

**CLOSING REMARKS BY THE HON THE CHIEF JUSTICE AT THE 17th JOINT
GOVERNMENT OF UGANDA- DEVELOPMENT PARTNERS REVIEW
SEPTEMBER 27TH 2012, HELD AT IMPERIAL ROYALE HOTEL.**

My Lord the Principal Judge

Honourable Ministers and Members of the Leadership Committee

Your Excellency the Chairperson of the JLOS Development Partners

Your Excellences

Heads of JLOS Institutions

Member of the JLOS Steering and Technical Committees

Invited Guests

Ladies and Gentlemen.

After a wholly fruitful and constructive day of reflection and evaluation of the Sector's overall performance in the past year, I am pleased to bring this 17th Joint Review meeting to a close.

I want to start by thanking all the heads of JLOS institutions, Development Partners and key partners outside the sector, including civil society actors, for their active engagement in today's discussions. The review would not have been possible without the valuable input from all the key stakeholders. Such review processes are critical to maintaining an active, efficient and well-coordinated Sector.

By engaging in a critical review of the year's achievements and identifying key undertakings for the future; this participatory and transparent review process greatly serves to improve Sector performance and enhances public accountability for JLOS services.

A number of achievements have been noted today, and we must give ourselves – the institutions and our Development Partners- a round of applause for the hard work and dedication that has gone into these accomplishments. At the same time, we cannot overlook the need for improvement and for taking on new challenges to improve our performance in the future.

In particular, the Sector has highlighted key undertakings for 2012/13 that reflect the Sector's ambitions for enhancing Sector performance and improving the quality and accessibility of JLOS services to all communities in Uganda especially the most vulnerable of society. In the context of service delivery, the Sector is of the view that *more* is not always *better*. This is to say that JLOS is concerned about the quality and accessibility of its services.

On this point, undertaking No.1 is critical; it calls for the Sector to implement a performance management system for all judicial officers. This project will contribute directly to enhancing efficiency of the justice sector and boosting public confidence in the administration of justice.

Undertaking No.2 on establishing a comprehensive legal regime is equally as critical to achieving the overall goals of the Sector to improve the quality of

services to the most vulnerable. We have already achieved noteworthy progress in this area with a validation meeting of the National Legal Aid Policy this past year; now we must complete the process by finalizing the draft policy and law and submit it to Cabinet.

I am confident that together, as a Sector, and with the valuable support and commitment of our Development Partners, we will succeed in achieving these undertakings, which will prove to have a lasting impact on the whole of the justice sector's performance and service delivery. The tasks are not small however; they will require commitment on the part of key JLOS institutions; dedicated time and energy to achieve the goals; monitoring and evaluation to ensure fulfillment of benchmarks; and commitment by our partners to facilitate the process.

Beyond the 2012/13 undertakings, the Sector is shifting towards implementation of the newly adopted Strategic Investment Plan III (SIP III), which I would like to say a few words about. I believe we have achieved great progress as a Sector by adopting the Sector-wide approach to achieving our overall goals. We are now graduating to a more complex and sophisticated plan of action that promises greater impact of JLOS services, proposes more targeted activities to enhance institutional and human rights accountability, and is premised on a participatory approach. At the same time, it will require the adoption of new strategies—including a change in practice and attitudes, institutional reforms, and engaging in critical monitoring and evaluation of our performance.

At the dawn of our 50 years of independence, implementation of the SIP III presents an opportunity to break with old attitudes and practices that prevent us from reaching our full potential as a Sector. I am confident that with the degree of commitment and hard work that JLOS institutions have thus far exhibited, we are in good standing to take on this new ambitious plan that will result in a marked difference in Sector performance and will have a lasting impact on strengthening the rule of law and human rights accountability.

On this last point, I would like to comment on one particular initiative by the Sector that requires special attention; this is the inclusion of a structured program on Transitional Justice in the SIP III. The Sector has been spearheading the process of developing a national policy on Transitional Justice since 2008. The policy is meant to specifically address the legacy of past serious crimes, and establish mechanisms for accountability and reconciliation for crimes committed during Uganda's most violent conflict(s).

I would like to take this opportunity to make a call to all the heads of JLOS institutions to actively engage in this process. While the Secretariat serves as a coordinating body, JLOS member institutions are the real engine in this process. Your participation as leaders in the process is critical. As we soon join together to celebrate our Golden Anniversary, so must we join together to develop a roadmap for an equally golden future. This can only be done through a critical reflection of our past, celebration of our national achievements and progress, as well as the identification of obstacles and strategies key to reaching our full potential as a nation that espouses a strong rule of law and human rights culture.

In order for us to move forward, we must also look back and identify factors that need to be addressed for the promotion of a strong human rights culture: the adoption of a comprehensive and holistic transitional justice policy will be key to achieving this goal. I therefore count on the commitment of our member institutions to drive the process and enable us as a Sector to reach our common goal. On this subject, I would like to especially thank our Development Partners who have accompanied the Sector over the years and who are wholly committed to seeing through the Transitional Justice policy adoption process to its conclusion.

On a related issue, I would like to clarify the Sector's position on amnesty. The long-standing issue of amnesty in our country has been addressed through the latest decision by the Minister of Internal Affairs to abolish the 'blanket' amnesty provision in the Amnesty Act (2000). This was necessary to allow Uganda to pursue its goals and obligations to combat impunity and to enable its institutions to pursue accountability for serious crimes, including war crimes and crimes against humanity. Given the evolution in our national context and the JLOS initiative to develop a more comprehensive policy and law on transitional justice, the role of amnesty must be reviewed, critically analyzed and considered before introducing a new form of amnesty that may lead to the same conflict in laws and institutional mandates that we have seen to date.

In particular, we must consider that amnesty laws by their nature tend to conflict with human rights laws and principles. They stand in the face of realizing victims'

rights to justice, accountability, truth and reparations. Thus, our current context and our overall goals of achieving justice and reconciliation must be fully appreciated. On this point, it is my view that JLOS should undertake a critical study on the matter before introducing any new form of amnesty in the future.

Finally, I wish to thank all the heads of our JLOS member institutions, our esteemed development partners and our non-Sector partners and participants for the fruitful discussions and instructive feedback and recommendations, all of which will enrich the process of Sector evaluation and performance. We count on your critical participation, support and commitment in realizing our goals for the future and for successfully implementing the SIP III. On behalf of the Sector, thank you. I look forward to a strong and engaging partnership over the coming years.