

**STATEMENT BY SECRETARY GENERAL**

**Twenty-Fifth Meeting of COMESA Ministers of Justice and Attorneys General**

**3rd November 2022**

**Chairperson,**

**Guest of Honour, Honourable Mr. Mulambo Haimbe, MP, Minister of Justice of the Republic of Zambia,**

**COMESA Ministers of Justice and Attorneys Generals,**

**Judge President of the COMESA Court of Justice, Honourable Justice Lombe Chibesakunda,**

**Your Excellencies, Ambassadors and High Commissioners accredited to the Republic of Zambia and Permanent Representatives to COMESA,**

**Assistant Secretaries General of COMESA, Dr Dev Haman and Ambassador Dr Kipyego Cheluget,**

**Heads of COMESA Institutions,**

**Distinguished Delegates,**

**Invited Guests,**

**Ladies and Gentlemen**

It is my singular honour and privilege to be making this address in your first physical meeting post the COVID-19 pandemic which had made it difficult for hosting physical meetings due to travel bans and gathering restrictions.

**Ladies and Gentlemen**

Allow me to start off my address by extending a warm welcome to you Honourable Ministers of Justice and Attorneys General to the COMESA Head Office in Lusaka, Zambia. I wish to thank you for having taken time off your busy schedules and availed yourselves for COMESA service. I trust you travelled well from your capitals and are enjoying the Zambian hospitality. Please do take time from your meeting to appreciate the plentiful touristic offerings that the Republic has for its visitors and do take a bit of Zambia memorabilia with you at the end of your visit as you prepare to journey back to your capitals.

I wish to appreciate the government and people of the Republic of Zambia for having agreed to host COMESA at least 28 years ago and the continued support extended by the government of Zambia to the operations of the organization. It would be remiss of me not to extend thanks to the wise political leadership of the founding members of the Preferential Trade Area, the precursor of COMESA, for having come up with the Treaty Establishing the Common Market for Eastern and Southern Africa. The Treaty is the bedrock of what COMESA stands for, its principles, fundamentals and organs. COMESA is a rule-based organization as provided for under Article 6(g) of the Treaty on Fundamental Principles which underscores *“the recognition and observance of the of the rule of law”.* It is the responsibility of your meeting to provide this oversight that will ensure that the organization advances its regional trade and investment mandate within the four corners of the law.

**Honourable Ministers**

The November 2021 Summit of Heads of State and Government met in hybrid format in Cairo, Egypt and amongst other things approved and launched the COMESA 2021 – 2025 Medium Term Strategic Plan (MTSP). The MTSP projects the focus and trajectory of programs and activities that shall be implemented by the Organization in the period 2021 – 2025 to support the implementation of the Treaty and further the process of integrating the COMESA region.

The timing for the launch of the MTSP is impeccable as it has coincided with the easing of COVID-19 restrictions that had stultified trade and investment activity globally. Regional and national economies are now facing the task of reviving the region’s economies through a resumption of national, regional and global trade and investment in goods and services.

**Ladies and Gentlemen**

In the continental sphere, the African Continental Free Trade Area (AfCFTA) is already in force even through phase II negotiations relating to trade in services, competition, investment and intellectual property rights are still pending completion. In the region, the COMESA-EAC-SADC Tripartite Free Trade Area negotiations concluded for trade in goods. Tripartite phase II negotiations on trade in services, competition, investment and intellectual property rights are not yet underway. COMESA has just received chairmanship of the Tripartite on a rotational basis and notes that the Tripartite arrangement only has 11 instruments of ratifications submitted and is short of just 3 additional ratifications before it can enter into force. By way of appeal, may I request the Member States in attendance that have not yet ratified the Tripartite Agreement to expeditiously do so as not doing so is adversely affecting a regional good in delayed trade, investment and services drawdowns for the benefit of the region’s populace.

**Honourable Ministers**

The important role played by your meetings in ensuring that COMESA progresses as a rule-based organization cannot be overemphasized. Meetings of COMESA Ministers of Justice and Attorneys General have crafted laws and policies that have transformed the region and advanced the regional integration programme as was envisioned by the Abuja Treaty which has evolved the organization from being a preferential trade area to the customs union that is being implemented presently.

It is through your dedication and commitment to the COMESA programme of integrating the region that has seen COMESA grow from strength to strength over its 28 years of existence. Through the community law that you deliberate and pass, your meeting reshapes the socio-economic landscape of the region to facilitate the full implementation of the regional integration programmes.

**Ladies and Gentlemen**

In order to accelerate the programme of integrating the COMESA region, your today’s meeting has quite an involved Agenda and Organization of Work that it will be dealing with. There will be a consideration of prepared draft legal instruments for the COMESA Court of Justice. Further, your meeting will be considering a draft Charter Regulating the Council of Bureaux. There will also be a consideration of a Report from the COMESA Regional Investment Agency on Board nominations and appointments. Additionally, your meeting shall receive a Progress Report of the COMESA Court of Justice.

**Chairperson**

As your meeting meticulously works on draft legislation, policies and appointments and recommends them for passing and adoption by the COMESA Council of Ministers, may I remind you that domestication at the Member State level of these legal instruments still pauses a challenge. May I therefore appeal to you Honourable Ministers to work closely with the COMESA Legal and Corporate Affairs Division with domesticating the many laws that Council has been passing over the years.

There is a slowness within the Member State machinery that stultifies the process of domestication of COMESA legislation which unfortunately has caused a backlog. The slowed national processes of not domesticating COMESA legislation have unfortunately had an adverse effect on integrating the COMESA region. The laws that your meeting recommends to Council for passing play a key role towards clearing the way for the full implementation of the COMESA Customs Union, digital FTA, COMESA-EAC-SADC Tripartite FTA and AfCTA and edges us closer to an economically, socially and politically integrated African continent.

**Honourable Ministers**

I have no doubt that your meeting is equal to the task before it and will exceed expectation in its service delivery as it has so done in the past. Please keep up the excellent work that you have been doing for the Common Market.

Let me conclude by wishing your meeting fruitful deliberations and every success in its work.

May God bless and keep you safe.

Thank you for your attention!