



EAST AFRICAN COMMUNITY



EAST AFRICAN COURT OF JUSTICE

# ICT AS A TOOL FOR COURT OPERATIONS: EACJ RESPONSE TO COVID-19

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# Outline

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# Introduction





# Introduction

- East African Court of Justice is established under Article 9 (1) (e) of the Treaty for the Establishment of the East African Community. Its headquarters is in Arusha Tanzania.
- It started its operations on the 30<sup>th</sup> November, 2011
- It is comprised of 2 Chambers
  - First Instance Division (6 Judges) Headed by The Principal Judge
  - Appellate Division (5 Justices) Headed by The Judge President who also heads the Court
- All Judges come from Partner States
- Only the Judge President, Principal Judge & support staff are full time at Arusha



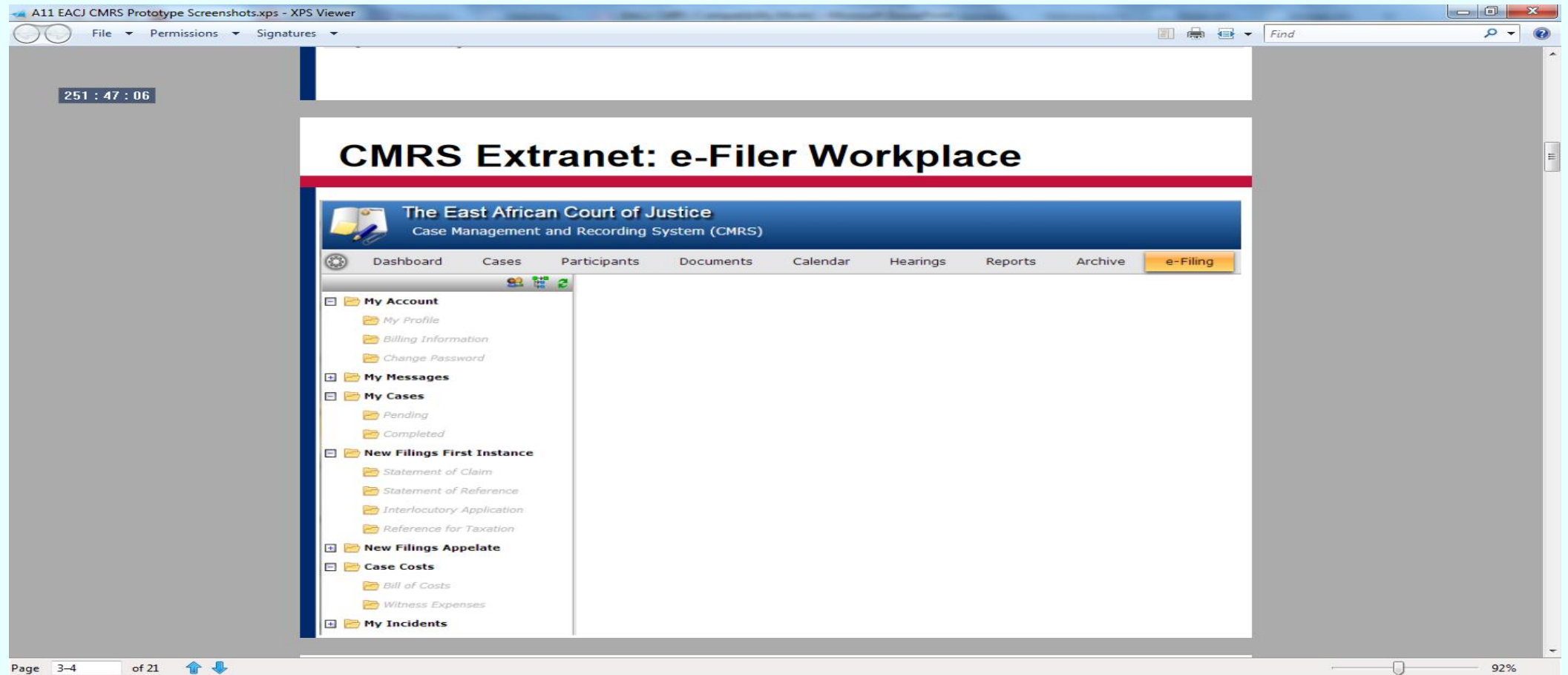
# Pre-Covid 19 IT Status at EACJ

- EACJ started its IT programme by digitalizing its administrative processes such as:
  - Accounts
  - Human Resources Management
  - Email system as a formal communication media
  - Website
  - EACJ acquired an electronic Case Management and Recording System (CMRS) in 2014 as a starting point in digitizing its judicial processes it has the following functions: -
    - Court recording both audio and video
    - Link to transcriber for real time or later transcribing of court record
    - Intelligent speaker & camera system
    - livestreaming of court proceedings



