

Tuesday, 28 January 2003

Afternoon

Arrival/Registration (Mount Soche Hotel)

6:00 - 8:00 p.m.

Reception

Wednesday, 29 January 2003

- 7:00 – 8:00 a.m. **Breakfast** (Gypsy’s Restaurant)
- 8:00 – 8:30 a.m. **Official Opening**
- Justin Malewezi, *Vice President of Malawi*
Roger Meece, *US Ambassador to Malawi*
Professor Keith Henderson, *IFES Senior Advisor, Rule of Law.*
(Njamba Conference Room)
- 8:30 – 9:30 a.m. **Keynote Speech – Separation of Powers in a Constitutional Democracy**
- L.E. Unyolo, *Acting Chief Justice, Malawi*
- 9:30 – 9:45 a.m. **Facilitator Review of Agenda and Conference Objectives:**
- Edge Kanyongolo, *Senior Lecturer in Law, University of Malawi*
- 9:45 – 11:00 a.m. **Plenary I – The Constitutional Perspective: Theoretical and Philosophical Background**
- Professor Anthony Bradley, *United Kingdom*
- 11:00 – 11:20 a.m. **Tea Break** (Main Lounge)
- 11:20 – 12:45 p.m. **Plenary II – The Malawian Perspective: Key Challenges Confronting the Executive, Legislative and Judicial Branches of Government.**
- Justin Malewezi, *Vice President*
Sam Mpasu, *Speaker of Parliament*
Justice Duncan Tambala, *Malawi Supreme Court*
- 1:00 – 2:15 p.m. **Lunch** (Gypsy’s Restaurant)
- 2:30 – 3:30 p.m. **Plenary III – The Regional Perspective: The Role of Judicial Review in Strengthening Constitutional Democracy and Promoting Economic Growth**
- Justice Tholakele Hope Madala, *South Africa Constitutional Court*
- Questions and Comments:** Justice Madala and Justice Anastasia Msosa, *Malawi Supreme Court*

Wednesday, 29 January 2003 (cont.)

3:30 – 4:30 p.m.

Plenary IV – The International Perspective: Judicial Independence: Best Practices, Regional Issues and Challenges

Judge Sandra Oxner, *Executive President, Commonwealth Judicial Education Institute, Canada*

4:30 – 4:50 p.m.

Tea Break (Main Lounge)

4:50 – 6:45 p.m.

Small Group Discussion I: Is there a regional consensus on the definition of separation of powers and judicial independence?

Small Group Discussion II: What type of mechanism is needed to monitor separation of powers and the independence of the judiciary?

Small Group Discussion III: How can Malawi's three branches of government – and the media – effectively address the issue of corruption as it affects the judicial process?

Small Group Discussion IV: In the absence of a constitutional court, what is the procedure for the interpretation of constitutional issues in Malawi? Is the current system effective?

7:00 – 9:00 p.m.

Dinner (Gypsy's Restaurant)

Thursday, 30 January 2003

- 7:00 – 8:00 a.m. **Breakfast** (Gypsy's Restaurant)
- 8:00 – 8:30 a.m. **Survey Results: Presentation and Discussion**
Professor Keith Henderson
- 8:30 – 9:45 a.m. **Plenary V – Comparative Analysis: Separation of Powers Principles and Protected Judicial Speech as Reflected in Selected African Constitutions and International Treaties**

Modesai Msisha, *Malawi Law Society*

Questions and Comments: Mr. Msisha, Professor Anthony Bradley
- 9:45 – 11:00 a.m. **Plenary VI – Media Role and Responsibilities in Promoting, Protecting and Monitoring Separation of Powers Principles in a Constitutional Democracy**

Dickson Jere, *Executive Committee, Media Institute of Southern Africa (MISA), Zambia*

Questions and Comments: Mr. Jere
- 11:00 – 11:20 a.m. **Tea Break** (Main Lounge)
- 11:20 – 12:45 p.m. **Continuation of Small Group Discussions I and II**

Small Group Discussion V: What strategies are most effective for promoting transparency in the appointment of judges?

Small Group Discussion VI: What are the best ways to evaluate (and improve) the systems of case allocation and case management? What role does the budget process play in those systems?
- 1:00 – 2:15 p.m. **Lunch** (Gypsy's Restaurant)
- 2:30 – 4:30 p.m. **Plenary VII – Summary of Outcomes from Small Group Discussions/Creation of Conference Communiqué Drafting Committee**
- 4:30 – 4:50 p.m. **Tea Break**
- 4:50 – 6:50 p.m. Drafting Committee prepares conference communiqué
- 7:00 – 9:00 p.m. **Dinner** (L'Hostaria Restaurant, transport provided)

Friday, 31 January 2003

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| 7:00 – 8:00 a.m. | Breakfast (Gypsy's Restaurant) |
| 8:00 – 9:30 a.m. | Facilitator Summary of Days I and II
Edge Kanyongolo |
| 9:30 – 10:30 a.m. | Presentation of Draft Conference Communiqué |
| 11:00 a.m. | Closing Remarks and Dismissal
Acting Chief Justice Unyolo |