

50. **Alignment of Institutional and Sector SIP.** This recommendation related to the process of formulation and implementation of the Sectoral and institutional strategic Investment Plans. Lack of seamless alignment led to blurred lines in implementation and assignment of responsibilities. SIP III design process addressed this challenge through adoption of results based planning. The Sector Institutions jointly formulated the Sector Results Framework – and this has formed the premise for development of institutional plans.
51. **Management of Cross cutting Issues:** The MTE notes that “little attention was paid to cross-cutting issues. And this is a problem of both design and implementation processes.” SIP III has been preceded by a gender and vulnerability audit to address mainstreaming of gender concerns. In the same way children and vulnerability have been integrated through the design of the Justice for Children Project¹⁷. Poverty, conflict, environment and other cross cutting concerns too are addressed in the design process. The increase in gender based violence as demonstrated below will be an area of special focus under SIP III.

1.4 Higher Level Objectives to which the Sector contributes

52. JLOS SIP III’s strategic focus will promote a sector wide approach in line with the National Development Plan Objective 7. Drawing from the collection of institutional mandates, JLOS SIP III will: (i) strengthen the policy, legal and regulatory framework (through reform, harmonization and dissemination of priority laws, policies, procedures and standards; and enhancing public participation in reform processes); ii) enhance access to JLOS services for all particularly the vulnerable and iii) promote the observance of human rights and institutional accountability.
53. JLOS SIP III will help the country raise its levels of compliance with the constitutional obligations and particularly the Bill of Rights. It is recognized that the Sector takes the lead in translating the constitutional principles into law; and is also a means of recourse in redressing threats to constitutionalism in the country.
54. JLOS SIP III will improve Uganda’s fit in the East African Community Strategy and respond to government commitments in the East African Community, COMESA and African Union. JLOS SIP III will contribute towards positioning the country to take advantage of the benefits of the integration while ensuring protection of national interests.
55. Lastly JLOS SIP III seeks to integrate latest innovations in ICT to establish a strong technology platform to enable joint workflow across JLOS institutions at national and district levels, support M&E structures and knowledge management, and use ICTs to deliver real time information to system users, implementers and decision makers. These are premised in internationally recognized service excellence standards including the Global Justice Indicators for Justice for Children; the International Judicial Service Excellence Standards; International Standards for Policing and Correction Services as adapted to the national context.

¹⁷ JLOS Project with bilateral funding from UNICEF- Uganda.

56. The JLOS SIP III is a five year strategic framework designed to consolidate the achievements of the previous reform investments while shifting focus to service delivery through deepening the effectiveness and outreach of ongoing initiatives, and strengthening the unified framework for service delivery by JLOS institutions. JLOS is now well positioned to further exploit synergies and deliver increased results for the sector over the next five years.

Section 2: JLOS SIP III DESCRIPTION

2.1 JLOS Vision, Mission and Values

JLOS Vision:

“Ensure that people in Uganda live in a Safe and Just Society”

Mission

Improve the safety of the person, security of property, observance of human rights and access to justice for accelerating growth, employment and prosperity.

Values

1. **Participation, empowerment and ownership** through mechanisms that enable all JLOS institutions to access and control structures and processes that transform their outputs into desirable sector outcomes;
2. **Growth and equity in service provision** to remove the gender, age, social and geographical disparities in the distribution of benefits from JLOS SIP III investments;
3. **Deepening and strengthening de-concentration** in line with the overarching policy of moving political and governance structures nearer to the people;
4. **Transparency in the partnership; Accountability to stakeholders; and Excellence in implementation processes and outputs.**

2.2. JLOS Goal and Outcomes

2.2.1 JLOS Overall Goal:

To promote the rule of law.

The sector in SIPIII will primarily aim at promoting the rule of law and shall aspire to ensure that 70% of population of the people in Uganda are satisfied with JLOS services and that public confidence in the justice system is increased from 34% in 2008 to 50% in 2017

2.2.2 JLOS Outcomes

Three outcomes are envisaged at the end of JLOS SIP III and these are in line with the institutional mandates, the National Development Plan, the Constitution, regional and international country obligations:

Outcome 1: Policy, Legislative and Regulatory Framework Strengthened.

Indicators of performance

- 50% increase in proportion of the public confident in the enforcement of existing laws;
- 50% increase in the use of Alternative Dispute Resolution Mechanisms;
- 45% increase in target population with access to updated laws.

