

**REMARKS BY HON. JUSTICE BART M. KATUREEBE, CHIEF  
JUSTICE**

**AT**

**THE PUBLIC DIALOGUE TO CELEBRATE THE INTERNATIONAL  
HUMAN RIGHTS DAY, 3<sup>RD</sup> DECEMBER 2018, SERENA HOTEL,  
KAMPALA**

**THEME: “THE EU CONTRIBUTION TO THE HUMAN RIGHTS  
SITUATION IN UGANDA”**

**TOPIC: THE EU CONTRIBUTION TO THE JLOS AND TO THE  
OVERALL HUMAN RIGHTS SITUATION IN UGANDA – THE  
PERSPECTIVE OF THE UGANDA JUDICIARY**

The Head of EU Delegation,  
Heads of Diplomatic Missions/ Ambassadors,  
Heads of UN Agencies,  
Heads of JLOS Institutions,  
Invited Guests,  
Ladies and Gentlemen.

## **Introduction**

I am pleased to be part of this public dialogue discussing the contribution of the European Union (EU) to the human rights situation in Uganda. To begin with, it is commendable that a day is set apart as an International Human Rights Day. The world has made massive progress in the area of the rule of law and human rights since 1948 when the Universal Declaration of Human Rights (UDHR) was adopted. It is remarkable therefore that, this year, we are marking 70 years of the existence of the UDHR.

Uganda's development objectives are laid out in "Vision 2040". The main framework for fiscal accountability and the allocation of resources across the public sector is provided for under the National Development Plan II (NDP II) (2015-2020). NDP II, among others, defines protection of human rights, rule of law, transparency and accountability as key components of good governance and as enabling sectors for increasing sustainable development, accelerating competitiveness, strengthening public service delivery and combating corruption. The main contribution of the EU, among other development partners, has been to support the government and people of Uganda in these efforts.

I therefore take this opportunity to thank the European Union and the entire Development Partners Group for their contribution towards Uganda's development efforts. Specifically, however, I wish to recognise some aspects of the contribution by EU to the Justice, Law and Order Sector and to human rights generally in Uganda.

### **Contribution of EU to JLOS and Human Rights in Uganda**

The European Union Delegation has been a member of the Justice Law and Order Sector and, in addition to the support from individual member states, the EU has in the past supported important Sector projects. The EU has further provided leadership as Chairperson of the JLOS Development Partners Group and will once again take over the Chair in 2019.

The Sector has now entered in a Joint Sector Reform Contract with the EU (Jointly with the Accountability Sector), under which the EU will provide Sector Budget Support, with a focus on critical JLOS priority areas.

The Sector Reform Contract will focus on the following areas:

#### **1. Reducing the proportion of case backlog**

Case backlog remains a serious challenge for the Sector, although efforts under the Case Backlog Reduction Strategy are beginning to bear fruit. With EU support, the Sector is seeking to address the issue and clear cases that are 3 years and older from the system. Support will be provided to Sessions, special sessions for targeted offences, capacity building and review of processes.

## **2. Diversion of Juveniles from the formal criminal justice system in non-capital cases**

It is widely accepted that, as far as possible, juveniles who come into conflict with the law should be diverted from the criminal justice and treated as children in need of care and protection. Diversion programmes are being put in place and are intended to provide for alternative sentences and strengthening the functions of the Local Councils and the Probation system to reintegrate children into their communities and reducing the likelihood of them falling once again in conflict with the law.

## **3. Increasing coverage of magisterial areas with legal aid services**

The Sector is currently providing legal aid services through the Justice Centres Uganda, Legal Aid Project of the Law Society and the Legal Aid Clinic of the Law Development Centre. The Sector seeks to extend these services throughout the country. Therefore, through joint efforts we plan to extend legal aid services to all magisterial areas by 2020. This will require that each area receives services of one of the service providers.

## **4. Construction of JLOS Service Centres (Court, ODPP, Police)**

The Sector has currently covered 65% of districts with a one-stop centre, housing the frontline JLOS services. It is intended that 80% of districts are covered by 2020.

## **5. Establishment and strengthening of Local Council Courts**

Elections have now been held for all levels of the Local Councils and the re-establishment of the Local Council Courts is on-going. The Sector will engage in extensive capacity building of local council court members in

matters pertaining to their role in the adjudication of cases. Trainers and training materials have been provided and the training programmes are to begin. Support will also be provided to Magistrates to strengthen their supervisory role.

## **6. Reducing proportion of remand to convict population in the prisons**

For a significant time, the number of pre-trial detainees (persons on remand) has been higher than Convicts in the prison system. The Sector will emphasise measures to reverse this trend. There has already been a reversal in this trend with convicts now outnumbering the remand population. Efforts are being made to ensure that this trend continues. This includes expediting the disposal of cases and addressing reforms in the criminal justice procedures to ensure that cases are handled expeditiously, especially after committal.

## **7. Increasing the level of automation in the Courts**

Efforts are being made to support programmes that introduce automation and innovation in processes to create efficiency and transparency in the Courts. The Judiciary is establishing an Electronic Case Management and Information System (ECMIS) and the plan at sector level is to ensure that each system speaks to the other throughout all sector institutions.

## **8. Addressing the number of offences that attract the death penalty**

Uganda still maintains the death penalty in certain cases. Consideration is being given to human rights concerns around the application of the death penalty and where possible reduce the number of offences that carry the death penalty.

## **9. Enhancing the investigation and prosecution of Anti-Corruption cases**

With the support of the EU, the Sector is committed to supporting capacity building for all actors handling anti-corruption cases. Serious attention is also being given to efforts towards strengthening of the legal framework and capacity to enforce recovery of assets acquired out of corruption.

The Sector has **historically** enjoyed a fruitful partnership with the EU. This partnership resulted in the construction of the Commercial Court building, a purpose-built home for the Commercial Division. The EU has also supported human rights and capacity building programmes in the Uganda Prisons Service, the Uganda Police Force and the Uganda Human Rights Commission. Support has also been extended to Civil Society Organisations (CSOs) geared at strengthening mechanisms for the promotion of human rights, democratic and social accountability. Through the Budget Support Program, EU has fostered improved coverage, accessibility, management and Human Rights compliance of service delivery in the JLOS sector.

We look forward to continuing this partnership as the EU takes over the leadership of the JLOS Development Partners Group in 2019.

Thank you for listening to me.

Bart M. Katureebe

**CHIEF JUSTICE**