource constraints as excuses for preventing the courts from enforcing these rights. The SACJF also notes the failure by certain countries' constitutions to explicitly guarantee socio-economic rights. In line with the African Commission on Human and Peoples Rights' *Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights*, judiciaries must read socio-economic rights into civil rights such as the right to life and the right to the protection of human dignity. Legal guarantees of the right to human dignity and the right to life are rendered hollow rings when the people are without access to basic socio-economic livelihoods.

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<sup>4</sup> Podesta The climate crisis, migration, and refugees: prepared for 2019 Brookings Blum roundtable.

## TECHNOLOGICAL OPPORTUNITY

Courts across the world and on our continent are embracing technology. The process is driven by a desire for the efficient administration of justice, by digitizing and thus enabling increased productivity of judges, judicial clerks and court registry staff. However, technology can cut across all areas of operations of a court - from administration of court processes, to research and writing of judgments, and through to communication and dissemination of the work of the court, including judgments and hearings information. The SACJF could search for opportunities to apply information technology and communication principles (ICTs) across all areas of strategic development of the Courts in the southern African region. ICTs can positively affect traditional strategic goals of judiciaries - improvement of the judicial process, enhancement of cooperation and outreach, and strengthening of institutional capacity.

In order for any institution to operate well in a digital environment, where data is touted as the gold of the 4th industrial revolution, it must ensure that the data it produces and collects is quality data, curated based on open standards that allow for further smart and innovative use. Knowledge management structures, personnel and policies, are thus essential for any modern organisation. Judiciaries in the SACJF remit should reflect on the implementation of the 4IR project, with all its facets, in their jurisdiction.

A number of jurisdictions have not taken full advantage of the digital revolution and the new technology that is available that can help to improve the court's effectiveness and efficiency in rendering justice. COVID-19 has accelerated the pace of technological change and is transforming the way we live and work. New information technologies (IT) can and indeed have improved judicial performance in many jurisdictions on such matters as case management and electronic filing. With the advent of the COVID-19 pandemic, some countries have begun rolling out "digital online courts" as part of these measures. Whilst this is a positive development, it is important that the use of digital online courts should be done in a way which complies with international and regional law principles particularly in relation to the right to fair hearing and access to justice for all. The International Commission of Jurists has produced a set of recommendations<sup>5</sup> that are useful and worthy to reflect on.

SACJF notes that while internet connectivity keeps rising in the ESA region, there are many people in Eastern and Southern Africa who do not have access to the internet because of the unavailability of internet infrastructure as well as the exorbitant economic costs of internet connectivity. These people have a right of access to justice too and therefore, the use of digital technology in delivering justice must not be done in a way which marginalises and/or excludes those groups. In any event, SACJF notes that access to the internet is a legal right whose realisation is long overdue. Judicial enforcement of this right is key, as part of promoting access to justice for all. The use of technology in courts should also be encouraged, especially where it assists in reducing the costs of accessing justice, may limit the risks for corruption and promotes the speedy resolution of disputes. In

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<sup>5</sup> "Videoconferencing, Courts and COVID-19: Recommendations Based on International Standards", 26 November 2020, available at <https://www.icj.org/wp-content/uploads/2020/11/Universal-videoconferencing-courts-and-covid-Advocacy-2020-ENG.pdf>

addition, of concern to SACJF are the low levels of IT literacy on the part of a significant number of Judicial Officers in the region.

## **INTERNAL ANALYSIS**

In order to identify issues requiring strategic intervention or redress, a SWOT Analysis was undertaken to evaluate SACJF's internal strengths and weaknesses, as well as the opportunities and challenges emanating from the external environment. Participants developed various strategies to consolidate SACJF's internal strengths, exploit external opportunities, address and turn around internal weaknesses and develop defensive mechanisms to protect it from external challenges.