Introduction:

A strong, harmonized and consistent legal, regulatory and policy environment is conducive for national development and is a core public good under the mandate of the Justice, Law and Order Sector. This plays a critical role in enhancing productivity growth; improving country competitiveness and is a basis for socio-economic transformation. To improve the legal, regulatory, policy and institutional framework this component will provide support through the following outputs:

Output 1.1 the legal and policy environment underpinning JLOS Service delivery improved;

57. While considerable work has been undertaken to revitalize capacity of JLOS institutions, performance of a number of institutions is constrained by obsolete laws; inadequate procedures and/or gaps in both law and procedure and/or interference with institutional independence. JLOS will evaluate and investigate the legislation establishing its institutions and fast track the enactment and enforcement of priority establishment and operational laws and regulations attached under Annex 1. This list will be annually updated and approved through the JLOS management structures.

Strategies

- ❑ Evaluate, investigate and fast track the enactment and enforcement of priority JLOS institution establishment and operational laws and regulations, while giving special preference to laws that promote gender equality.
- ❑ Fast track the enactment of pending legislation through:
 - a) intra-sectoral advocacy;
 - b) support to idea champions;
 - c) NSA partnerships,
 - d) civic education;
 - e) development, adoption and implementation of legislative standards; and
 - f) Sector level compliance monitoring.

Output 1.2. The independence of JLOS Institutions Strengthened

58. In addition to the legal framework, JLOS will vigorously pursue the protection of the independence of its institutions through addressing root causes of institutional vulnerability. JLOS will facilitate the budgetary process and assist with securing of adequate financial resources for institutional operations and growth; promote proposals, monitor and advocate for the implementation of institutional recommendations for instance Uganda Human Rights Commission; Uganda Law Society; Tax Appeals Tribunal; Uganda Police Force etc. JLOS will ensure third party compliance with constitutional provisions and promote and maintain communication channels between all JLOS institutions and the State.

Strategies

- ❑ Support and secure adequate financial resources for institutional operations and growth;
- ❑ Promote proposals, monitor and advocate for the implementation of recommendation of constitutional bodies and court rulings and judgments:
- ❑ Ensure third party compliance with constitutional provisions; communication channels between all JLOS institutions and the State.

Output 1.3. Administrative Service Delivery Standards harmonized

59. The third related component relates to undertaking and support of administrative action to improve service delivery. All institutions will review and strengthen their service delivery standards in line with the JLOS SIP III results; inspection and oversight mechanisms with a view of harmonization and development of a body of simple, coherent and rights based service standards across the Sector. Under this component the Sector will build upon the existing Chain Linked Standards; institutional establishment and operational laws¹⁸; user and service charters; and the Universal Rights Regime across all sector areas of operation.

¹⁸ See the URSB Act; the Judicature Act; TAT Act, Trial on Indictment Act, Criminal Procedure Code; Civil Procedure Act; Magistrates Courts Act; UPF Act; UPS Act, JSC Act, ULRC Act, ULS Act; UHRC Act among others lay out the roles, functions, service delivery standards and units to oversee compliance by all institutions.

Strategies

- ❑ Develop a holistic justice system transformation policy for access to justice and JLOS services;
- ❑ Sector wide review and reengineering of service delivery processes to reduce red tape in service delivery.
- ❑ Review and strengthen institutional service delivery standards with a particular emphasis on access to justice for poor and vulnerable groups;
- ❑ Support to the Chain Linked Advisory Board to harmonize and develop a body of simple, coherent and rights based service standards across the Sector.
- ❑ Develop sector policies in key areas of access to JLOS services; accountability; human rights observance; gender and diversity; transitional justice; crime prevention; service provision to special interest groups; resource acquisition and management both human and financial and capacity development to enhance coordination under the one sector one policy framework and one voice approach.
- ❑ Set standards and develop an oversight mechanisms for informal justice and local council courts.

Output 1.4. The legislative and regulatory environment for the realization of national development objectives improved

60. This component relates to demand led improvements for new and improved legislation in response to socio and economic development priorities. Emphasis here is on enactment of strategic laws, policies and regulations. SIP III focus is on process, content and impact of legislation. SIP III will support the identification and generation of priority laws, policies and regulations taking into **account the national development goals and policies**. Specific preference will be given to gender based laws that address special categories of the population; and labor and employment legislation that drives economic growth. A not exhaustive list of priority laws under this component is included in Annex 2.

Strategies:

- ❑ Identify through participatory processes priority laws for reform across GoU sectors;
- ❑ Fast track enactment of laws under the National Development Plan;
- ❑ Accord special preference to outstanding bills in the legislative process;
- ❑ Accord special preference to gender based laws; labor and employment legislation.

