INTERNATIONAL FORUM HELD FROM 28-29 OCTOBER 2019, AT KAMPALA UGANDA

ON THE THEME:

“Operationalising the International Human Rights Forum and Enhancing Jurisprudential Dialogue”.

Commentary on Operationalising the International Human Rights Forum: Purpose, Mandate, Areas of Focus and Participation Modalities

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- Introduction

1. The International Human Rights Forum (The Forum) was established on 18 July 2018, on the margins of the occasion of commemoration of the 40th anniversary of the entry into force of the American Convention on Human Rights and the creation of the Inter-American Court of Human Rights in San Jose Costa Rica pursuant to the Declaration of San Jose adopted by the three regional human rights Courts. The Forum serves as a platform where
the three regional human rights Courts can discuss and build on their existing institutional and jurisprudential relationships while at the same time identify new areas for collaboration towards the achievement of the goals and objectives of their respective Courts.

2. This is the first holding of the Forum and thus this session is meant to deal with issues of Operationalizing the Forum. To this end I will propose, discuss and elaborate some items which are critical to proper functioning and sustainability of the Forum.

**Purpose**

3. It is aimed that the Forum will help strengthen the protection of human rights and access to international justice of all persons under the jurisdiction of the three Courts contribute to Member States’ efforts to strengthen their democratic institutions and human rights protection mechanisms, and assist towards overcoming the common challenges and threats to the effective enjoyment of human rights by working together.

**Mandate**

4. The Forum will:

   a) support and facilitate the already existing institutional and jurisprudential dialogues between the three Courts

   b) Serve as a platform where the three Courts can assist one another to strengthen their institutions, share best practices and jurisprudence with one another in order to ensure that together, they foster respect for the rule of law and human rights, and the delivery of accessible, impartial and expeditious justice to the people under their jurisdiction

   c) Leverage on the potential of new information technologies (ICT) to facilitate knowledge and experience sharing among the judges and staff of the respective Courts and; promote the workings and objectives of their respective institutions as well as the Forum.

**Activities of the Forum (Area of Focus)**

5. The following activities could be undertaken towards achieving the purposes of the Forum:
a) Ensure the continuous and regular holding of the Forum and; jointly facilitate and organize other meetings, conferences and other events on issues of human rights, rule of law and access to justice. The three Courts will undertake joint fund-raising activities

b) Create an on-line jointly managed platform to facilitate knowledge-sharing among judges and staff of the three Courts

c) Facilitate the conduct of specific thematic studies on human rights issues which are of common interest to the three Courts

d) Establish web-based communications and intranets;

e) Engage in carrying out joint publications on issues of common interest in the human rights field.

f) Organize staff exchange programs to each other’s Registries, events and other meetings other than Ordinary Sessions to which observers are normally allowed, subject to periodic consultations and agreement of the respective Courts; in order for the personnel of each Court to gain hands on experience and knowledge on the workings of each Court and share jurisprudence and best practices with one another.

g) Organize technical training and capacity building programmes for judges and personnel of the three Courts to enhance the knowledge and expertise of these officials.

h) Liaison with external judicial networks and other relevant partners of the respective Court to gain more knowledge on operationalizing and sustaining a judicial Forum

• Modalities of participation in the Forum

6. It is proposed that the Forum will meet annually/biennially two years in private and public sessions at the headquarters of each Court, or in any other State on a rotating basis. The Forum should be held for at least two days. The Court hosting the next Forum will be decided at the Forum immediately preceding.

7. Each Court will fund its own participation at the Forum

8. In accordance with the Declaration of San Jose there should be private and public sessions of the Forum:

   a) the private sessions will focus on institutional, normative and jurisprudential developments of each Court; the impact, difficulties and challenges of the work undertaken by each Court, and mechanisms to strengthen cooperation between the Courts, among other issues,

   b) the public sessions will be events directed at disseminating information to the public on the developments in three Courts such as through public lectures, press briefings and publication of joint reports and studies.
9. The Forum can conclude its session with the adoption of a joint declaration on the outcomes and consensus reached in each meeting, as well as the concrete measures to be adopted to enhance the dialogue and shared work.

10. The attendees of the private sessions will include Members of the three courts, Registrars, Heads of Division/Department/Units, legal officers, support and technical staffs of the three Courts; and any officials in the respective Courts nominated to attend by the heads of the respective administrations. Other collaborating institutions such as intergovernmental human rights organs operating under the auspices of the respective court's parent institutions (African Union, Council of Europe and Organization of American States) regional human rights commissions and sub-regional courts.

11. The public sessions of the meeting may be attended by invited officials from the government of the State where the Forum is being held, academics and experts from the field of human rights, selected international organizations working in the field of human rights, selected local non-governmental organizations, Law school students in the host country and the media.

**Preparation for the Forum**

12. The preparation of the working documents of the Forum will be jointly carried out and executed by the three Courts with the Court Hosting the Forum taking the lead in this regard. The Courts will respond to calls for proposals on the draft concept and draft programme of the Forum.

13. The Focal Points appointed by the Court hosting the Forum will ensure the timely preparation and production of the working documents of the Forum and ensuring that the meetings will be held under appropriate technical conditions.

**Working Languages**

14. It is proposed that the Working Languages for the Forum should be English, French and Spanish.

**Working Groups**

15. The Forum may establish working groups comprising judges and staffs to address selected themes and issues arising from the Forum.
• **Conclusion**

16. As stated earlier the Forum provides a platform where the three regional human rights Courts can engage in fruitful discussions on the institutional, normative and jurisprudential development of each court, the impacts, challenges and difficulties encountered in carrying out their mandate, mechanisms to strengthen each Court as well as share best practices. There is therefore no doubt that through this Forum the already existing mutually beneficial relationship among the Courts will be strengthened towards the achievement of human rights, rule of law and equal justice for every individual in their respective jurisdictions.