### **COMPARATIVE ADVANTAGES**

The SACJF is the only organised formation of Chief Justices that is operational in Eastern and Southern Africa. As an organisation of Chief Justices, it is unique in that it is a sum total of judicial leaders who are recognised statutorily and policy wise as the heads of Judiciaries in different jurisdictions. There is no other rule of law voluntary organisation in the Southern and Eastern Africa region that has a better strategic positioning to exert maximum influence on judicial conduct as well as strengthening judicial independence and access to justice. In addition, the SACJF has the following key comparative advantages:

- The collective of Chief Justices have immense resources, human and financial, to support the entrenchment of the rule of law, good governance and protect human and peoples' rights in a binding way in the ESA region.
- The ability to coordinate interaction between Chief Justices as heads of Judiciaries in the regions for the purpose of identifying challenges negatively impacting on justice delivery systems in the region
- Providing Chief Justices with platforms to collectively outline plans and share best practices which are intended to shape and organize the Judiciaries within the region towards a stronger judicial independence, attainment of rule of law and effective administration of justice.
- A track record of the development and delivery of shared tangible outputs such as the Lilongwe Principles on Judicial Selection and Appointment and the establishment of the Judicial Institute for Africa as a shared resource for ongoing professional development of judicial officers
- The Strategic positioning and mandate of the SACJF at the local and regional levels.
- Recognition of SACJF by other stakeholders including regional economic communities.
- Convening capacity of judicial leaders and all judges and the legal profession in the region.
- Influence over and access to high offices.
- The possibility and capacity to consolidate and develop similar programmes jointly and roll out cost-effectively for a higher impact.

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### 3. CORE IDEOLOGY: MISSION, VISION, AND VALUES

What are the enduring commitments that enable the SACJF to act with clarity of purpose and integrity?

SACJF's *Core Ideology* consists of the vision, mission and core values. The vision describes what SACJF 's aspiration for the justice ecosystem will become when it succeeds in carrying out its mission. The mission describes why the SACJF exists. The core values articulate the enduring principles that guide the SACJF's decisions and actions at every level of the organization.

#### 3.1 Our Vision (*What is the future SACJF seeks to bring about?*)

A transformed, independent, integrated and cohesive judiciary which promotes the rule of law, fundamental human rights, access to justice, democracy and good governance to ensure prosperity, equality, peace and security of all people in Eastern and Southern Africa.

#### 3.2 Our Mission (*Why does SACJF exist?*)

To provide a formal platform, structure and framework through which the Chief Justices of Eastern and Southern Africa and Africa at large are able to collectively reflect on critical issues on the rule of law and adopt as well as implement action plans to address those issues in a systematic and sustainable way in order to strengthen justice delivery in the region. In particular the SACJF commits to:

- Protect and promote democracy, justice, the rule of law, and fundamental human rights as enshrined in the African Charter on Human and Peoples Rights and other instruments that have been adopted by the AU and its member states such as, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights.
- Advance access to the courts for all, especially women, children, persons living with disabilities and all other vulnerable and marginalised persons in society.
- Promote collaboration with governments, academia, multi-lateral institutions and civil society to promote the rule of law, access to justice for all and human rights.
- Work with the AU, AU sub-regional bodies and AU member states to secure the institutional independence of the African Judiciaries.
- Strive to ensure transformed, accountable, effective and efficient judiciaries.
- Provide and facilitate constructive peer review in furtherance of the rule of law, access to justice for all and human rights
- Strive to promote good governance in the region
- Strive to promote the forfeiture of assets, combatting of corruption, money laundering and other forms of illicit financial flows.
- to promote continuous dialogue with members of the legal profession in the region in defence of judicial independence, good governance, human rights, the rule of law and access to justice for all.



### 3.3 Our Values *(What core ideals guide SACJF decisions and actions?)*

The values and principles which guide and govern the functioning and operations of SACJF are:

- ☐ Promotion of the rule of law and human rights for the benefit of all in society
- ☐ Delivery of accessible quality justice to all
- ☐ Promotion of democracy and good and accountable governance.
- ☐ Independence, transparency, accountability, impartiality and Integrity.

This Strategic Plan is constructed to advance, uphold, and strengthen our mission, vision, and core values. It translates our enduring ideals into tangible outcomes and pragmatic strategies.