Output 1.5. Enforcement of Laws improved

61. To improve enforcement of laws, JLOS will precede all legislative processes with comprehensive research, gender and diversity analysis; comprehensive strategies to promote public participation and user access to laws. The Sector message shall reinforce the recognition that service users have rights that need

to be recognized; that they have a voice in shaping the legislative, regulatory and policy environment; that they should be treated fairly and equally; and that they should benefit from the protection of the rule of law. The involvement of civil society organisations, consumer groups; different categories of private sector, intended beneficiaries and affected communities including the women, children and other vulnerable groups is envisaged under this objective.

62. In a bid to enhance enforcement of laws, JLOS will pursue a policy shift to ensure that enactment of laws is predicated on appropriation of resources for implementation; conduct legislation evaluative research and engage in policy advocacy with Parliament to enhance the latter's oversight role over enforcement of laws.

Strategies

- ❑ Simplify and make available updated laws, policies and standards to internal and external users;
- ❑ Develop policy predicating commencement of new legislation with appropriation of resources;
- ❑ Conduct pre-legislation and post –regulatory impact analysis on priority laws;
- ❑ Develop partnerships with academia; research institutions; human rights institutions; women's movements; child rights organizations; traditional and non-traditional groups to deepen the understanding of the informal justice system and innovate around linking the two systems.

Output 1.6. Transitional Justice Policy and Legislation enacted

63. Recommendations from a JLOS/UNDP Study¹⁹ in regard to Transitional Justice indicated the need for the creation of a conducive policy and legal environment for the implementation of transitional justice mechanisms, the provision of public information on basic human rights and land rights as a key strategy for improving livelihood sustainability of vulnerable groups, accessible and fair resolution of land and family disputes and the application of a multiplicity of approaches. The sector focus on transitional justice will strive to promote and uphold its key objectives.
64. JLOS will develop and implement a comprehensive transitional justice policy covering formal justice, traditional justice mechanisms and truth telling and reconciliation and the implications of amnesty. In addition JLOS will support the transitional justice mechanisms and build its service delivery in land, family and criminal justice to support the PRDP, KIDDP and the EHAP/UPF programs among others. The implementation process of TJ in Uganda shall be based on the provisions of the Juba Agreement, best practice, recommendations, innovation and consolidation of programs. JLOS will pilot District Land Tribunals in the four Districts of Amuru, Gulu, Kitgum and Pader, with specific integration of a bottom - up linkage with traditional institutions in Acholi region - through the Ker Kwaro Acholi traditional structure.²⁰

¹⁹ See JLOS/UNDP report; Transitional Justice in Northern, Eastern Uganda and some parts of West Nile Region 2009. P.vii

²⁰ See An Independent Mid Term Evaluation Report of the Second Sector strategic investment plan SIP II, p. 112, May 2010

Strategies

- ❑ National Transitional Justice Policy and laws: to include a legal framework on each of the following: truth-telling/national reconciliation, traditional justice mechanisms, and reparations;
- ❑ Witness Protection Law;
- ❑ Transitional Justice Outreach Strategy;
- ❑ Rules of Procedure—International Crimes Division of the High Court of Uganda;
- ❑ Witness Protection Guidelines;
- ❑ Guidelines for Prosecution of Sexual and Gender-based crimes.

Output 1.7. Informal Justice Framework strengthened and linked to the formal justice system

Strategies

- ❑ Develop a national framework for the practice of “informal” systems of justice to ensure conformity with human rights standards and a seamless co-existence of the formal and informal justice systems;
- ❑ Pilot studies in land, family and transitional justice to deepen understanding of the informal justice systems;
- ❑ Support the reinstatement of assessors in land and family dispute resolution mechanisms;
- ❑ Develop and build partnerships with academia; research institutions; human rights institutions; women’s movements; child rights organizations; traditional and non-traditional groups to deepen the understanding of the informal justice system and innovate around linking the two systems.
- ❑ Open dialogue on codification of informal justice norms and principles in land and family justice in selected pilot areas.

Output 1.8. JLOS compliance with; and participation in EA Regional Integration processes improved

65. The EAC Treaty; the EAC Development Strategy (2011/2012 – 2015/2016) bear member country commitments to roll out in a phased manner the four phases of integration namely the East African Customs Union; the Common Market Protocol; the Monetary Union and lastly the Political Federation. Due to the platform nature of the Phases of integration; delays in member state compliance and fulfillment of country commitments in one phase has an adverse impact on the pace of the regional integration process. The role of JLOS in creating a conducive legal framework for the free movement of labour, good and services; the elimination of non tariff barriers and specialized knowledge, skills and exposure to regional integration is vital if Uganda is to reap its due share of regional integration benefits. JLOS SIP III accords priority to discharge its role under this process through the following strategies:

Strategies:

- ❑ Prioritization of approximation of laws and Non tariff barriers identified under under the EAC;
- ❑ Create working partnerships with Ministry of East African Cooperation and participation in the National Implementation committee;
- ❑ Creation of a Regional Integration desk in the Ministry of Justice and Constitutional affairs;
- ❑ Technical support and capacity development of staff in negotiation and exposure to similarly situated regional integration processes;
- ❑ Development, adoption and implementation of a JLOS in EA Regional Integration Process Strategy and Plan to maximize benefits and reduce transaction costs;
- ❑ Spearhead and showcase JLOS reforms in the EA region and beyond.