# Pre-Covid 19 IT Status at EACJ

- This is the Dash Board of the CMRS with functionalities





# Pre-Covid 19 IT Status at EACJ

- EACJ also acquired a mobile electronic Case Management and Recording System (CMRS) for hearings outside Arusha Tanzania (easy to load in cabin of a plane)







# Pre-Covid 19 IT Status at EACJ

## Creation of Institutional structures for IT at the EACJ

- EACJ established in 2016 an ICT Committee as an ICT governance structure to spearhead all ICT initiatives
- EACJ started livestreaming its Court sessions on its website
- EACJ ICT committee planned and executed study visits and benchmarking to national, regional and international Courts such as:
  - Rwanda judiciary
  - Kenya judiciary
  - Uganda judiciary
  - International Residual Mechanism for Criminal Tribunals in Arusha
  - Abu Dhabi Global Market Courts
  - Dubai International Financial Centre Courts





# Status of IT at EACJ during the pandemic



- When the pandemic hit the world EACJ had to look at innovative ways to continue its operations as most of the judges and staff were not in Arusha or were working from home.
- The pre-Covid interventions and benchmarking visits helped mitigate the effects of lockdown and allowed for business continuity.
- Several computerized systems were tested and zeroed in on the use of Microsoft Teams videoconference system to hold its Court sessions virtually
- EACJ revamped its existing website and turned it into a web portal



# Status of IT at EACJ during the pandemic



## Continuation of upgrading institutional and governance structures for IT

- EACJ started upgrading the CMRS to incorporate an Electronic Filing system to allow litigants to file cases on their own
- EACJ acquired a mobile Court Recording System to allow holding Court sessions outside of EACJ court rooms (already featured earlier)
- The videoconference system used, Microsoft Teams, was acquired at no additional cost since it is part of the yearly Office 365 package fees
- EACJ started developing an ICT strategy to serve as a road map to its digitization process



# Status of IT at EACJ during the pandemic



- Microsoft Teams being used for on line court and the same eco system can be used for Judge's deliberations and meetings of the court's governance systems.





# Status of IT at EACJ during the pandemic



- EACJ acquired a video-conferencing hardware system called Logitech to be integrated with Microsoft Teams which also allows holding **hybrid Court** sessions where the judges are physically present in the Court rooms and litigants appear virtually







# Status of IT at EACJ during the pandemic



- With Microsoft Teams the Judges can access all court files and records on their laptops in court thus creating a paperless / file less court eco system





# Statistics during pandemic

## Status of IT at EACJ during the pandemic



- Appellate Division:

● Applications	Pre-Covid 2019	13	Covid 2020	13
● Appeal	Pre-Covid 2019	5	Covid 2020	25
● Taxation References	Pre- 2019	4	Covid 2020	6
● Arbitrations	Pre-Covid 2019	2	Covid 2020	3

- First Instance Division:

● Applications	Pre-Covid 2019	10	Covid 2020	33
● References	Pre-Covid 2019	24	Covid 2020	40
● Taxation Reference	Pre-Covid 2019	0	Covid 2020	1
● Claims	Pre-Covid 2019	1	Covid 2020	3



# Challenges



- The Cost of IT hard and software – EACJ relies on EAC Secretariat Servers
- The Court may be IT ready but other court users and stakeholders do not have equal access to It and other online services.
- The remuneration of judicial Officers and Staff working from home
- Consultations by Judges among themselves online hence leading to hybrid Court sessions
- Insistence of some court users on the right to be heard physically and other issues on the right to a fair hearing.





# Conclusions & Lesson Learnt



- Judiciaries should deliberately prioritize the use of IT and online services
  - Provide adequate funding (for hard & software)
  - Provide for adequate IT staff (set up fully fledged IT Departments within the Judiciary)
  - Training of court staff on use of IT
- Judiciaries should develop IT Strategic Plans to guide the development and use of IT
  - Consider starting small then scale up
- Have change management programmes & Stakeholder engagements
- Restructure remuneration to cater for work from home
- Take into account the impact of the use of IT on the Human Rights of court users



# THE END



THE FUTURE IS FINALLY HERE



THANK YOU FOR YOUR KIND ATTENTION

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