#### LEGISLATIVE AND OTHER MANDATES

The establishment of SACJF is in terms of the founding Constitution of SACJF as a voluntary association of Chief Justices from Eastern and Southern Africa. The SACJF as a juristic person is capable of acquiring rights, incurring obligations, entering into binding legal transactions and can sue and be sued in its own name. The establishment of SACJF has been inspired by the provisions on democracy and good governance, human rights and the rule of law as contained in the Constitutions of member states, relevant AU instruments and international instruments that AU Member States have adopted including;; African Charter On Human And Peoples' Rights; The African Charter on Democracy, Elections and Governance; Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; International Covenant on Economic Social and Cultural Rights; Commonwealth Principles on the Accountability of and the relationship between the three Branches of Government.

The relevant provisions of the African Charter On Human And Peoples Rights on obligations of the AU members states to establish independent and impartial tribunals are found in article 26 which provides that state parties to the present charter shall have the duty to guarantee the independence of the courts and shall allow the establishment and improvement of appropriate national institutions entrusted with the promotion and protection of the rights and freedoms guaranteed by the present charter. Further SACJF was conscious of the requirements of Article 7 of the African Charter on Human and Peoples Rights which provides as follows: 1. Every individual shall have the right to have his cause heard. This comprises: (a) The right to an appeal to competent national organs against acts violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force; (b) The right to be presumed innocent until proven guilty by a competent court or tribunal; (c) The right to defense, including the right to be defended by counsel of his choice; (d) The right to be tried within a reasonable time by an impartial court or tribunal.

The relevant provision of the African Charter on Democracy, Elections And Governance is Article 3 which imposes an obligation on African governments to implement the provisions of the charter in accordance with the principles inter alia of respect for human rights and democratic principles and separation of powers. Article 10 of the African Charter On Democracy, Elections And Governance imposes an obligation on African governments to entrench the principle of the

supremacy of the constitution in the political organization of the State and to protect the right to equality before the law and equal protection by the law as a fundamental precondition for a just and democratic society. Article 27 of the African Charter On Democracy, Elections And Governance impose a duty on African states to advance political, economic and social governance, and to commit themselves to undertaking regular reforms of the legal and justice systems; improving public sector management; and improving efficiency and effectiveness of public services and combating corruption. The Universal Declaration of Human Rights in Article 10 states that “[e]veryone is entitled ... to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him”. The International Covenant on Civil and Political Rights, provides in article 14.1 that “everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

At the same time, SACJF continues to ensure that its priorities and strategic goals are aligned to those of the African Union (AU). SACJF’s strategy aims to contribute to both Agenda 2063 and the SDGs with a focus on goals 11 ( Democratic values, practices, universal principles of human rights, justice and the rule of law entrenched) ; 12 (Capable institutions and transformative leadership in place.) of Agenda 2063, which also align to Sustainable Development Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.) SACJF continues to support Goal 17 (Full gender equality in all spheres of life) and Sustainable Development Goal 5 (Achieve gender equality and empower all women and girls.),

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## **4. GOAL, OBJECTIVES AND KEY STRATEGIES**

### ***4.1 Goal***

The aspirational, overarching goal for this Strategic Plan is;

**An independent, effective, responsive, relevant and integrated judiciary system which serves the interests of all people and groups, including the poor and most vulnerable members of the society**

### ***4.2 Strategic Objectives***

To the extent that a strategic plan is a “road map,” our objectives describe the desired “destination” – *where SACJF wants to be in 2026*. Our strategic objectives translate our long-range vision into a more focused and actionable set of outcomes. Our long-range aspirations are organized into four broad themes:

***Objective 1:*** To promote, protect and defend the independence of judiciaries in Eastern and Southern Africa.

**Objective 2:** To promote the rule of law, human rights and access to justice for all.

**Objective 3:** To promote good governance, asset forfeiture, the combatting of corruption, money laundering and all forms of illicit financial flows.

**Objective 4:** To improve institutional strength of SACJF .

Linked to objective 4 are internal building blocks, which explain the organizational capabilities that the SACJF must build in order to achieve our objectives. Internal building blocks also articulate the financial outcomes the SACJF must achieve in order to ensure that the foregoing objectives are accomplished.