Results under this component will be delivered primarily by the originating institutions; Ministry of Justice and Constitutional Affairs; the Uganda Law Reform Commission, Parliament, Uganda Human Rights Commission(UHRC), all JLOS institutions with the technical support of the JLOS secretariat and collaboration of Ministries, Departments and Agencies (MDAs), development partners and Non State Actors.

Outcome 2: Access to JLOS Services²¹ particularly for vulnerable persons enhanced

Indicators of Performance:

- ❑ Ratio of completed cases to registered cases increased to 125% by 2017
- ❑ Proportion of districts²² with a complete chain of core JLOS Services²³ and Institutions increased to 65% in 2017;
- ❑ Average length of stay on remand for persons accused of capital offences reduced to 12 months by 2017
- ❑ Reduction in transaction lead times for selected JLOS services including land and family justice dispute resolution; companies and trademarks; winding up of business entities; public complaints management; approval of GoU contracts and services to women and children.
- ❑ Incidence of crime for every 100,000 persons reduced to 300 by 2017

66. **Introduction:** This objective will support institutions to deliver services in accordance with the user entitlements and standards stipulated in the Constitution. This component will deepen investments made under JLOS SIP 1 & 2. New services under SIP III are services provided by the Industrial Court. A full list of JLOS services targeted for reform is attached as Annex 3. Vulnerable persons under SIP III includes persons whose access to JLOS services is limited by age; material and knowledge poverty; physical impairment; powerlessness; gender based barriers and may extend to minority groups;

²¹ See full list of JLOS Service attached as Annex 2

²² Districts operating as at 31st July 2011

²³ The core JLOS services targeted is policing, investigation, prosecution, adjudication and correctional services

Internally displaced persons; migrants; children; suspects and prisoners; refugees; persons living with HIV/AIDS; persons with disability among others. Improvements in service delivery under JLOS SIP III will target four areas.

Output 2.1. Rationalized physical de-concentration of JLOS services:

67. Under JLOS SIP III the key element central to this component is density, functional effectiveness and efficiency in resource use. To address **density** the Sector will improve the infrastructure; availability of buildings, libraries and other facilities; transport equipment; renovation and equipment of offices with basic equipment including computers; specialized equipment and ensuring availability of basic services such as electricity, water, communication facilities in each service point in an Infrastructure Development Plan to be developed and adopted in the first year of SIP III. JLOS will make its service points more accessible for people with disabilities, elderly people, children and vulnerable women as part of its Infrastructure Development Plan.
68. To address **effectiveness and efficiency** in JLOS service delivery; JLOS will categorize and classify its services into JLOS districts at national, district and the lowest levels under a JLOS Services functional De-concentration Strategy and Plan. Where institutional physical presence gaps exist in a geographical location, priority will be accorded to the supply institutions to close the gap and ensure presence of the right concentration of JLOS Services at all points of service delivery.
69. Both components above relate to infrastructure and capital assets acquisition. The Sector is currently in a position where the geographical distribution and equipment of its services does not provide access to all communities; and disproportionately so across institutions; services and physical locations. Conversely the Sector is cognizant of the heavy investment required to achieve full physical presence across the country while at the same time mindful of the need to strike a balance between capital infrastructure reforms and access to justice. This strategy will therefore direct the number of JLOS service physical infrastructure²⁴ that will be constructed annually as well as the location of these services.
70. JLOS will address the issue of **institutional functionality** through a sector wide capacity assessment and capacity development plan aimed at optimal utilization of resources to develop capacities to attain the SIP III results. Of particular interest to SIP III are leadership capacities; systems; staffing and staff capacities; tools and infrastructure and capacities to integrate cross cutting issues; rights based approach and results oriented management across the Sector.
71. Resource allocation: To fully realize its intentions under SIP III, JLOS will increase the resources both human and financial available at the **sub national implementation** levels across the sector. This will entail review of

²⁴ This includes works stations, special facilities including prisons, remand homes, border posts and courts; training institutions, staff residences and rehabilitation centres.

institutional structures; staffing requirements; jurisdiction and operational systems. JLOS SIP III intends therefore to increase the number of its staff at the levels of implementation including lower bench Judicial officers; prosecutors, probation officers; Immigration staff; surgeons and other specialists; community service officers; human rights officer etc; and increase the proportion of financial resources directed to the implementation levels. JLOS will restructure in a sector wide manner ensuring rationalisation of structures at national and sub national levels. In the same vein JLOS will consider expanding the autonomy of services like the administration of estates; regulation of the legal profession; execution of court judgments to accelerate institutional growth and by so doing access to JLOS services.

