LJD 2013 Welcome Address and Conference Opening Speech

Dr. Donald Kaberuka
President

(Speech delivered on behalf of Dr. Kaberuka by Cecilia Akintomide
AfDB Vice President and Secretary General)
I have the distinct pleasure of welcoming you to the Africa Day of the Law Justice and Development Week. “Africa Day” is jointly organized by the African Development Bank and the World Bank Group, and it is devoted to an in-depth discussion on legal issues critical to Africa’s development.

Purpose

Our discussions today will allow us to explore how the principles and institutions that uphold law and justice can be utilized to facilitate, enhance and accelerate development delivery. Furthermore, we will, together, explore how to translate the increasing strength of voice, social contract and accountability into development impact on the continent.

The LJD Week 2013

The theme for this year’s Law, Justice and Development Week is “Towards a Science of Delivery in Development: How Law and Justice Can Help Translate Voice, Social Contract and Accountability into Development Impact”.

By highlighting ‘delivery’ as an emerging science in development, the theme calls on us to examine the challenges associated with the process of development delivery in many countries, especially those in Africa.

The theme also leads us to focus on issues of inclusion, ownership, rule of law, embedding of development delivery systems, good governance, transparency, disclosure, accountability, basic service delivery and domestic resource mobilization, specifically taxation. But, as we all know, making development a sustainable reality is not a precise science.

A Re-Profiled Continent

Friends, as Africans or friends of Africa, we are probably in the most exciting period since the wave of independence. There is a sufficient political, economic, knowledge and social convergence in favour of Africa’s transformation. The continent is experiencing significant levels of growth and prosperity, though with the need for more inclusion to address poverty levels better, which remain high. Africa is re-profiling itself as the development success story. The GDP of the continent has more than tripled in just over a decade! It was USD 600 billion in 2000 and now it is USD 2.2 trillion – that is a tripling with inflation, and a doubling in real terms. Great Britain harnessing its industrial revolution pulled off the same feat, but did it in a whopping 150 years. The world is witnessing something astounding, but more is still required if the African continent is to be the world’s next growth pole.
It is in these prosperous times, however, that governments, communities, and development actors need a credible and reliable social conscience. This is a role – you will agree with me – that legal professionals are best placed and equipped to perform. We are privileged today to have in this room some of Africa’s and even the world’s best legal minds united for a common purpose: to maximize their legal expertise for Africa’s development.

**The AfDB Group Strategy**

I am sure it does not come as a surprise that we at the AfDB are passionate about Africa’s transformation (it is a reflection of our DNA), and we are particularly passionate about purposefully seizing the times we are in and transforming Africa’s turning point into a sustained tipping point. In our view, there are 3 key levers: (i) institutions; (ii) integration; and (iii) infrastructure.

**Institutions**

Having the right institutions and capacity for good governance is an imperative. The rule of law and the institutions which uphold it are essential for promoting sustainable economic growth and achieving Africa’s transformation. Similarly, the institutions and the right capacity for natural resource management. For decades a number of African countries have grappled with developing and implementing appropriate constitutional constructs for a representative governance structure and legal regimes to promote sustainable economic development and we should continue to assist them. In this connection, I should mention that the AfDB has recently created a centre for Natural Resource Management to address this dire need on the continent.

Someone said that the most important events in the past 60 years were the collapse of the Berlin Wall (and the end of Communism) and the collapse of Lehman Brothers (raising issues about capitalism itself). For too long we have copied economic models, political models, ideas, ideologies, constitutional constructs even when those models and ideas were being questioned by those who practise them.

As Cape Verde’s former President Pedro Pires said: it is time to search for our own models, learn by trial and error, learn from other people’s experiences, but especially our own.
Integration

We also need to reduce rapidly the risk of doing business and the costs of doing business, as well as address our ineffective fragmented markets. Hence, our focus on integrating the continent to ensure mobility of goods, services and skills. True integration cannot be achieved without harmonized legal regimes and the soft infrastructure to ensure regional integration and creation of larger and more beneficial markets on this continent of 54 nations that are more dependent on each other than is usually appreciated.

Infrastructure

As we all know, Africa’s infrastructure gap is a burden on its development and every activity regardless of the sector. With economies growing at 5% and above, infrastructure deficit constrains the potential. Few countries in the world have been able to sustain 7% GDP growth and above without making huge investments in infrastructure.

Inadequate infrastructure holds back economic growth on the continent by at least 2% each year, and reduces the productivity of the private sector by as much as 40%. This equates to USD 40 billion in lost GDP every year.

A generation ago the conditions in some Asian countries were not so different from conditions in many African countries today. We are building roads, water systems, ICT networks and electricity grids in Africa, but we are doing it too slowly. It is for this reason that the African Development Bank has focused on new instruments, vehicles and sources of financing to further accelerate the development process and leverage available knowledge, expertise, and increased appetite for Africa risk. It is in this connection that we conceived the Africa50 Fund, concerning which you will receive additional information later today.

We know that to increase the rate of infrastructure delivery in Africa we need to speed up project preparation and project development. We also know that we absolutely need to use specialized and innovative financial tools to address specific market challenges. Africa50 is designed to respond to these needs.

The critical objective is to shorten the time between project idea and financial close from a current average of seven years to less than three years. This will deliver a critical mass of infrastructure in Africa within the short-to-medium term.

In sum, we do the legwork to raise the money, build the roads, link the towns, support job creation, join the countries and build up the regions to change the continent. These are the roads that take the children to school, pregnant mothers
to hospitals, crops to markets, goods to and from ports, support value chains, and take the economy into orbit.

All of what I have described is reflected in the AfDB Ten Year Strategy 2013-2022, which focuses on the quality of Africa’s growth. The strategy has the twin overarching objectives of inclusive growth, across geography, gender, and age, and a transition to green growth. The strategy also highlights the positioning of the AfDB “At the Center of Africa’s Transformation”.

**Gender**

Before concluding, I would like to focus our attention on an issue we need to address urgently: 50% of Africa’s population whose potential continues to be undermined and represents a significant economic loss. I am talking about Africa’s women and girls. We at the African Development Bank are focusing on their economic empowerment and ensuring that our development investments are designed to unleash their potential. In addition, we have appointed a Gender Envoy who now assists us in taking the discussion, together with me, to the highest levels on the continent, as we conduct our policy dialogues.

**Conclusion**

These critical factors for Africa’s development and transformation require legal expertise and the law to be addressed. I therefore look forward to the conclusions and proposed actions from your discussions today and the whole week. The exciting times in Africa come with great individual and collective responsibilities to make the best use of the opportunities, not waste them or leave them to another generation.

I thank you all for your attention and wish you all successful deliberations.