## 5. STRATEGIC OBJECTIVE 1:

**To promote, protect and defend the independence of judiciaries in Eastern and Southern Africa.**

SACJF seeks to advocate for the adoption of models that allow the judiciary to control its own resources, be self-accounting, and autonomous from the Executive and Legislature. Members are also encouraged to periodically report to SACJF measures taken to strengthen or defend the independence of the judiciary as well as challenges faced. SACJF will seek to encourage the Judiciary to prioritize the appointment of women and previously disadvantaged and marginalized groups to the bench and to leadership positions.

Strategy	Illustrative Activities	Expected Outcomes	Notional Performance Indicators
Capacity building and advocacy to spur the independence of justice systems	<p>-Work with and encourage different jurisdictions to develop, adopt and implement judicial codes of conduct informed by the Bangalore Principles in a participatory manner in order to introduce best practices including infusing the reality on Judicial Officers that they have an obligation to be independent, impartial, competent and accountable at a personal level in the discharge of their judicial mandate.</p> <p>- Subject to availability of resources commission appropriate research projects that could result in development of shared values such as the Lilongwe Principles of Judicial Selection and Appointment</p>	Reduced cases of executive interference in administration of Justice	Percentage positive change in reports on executive interference in the administration of justice

<p>Transform the Judiciary</p>	<p>-Promote and support the appointment of more women in the Judiciary, including in positions of leadership.</p> <p>Present at the AGM and publish annual gender-disaggregated information of gender representation on the SACJF website from each member country</p> <p>-Encourage appointment of previously disadvantaged groups and ensure that the Judiciaries reflect the diversity and demographics in each member state.</p> <p><b>-Support member countries to ensure inclusion of the relevant elements of the Lilongwe Principles in national legislation and regulations around the selection and appointment of judicial officers</b></p> <p>Development and adoption of policies and best practices for the implementation of ICTs and knowledge management amongst Judiciaries in the SACJF</p> <p>Support the ongoing professional development of judicial officers by ensuring there is sufficient funding to support national training initiatives as well as shared training resources such as JIFA</p> <p>Ensure that professional development include training and awareness on 'new' areas of law such as climate migration ,</p>	<p>Increased appointments and influence of women in the Judiciary</p> <p>Increased appointments and influence of traditionally marginalized groups as judges and in key judicial positions</p> <p>Improved standard-setting and shared values around selection and appointment of judges and judicial officers in Africa</p> <p>Increased efficiency of Judges and Magistrates</p> <p>Increased transparency, predictability and trust in the Judiciary by external stakeholders and the citizens</p> <p>Judicial officers are equipped with the necessary knowledge and</p>	<p>Percentage change in the gender composition in the Judiciary</p> <p>Number of female judges in leadership positions</p> <p>Evidence of increased appointments of traditionally marginalized groups as judges and in key judicial positions</p> <p><b>Number of countries whose legislation and regulations align with the Lilongwe Principles.</b></p> <p>Number of policies adopted</p> <p>Number of judicial datasets made openly available</p> <p>National judicial institutes are funded and present courses regularly and/or there is funding available for alternative means to support ongoing</p>
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	environmental law and the like	skills to perform their jobs well	professional development
Promote and protect the welfare and dignity of judges in the member countries	Conduct comparative research into what Incentive structures for the Judges exist on the continent and elsewhere Advocate for improvements at a national level	Improved welfare and conditions of service for members of the judiciary	Change in satisfaction levels by members of the Judiciary
Financial Autonomy	Advocate for adoption of models that allow the judiciary to control its own resources Develop a report on various models Provide capacity training workshops on how to advocate for adoption of an appropriate model	Improved administrative functions	Measures which ensure financial independence of the judiciary

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6. STRATEGIC OBJECTIVE 2:

