

THE REPUBLIC OF UGANDA

**REMARKS MADE AT THE LAUNCH OF THE JUDICIARY ALTERNATIVE
JUSTICE SYSTEM (AJS) STRATEGY**

AT

MESTIL HOTEL AND RESIDENCES

ON 27TH JUNE, 2023

BY

**HON. JUSTICE ALFONSE CHIGAMOY
OWINY-DOLLO**

CHIEF JUSTICE

My Lord, the Deputy Chief Justice
The Hon. Minister of Justice and Constitutional Affairs
My Lord the Principal Judge
My Lords, the Justices and Judges of Courts of Judicature
The Deputy Inspector General of Government
The Chairpersons of Constitutional Commissions
The Heads of the Administration of Justice Programme Institutions
The Permanent Secretaries present
The President, Pepperdine University
Professors from Pepperdine University
Your Worship, the Chief Registrar
Your Worships the Registrars
Our Esteemed Guests, Ladies and Gentlemen.

I want to convey my thanks again for everyone who has honoured us with their presence of the two days of this first high level national ADR Summit in Uganda. It is my honour to launch the *Judiciary Alternative Justice System (AJS) Strategy* during this second day of the Summit.

As I underscored in my remarks yesterday, the Constitution implores the courts and judicial officers to administer justice reflective of the “aspirations, norms, and values of the people of Uganda”. This principle in Article 126 requires that we embrace alternative forms of dispute resolution, including informal traditional justice systems.

Dispute resolution by courts, as a measure of justice, has occupied the administration of justice in Uganda for a very long time, when the reality is that the vast majority of disputes among our people are resolved through justice systems located outside the formal courts. The studies, that underpin the Strategy, estimate that less than 5% of the dispute resolution takes place in courts of law, with majority of Ugandans relying on informal justice systems. This is the context that informs the *Judiciary Alternative Justice System (AJS) Strategy* that has been developed to take a broader perspective of justice, including traditional, informal and other dispute resolution forms in Uganda.

The *Judiciary AJS Strategy* was developed under the guidance of an *ad hoc* committee chaired by the Hon. Deputy Chief Justice whose membership included justices of the Supreme Court and the High Court, as well as the Solicitor General, senior technical advisors, and a Senior Counsel emeritus. The committee was required, as part of its initial remit, to develop the *AJS Strategy* to guide the approach to ADR in the Judiciary. The *AJS Strategy* is therefore a guide for the future of the administration of justice, and specifically, the manner in which judicial services are to be offered, while taking cognizance of the wider justice processes in Uganda.

The *AJS Strategy* sets out the strategies and approaches as regards linkages and synergies between the formal justice system and AJS forms and their interaction in a mutually-reinforcing manner for an effective system of justice.

Going forward, the following activities are identified in the implementation of the *AJS Strategy* :

- (1) Identify the Alternative Justice System models that are complementary to judicial processes.
- (2) Define the scope of what the jurisdiction of such AJS models should be.
- (3) Develop a coordination or referral or linking mechanism between the two systems i.e. the Judiciary and AJS models.
- (4) Develop training and capacity-building curricula for all AJS stakeholders.
- (5) Develop materials on the above curricula.
- (6) Convene stakeholders to mobilize resources.
- (7) Create an audit mechanism to constantly review the progress and identify lessons important for addressing the issues raised.

This implementation process shall start in earnest by the adhoc committee that I constituted chaired by the Hon Deputy Chief Justice.

Let me reiterate my gratitude to the *ad hoc* committee under the leadership of Honourable Deputy Chief Justice for this momentous work that should help define and clarify an important part in the administration of justice in the country.

Further, I extend gratitude and thanks, on my behalf and the Judiciary, to the International Development Law Organization (IDLO) for the technical and financial support towards the development of the AJS Strategy. I also reiterate my appreciation to Pepperdine University, Uganda Bankers' Association, and other partners for the support rendered in organizing this Summit. For the participants at the Summit, the *AJS Strategy* is a blueprint for broader ADR forms that speak to synergies between formal and informal justice systems.

Yesterday the Hon Deputy Chief Justice gave special recognition to the Hon Justices Yorokamu Bamwine, The Hon Justice Geoffrey Kiryabwire, The Hon Justice Musa Sekana and Mrs Robinah Shonubi for Publishing in the area of ADR, I add my voice to congratulate them and explore all of us to do so.

In a bid to have a one stop center for ADR resource materials, the adhoc committee on ADR built a website that we are launching this afternoon. It is therefore important

that we publish any other literature for uploading on this website. The website will be managed by the Judiciary Technical advisor Prof Andrew Khaukha under the overall Leadership of the adhoc Committee

With these few remarks, I therefore launch the *Judiciary Alternative Justice System (AJS) Strategy and the ADR website*.

Hon. Justice Alfonse Chigamoy Owiny-Dollo
CHIEF JUSTICE