

Speech at Closing Ceremony at the Judicial
Colloquium on the Domestic Application of Human
Rights Norms", Abuja Nigeria, December 1991

JUDICIAL COLLOQUIUM ON THE DOMESTIC APPLICATION
OF INTERNATIONAL HUMAN RIGHTS NORMS

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CLOSING CEREMONY

In the course of the closing ceremony, one of the participants from overseas (Justice Michael Kirby, Australia) expressed the thoughts of overseas participants in words which, it was agreed, would be included in the record. Justice Kirby said the following:

Since the last business session of this Colloquium, the non-Nigerian participants have been accorded the rare (indeed unique) privilege of joining their Nigerian judicial colleagues in a ceremony of great historical importance for Nigeria. By a coincidence of the calendar of events, the Judicial Colloquium was held in Abuja, the new capital of Nigeria, at the very time of the transfer of the Seat of Government of Nigeria from Lagos, on the coast, to Abuja.

The participants were also present in the run-up to the elections of State Governors which will take place in every State of Nigeria on the day following the conclusion of the Judicial Colloquium. These elections represent a further step in the plans adopted by the President of Nigeria (H E General Ibrahim Badamasi Babangida) to return Nigeria to democratic civilian rule. Any group of judges, brought up in the traditions of the common law, with knowledge of the importance of the rule of law and aware of the developments in other parts of the world at this time could not but welcome the steps taken in this process. The friends of Nigeria from beyond its borders will pray for the orderly return of civilian democracy and the re-establishment of elected representative institutions which provide the best guarantee,

over the long term, for the defence of the rule of law, protection of human and peoples' rights and preservation of the independence of the judiciary and of the legal profession so vital to the enjoyment of freedom.

I am sure I speak for all of those who participated in the ceremonies at Abuja when I say how grateful we, the foreign participants, were for the privilege of witnessing such historical events and of doing so from the places of honour which were accorded to us by our Nigerian hosts. We were all very conscious of privilege of participating in an important moment of history. Justice Bhagwati, the former Chief Justice of India, said earlier that we would be leaving something of our hearts in Nigeria. That is true. But we will also take with us vivid memories of the colourful ceremonies which accompanied an event of great constitutional and political importance for the peoples of Nigeria and for its future as a democratic state.

For my own part, I have two special reasons for expressing my thanks. As an Australian, I am aware of the difficulty of securing a Federal capital which has the support of all the people. Nearly a century ago plans were laid down for the establishment of a Federal Capital Territory in Australia. Provision for the capital was contained in the Australian Constitution adopted in 1901. The capital was not formally inaugurated until 1927. On the 9th May of that year the Duke of York (later King George VI) representing King George V, accompanied by the Duchess of York, opened the first Australian Parliament in the new capital. It was the culmination of the achievement of a distinctive new capital. The transfer of all branches of government and of the bureaucracy took much time. Indeed, it is still incomplete. The High Court of Australia did not move to Canberra until 1980. But the establishment of Canberra is now well accepted by all Australians. It is remarkable sign of the continuity of institutions to reflect upon the fact that the Duchess of York who took part in that ceremony so long ago is still alive, HM Queen Elizabeth, the Queen Mother. I hope that we will all live to see a robust parliamentary democracy established in Abuja, as in Canberra. Nigeria must set an example in this regard for Africa.

The second reason why these ceremonies were of special significance to me derived from the fact that in 1963 I travelled to all parts of Nigeria as leader of an Australian delegation of University students. My sponsor was the then

National Union of Nigerian Students (NUNS). Nigerian independence was at that time very fresh. Its democracy was fragile. But I have always carried with me the most vivid recollections of my travels to the four corners of this great land. Fresh in my memory are the images of its friendly diverse people, of its music and of its abounding culture and energy. Yesterday, we the overseas visitors did not have to travel as I then did by third class rail from Ibadan to Zaria. Nigeria came to us. We saw that varied culture, still alive and preserved as I hope it always will be.

Amongst people so confident and assertive the future of the rule of law and of freedom looks bright. From my youth I have a special love of Nigeria. So I hope that that will be so.

On behalf of all of the overseas participants, but for special reasons on my own behalf, I express the thanks of the participants for the opportunity to witness a moment of great historical potential for Nigeria and for Africa.