**To promote the rule of law, human rights and access to justice for all.**

To enhance accessibility of quality justice to all, the East and Southern Africa jurisdictions must remove the obstacles which hinder access to courts. Some of those obstacles include but are not limited to high litigation costs, complex laws and court procedures, lack of infrastructure and court buildings in the rural areas. The solution lies in encouraging governments to adopt and implement State funded Legal aid schemes so as to assist the needs of indigent litigants. Organized legal professions (Bar Councils, Law societies, and civil organizations) ought to be encouraged to render more pro bono legal services for the benefit of the poor or underprivileged persons. The specific needs of women, children, persons with disabilities and other marginalised groups must be catered for in the entire chain of justice delivery. In addition, it is strategic to encourage member Judiciaries to establish case flow management structures in their countries to ensure a stakeholder integrated approach to case flow management. Initiating administrative and legislative measures, including the introduction of performance monitoring and evaluation mechanisms, and development of judicial norms and standards to monitor case backlogs, delays in delivering judgments and institutional court performance are other plausible approaches. Judicial and legislative reforms must be undertaken with a view to promoting and simplifying laws, court procedures and practice directives to minimize complexities that might undermine substantive justice in both civil and criminal matters.

Strategy	Illustrative Activities	Expected Outcomes	Notional Performance Indicators
<p>Capacity building to Improve accessibility of courts</p>	<p>Assist Judiciaries in the Eastern and Southern Africa region by developing model guidelines, best practices and policies on investing in information technology systems. This will help improve case management, data management policies and overall efficiency in the justice administration.</p> <p>To assist the Judiciaries in SACJF to prevail upon their governments to prioritize funding for court buildings and infrastructure development, especially in the poor rural communities</p> <p>To assist the Judiciaries in SACJF with monitoring and evaluation of courts in their purview, by developing tools and methodologies to collect evidence from the field in a standard format.</p>	<p>Improved access to justice by the traditionally marginalized individuals and groups in member states</p> <p>Improved decision-making and budgeting in terms of the roll-out of ICT, knowledge management and communication projects at SACJF jurisdictions</p> <p>Tangible insights into the workings of courts in the SACJF jurisdiction, allowing for a data-driven approach to effective court management</p>	<p>Number of citizens accessing justice through the courts in member states</p> <p>Improved speed and quality of disposal of cases, positively affecting the cost and access to justice</p> <p>Improved communication and visibility into the justice system, resulting in increased trust among external stakeholders</p>
	<p>To encourage member jurisdictions to engage with their governments and stakeholders with regards to State funded legal aid schemes.</p> <p>Ensure that member Judiciaries conduct programmes which promote the rights of women and children and which also aim to eliminate gender based violence.</p>	<p>Improved effectiveness of state-funded legal aid schemes in member states</p> <p>High-level recommendations based on concrete evidence leading to improvement of court services</p>	<p>Number of citizens (females and males) accessing legal assistance through state-funded legal aid schemes in member states</p>

	Conduct or facilitate the conducting of surveys of court users to better understand the needs and difficulties experienced by marginalised groups in their interactions with the justice system		
Case management system	<p>Develop a set of guidelines and best practices on the selection, deployment and operation of case management systems in the context of the SACJF</p> <p>Initiate administrative and legislative measures, including introduction of IT based or supported performance indicators and measures to address biased case allocations, delays in the finalization of cases and general administration of justice.</p> <p>Develop and implement case management systems and projects to enhance efficiency of Case flow management at the courts.</p>	<p>Reduced ambiguity and wasteful expenditure of costly ICT projects</p> <p>Standard technology across the region improves prospective costs, maintenance and skills development</p> <p>Improved efficiency in administration of justice</p>	Evidence of reduced backlog cases in member states
Publication of judicial information	<p>Significantly boost the integrity and legitimacy of the Judiciary by ensuring the consistent and comprehensive publication of court information from all courts, such as judgments, orders, court directives and court rolls</p> <p>Improved research into the work of the judiciary, e.g. legal research and law reporting; statistical analysis</p>	<p>Improved efficiency in the administration of justice through hard data on judicial performance</p> <p>Improved legitimacy of the Judiciary</p> <p>Improved visibility of court processes, leading to constructive engagements by stakeholders</p>	<p>Judges in country and regionally have improved access to information about the judiciary, judgments handed down, and developments in the law, leading to more informed and competent judges</p> <p>External stakeholders, including lawyers and citizens, are more efficiently informed</p>

			<p>about the work of justice, including individual's cases</p> <p>Policy, academic and development partners researchers are able to access judicial data, which feeds into various rankings and indices, such as Doing Business environment, Rule of Law index, etc.</p> <p>Improved visibility in national implementation of regional and continental norms, which will lead to addressing gaps</p>
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**7. STRATEGIC OBJECTIVE 3:**

To promote good governance and judicial expertise in asset forfeiture, the combating of corruption, money laundering and all forms of illicit financial flows.

Eastern and Southern Africa regions are plagued by IFFs, and this undermines both national and regional development. Judiciaries have a role to play in combating IFFs by efficiently delivering justice in properly investigated cases brought before the courts. Efficient delivery of justice in these cases means making just decisions and completing cases within reasonable time frames. However, judiciaries in some parts of these regions lack adequate awareness, capacity, competency and experience in dealing with such cases. In some instances there is interference and undermining of the judicial process given the power wielded by those who are corrupt or get involved in money laundering and IFFs. This undermines their ability to efficiently deliver justice in these cases. As a result, some judiciaries have backlogs of cases which involve IFFs, while in some countries the decisions made by the courts in cases where the accused is found guilty, do not sufficiently deter society from engaging in IFFs. To address these challenges, SACJF will partner with local and international agencies in order to address knowledge gaps amongst judiciaries, develop the relevant learning tools and increase judicial craftsmanship to be able to handle cases involving potential asset forfeiture competently and efficiently. SACJF will also promote exchange



of information and peer learning amongst its members, and between its members and judiciaries from comparative regions.

Strategy	Illustrative Activities	Expected Outcomes	Notional Performance Indicators
Promote commitment amongst judicial leaders to prioritise and enhance efficiency in the delivery of justice in cases involving IFFs	SACJF collaborates with partners to conduct judicial colloquia to discuss topical issues relating to the role of the judiciary in addressing IFFs in East and Southern Africa	Judicial leaders (Chief Justices) make positive administrative pronouncements regarding the need to prioritise and enhance efficiency in justice delivery in cases involving IFFs. Such pronouncements may include issuance of practice directions or any other documents.	Judiciaries prioritise cases involving IFFs and increase their efficiency when adjudicating in those cases
Facilitating the provision of technical assistance and capacity-building for judiciaries to be able to effectively & efficiently adjudicate cases involving IFFs	SACJF collaborates with partners to develop and make available to judiciaries, tools that enable judiciaries to effectively adjudicate and deliver justice in cases involving IFFs.	i. Development of a database of cases and legislation relating to IFFs in the East and Southern African regions and publish on platforms of free legal information such as AfricanLII and other relevant websites ii. Development or strengthening of case management tools and any other relevant tools which increase judicial efficiency when handling cases that involve IFFs	i. Well-reasoned judgments on IFFs cases, which apply regional and international norms and standards ii. Number of completed cases of asset recovery in member states
Facilitate positive peer learning and sharing of information, across jurisdictions, on the handling of	SACJF conducts seminars which bring judicial officers from the different regions together to exchange information, experiences and learn from each	Judges from different countries learn from each other and gain relevant skills and information on how they can deliver	i. Judgments which make reference to and apply progressive jurisprudence from foreign comparative jurisdictions

cases involving IFFs.	other on how to address challenges which arise when handling cases involving IFFs	justice in cases involving IFFs	ii. Improved transparency and sharing of information on how laws relating to IFFs are applied by SACJF member states.
Promote sustainable knowledge development amongst judicial officers	Engage national or regional trainers to ensure sustainable transfer of knowledge among the judiciary on issues such as combating of IFFs, including how to implement relevant procedures in accordance with human rights law principles.	Judicial officers and their support staff undergo training on key aspects relating to the handling/adjudication of cases involving IFFs.	Number of reasoned judgments and decisions on IFFs delivered by judges in the Eastern and Southern African regions, which apply regional and international norms and standards

## 8. STRATEGIC OBJECTIVE 4:

### To improve institutional capacity and strength of SACJF

#### INTERNAL BUILDING BLOCKS AND ENABLERS

*What are the organizational capabilities SACJF must build in order to achieve its objectives? What financial outcomes must SACJF achieve in order to ensure that its strategic objectives are accomplished?*

In order to achieve the strategic objectives described in the previous section, SACJF must build upon its current internal strengths and capabilities. The internal building blocks are the essential organizational capacities that the Forum will develop over the coming five years. They are intended to address issues related to organizational infrastructure, resources, and culture.

SACJF will work to restructure and to improve its administrative, accountability, governance and policy structures.

Strategy	Illustrative Activities	Expected Outcomes	Notional Performance Indicators
Capacity building	1. Conduct an Organizational Capacity Assessment 2. Develop and implement Institutional Strengthening Plan	1. Strengthened SACJF Institutional and Organizational Capacity to deliver its Mandate Effectively and Efficiently	1. Change in institutional capacity (Organisational Performance Index) 2. Continued adherence to corporate governance culture and practice

	<ul style="list-style-type: none"> <li>3. Foster internal systems within SACJF that promote collaboration, agility, and efficiency within and among departments.</li> <li>4. Institutionalize performance management system (PMS)</li> <li>5. Recruit a Finance and Risk Control Office and other key personnel</li> <li>6. Develop a fundraising strategy</li> <li>7. Develop a sustainability plan</li> </ul>	<ul style="list-style-type: none"> <li>2. Strengthened Financial Stability and Management</li> <li>3. Timely and quality financial reporting and value for money maintained</li> <li>4. Increased resource base for SACJF</li> </ul>	<ul style="list-style-type: none"> <li>3. Functional M&amp;E System in place</li> <li>4. Number of funding partners</li> <li>5. Core long term institutional funding</li> </ul>
Establish Standard Operating Procedures	<ul style="list-style-type: none"> <li>1. Develop gender equality policy</li> <li>2. Develop financial management policy</li> <li>3. Develop an Investment Policy</li> <li>4. Develop Communication and Media Policy</li> <li>5. Develop social media strategy</li> <li>6. Develop procurement policy</li> <li>7. Develop ICT policy</li> <li>8. Develop travel policy</li> </ul>	<b>Improved good governance practices</b>	<b>Number of key policies, including on gender diversity, media and communication are developed and implemented</b>
Innovation	Establish a committee on ICT, judicial data and innovative technologies to meet regularly and set the agenda for Judiciaries and 4IR in Africa	Strategic thinking, thought leadership and standard setting for the use of ICT, data and new technologies in southern Africa and Africa	Policies, recommendation and best practices for the development of modern, technology-supported Judiciaries in Africa
Talent development or nurturing	Support professional development to enhance capacity, knowledge, skills, and tools to achieve the objectives of the strategic plan.	Improved staff members' and beneficiaries' satisfaction with SACJF services	Change in staff satisfaction levels

Peer learning and peer review among the courts and judiciaries in the Eastern and Southern African regions, as well as in other regions.	Support exchange programs	Improved contact, co-operation, peer learning and peer review among the courts and judiciaries in the Eastern and Southern African regions, as well as in other regions.	Number of individuals participated in exchange programmes
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## 9. STAKEHOLDER ANALYSIS AND MATRIX

The SACJF has a wide spectrum of stakeholders and partners who jointly contribute to or can be affected in some way by the SACJF vision and mission. These stakeholders include the organized legal profession, civil society groups, Justice cluster partners, Ministries of Justice and Constitutional Development and Regional and International bodies such as the SADC and African Union, The African Human and Peoples' Rights Court, The Venice Commission and the International Commission of Jurists, African Judges and Jurists Forum, the United Nations Development Programme (UNDP) and the ordinary people of Africa who yearn for justice. Its stakeholders also include research and educational institutions including the University of Cape Town's Democratic Governance and Rights Unit. The SACJF needs to make a proper assessment of who these stakeholders are and what their stake is in relation to the SACJF. Some of the stakeholders are both potential strategic cooperating partners and competitors on both programme thrust and resource mobilisation.

STAKEHOLDER	FUNCTIONS	SACJF EXPECTATION FROM STAKEHOLDER	STAKEHOLDER EXPECTATION	WHAT SACJF WILL DO WITHIN THE PLAN PERIOD
Judges	Administer justice, promote rule of law and human rights	Supporting the SACJF mission and objectives	Technical support from SACJF	Work with Judges to achieve SACJF's objectives
Citizens and civil society organisations	Citizens exercise their rights	Citizens willingness to exercise their rights  Defending judicial independence  Whistle blowing on corruption, money laundering and IFFs	Educate citizens about their rights  Accountable judiciary entrenching constitutionalism	Will partner with other organizations to improve public awareness on the Bill of Rights, including the right to defend human rights  Work with citizens to fight corruption, money laundering and IFFs

Organized legal profession	Officers of the court	Pro-bono legal services to the most vulnerable members of society  Defending judicial independence	Support from SACJF  Fostering of independent judiciaries and constitutionalism	Work closely with lawyers to defend judicial independence, the rule of law and enhance access to justice for the most vulnerable
Government	Govern the country	To create an enabling environment in the Judiciary sector	Deliver justice  Accountable judiciary entrenching constitutionalism	Strategically engage with key government institutions
Parliament	Law making; Changing law; Revenue allocation; And oversight of state organs	Support enactment of laws aimed at curbing IFFs, money laundering and corruption Domestication of international treaties	Support from SACJF  Accountable judiciary entrenching constitutionalism	Strategically engage with key government institutions e.g. the Parliament
Universities and Research institutions	Teaching law, providing knowledge development for judges and lawyers and developing tools.	To support judiciaries with knowledge development in areas where sufficient awareness is lacking, and to assist judiciaries to develop the necessary tools.	To apply their knowledge and tools to efficiently deliver justice	Work with universities and research institutions to facilitate continuous knowledge development for judges and develop the necessary tools.  SACJF will also seek to expand the network of collaborating universities and research institutions
Constitutional Commissions and Independent Offices	Policy formulation; Policy execution	Formulate sound policies; Fair implementation of policies; Protection of national constitutions;	Strategic advice on policy formulation; Monitor implementation and governance framework;	Hold them accountable; Improve working relations; Engage and participate in their initiatives

		Support rule of law and good governance;	Constitutional and human rights jurisprudence	
Media	Communication on developments related to the rule of law, judiciaries and voluntary organisations of judges.	More journalists willing to provide evidence on IFFs Fair and balanced court reporting for public awareness	Protection Accountable judiciary entrenching constitutionalism	Partner with public interest journalists to defend human rights and promote accountable governance

## 10. MONITORING PLAN TO ACHIEVE RESULTS:

This strategic plan will be monitored through the following monitoring and evaluation plans:

### Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Responsible Officer
Track results progress	Progress data against the results indicators in the Results Framework (RF) will be collected and analysed to assess the progress of the strategy in achieving the agreed results.	Annually	Slower than expected progress will be addressed by the management.	SACJF Coordinator
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required. Audits will be conducted in accordance with SACJF's audit policy to manage financial risk.	Annually	Risks are identified by programme management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	SACJF Senior Technical Advisor
Learn	Knowledge, good practices and lessons will be captured	At least annually	Relevant lessons are captured by the team and used	SACJF Coordinator and

	regularly, as well as actively sourced from other partners and integrated back into the strategic plan.		to inform management decisions.	Senior Technical Advisor
Annual Strategic Plan Quality Assurance	The quality of the strategic plan will be assessed against SACJF's quality standards to identify programmatic and institutional strengths and weaknesses and to inform management decision making. An external consultant can facilitate Strategic Portfolio Reviews	Annually	Areas of strengths and weaknesses will be reviewed by management and used to inform decisions to improve SACJF performance.	SACJF Coordinator & SACJF Chair
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the Management Committee and used to make course corrections.	SACJF Chair and SACJF Coordinator
Strategic Plan Progress Report	A progress report will be presented to the funding partners and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the result level, the annual programme and institutional quality rating summary, an updated risk log with mitigation measures, and any evaluation or review reports prepared over the period.	Annually, and at the end of the programme (final report)		SACJF Coordinator and Senior Technical Advisor
Strategic Plan Review	SACJF will conduct a mid-course review to	2023	Any quality concerns or slower than expected	SACJF Chair, SACJF Coordinator and

	assess the performance of the strategic plan.		progress should be discussed and management actions agreed to address the issues identified.	Senior Technical Advisor
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