Strategies

- Develop, adopt and implement a Sector wide service delivery structure;
- Develop, adopt and implement a Sector wide Infrastructure Development Plan with special focus on JLOS district based on population and distance to JLOS services;
- Develop, adopt and implement a Sector wide De-concentration Strategy and Functionality Plan;
- Develop, adopt and implement a Sector wide capacity Development strategy including Human Resource Development; Infrastructure development; information systems development; gender and diversity responses; and Leadership Development among others;
- Increase the resources both human and financial available at the sub national implementation levels across the sector.

Output 2.2. JLOS House constructed, equipped and functional by 2017

72. In a bid to increase efficiency gains within the Sector, SIP III prioritizes the construction of the JLOS House to stem the hemorrhage of its resources into tenancy fees. JLOS will save an annual sum of not less than 5 billion UGX to actualize this intention by close of SIP III.

Strategies

- Earmark Uganda Shillings 5 billion annually out of JLOS budget towards JLOS house construction;
- Explore and secure efficiency gains within Sector operations;
- Support to fundraising drive by JLOS Leadership and Partners;
- Construct, equip and make functional the JLOS House at national level by close of 2017;

Output 2.3 Adjudication of Labour Justice improved

73. In a bid to increase alignment of Sector priorities to the National Development priorities; SIP III will accord priority to labour justice. JLOS will facilitate stakeholder consultations and dialogue to strengthen service delivery by the Industrial Court and the labor office.

Output 2.4 Service Delivery standards met and improved

74. The Sector institutions under SIP III will address the weakness identified in the MTE report of “closing the physical distance between the institutions and the poor but not between the poor and the law”. Institutions will address systemic weaknesses to reduce case backlog; including a poor service culture; day to day operational constraints that inhibit access to JLOS services including provision of basic tools of the trade; the necessary operational funds and customer service. Service to users will be tracked systematically across the system and institutions. All institutions will take appropriate measures to meet service delivery standards including initiation of special programs to clear backlog; promotion and roll out of alternative dispute resolution mechanisms; adoption of appropriate technology to further reduce lead times and appropriation of the requisite resources (both human and financial) to ensure services are delivered to the population in accordance with legal and operational standards.
75. Institutions will establish and sustain linkages and oversight over informal justice mechanisms. These include linkages and oversight over local council courts; informal justice mechanisms; labor courts and related services. Priority will be given to strengthening of Local council courts and effective linkage of informal means of dispute resolution with the formal mechanisms.

Strategies

- ❑ Build capacity of JLOS institutions and stakeholders specifically focusing on delivery on institutional mandates, human resources development, gender justice; infrastructure and facilities;
- ❑ Enhance efficiency of registration bureaus services and other registries through restructuring and automation;
- ❑ Expand the use of ADR mechanisms across the reforms with emphasis on the post –conflict areas. Particularly, interest will be on the development and implementation of regulatory framework and standards for ADR; train sector staff and enhance awareness of the public and users on benefits of ADR;
- ❑ Implement the case backlog reduction strategy, adopting alternative means of dispute resolution and strengthening legal aid provision. The protection of vulnerable groups and emphasis on gender justice and equality within the judicial system will be emphasized.

Output 2.5. User Empowerment Services improved

76. User support services will be taken as a key service in the drive to link users to JLOS services. Through increasing access to public education in the administration of justice; information desks, user guides; hold periodic service user dialogues, poor and marginalized users will leverage and take advantage of services offered by JLOS to protect their interests. Different approaches for the delivery of support services will be explored including implementation of the Open days policy and awareness weeks. Institutions will ensure that there are deliberate strategies to empower users to access JLOS services.

Strategies

- ❑ Public education on administration of justice;
- ❑ Support to develop, harmonise and deliver interpretation services;
- ❑ Public education on service costs and fees;
- ❑ Develop education programs to develop the para-legal function and related services to support local level service delivery.

Output 2.6. Vulnerability profiled and discrimination and bias in access to JLOS Services eliminated.

77. JLOS institutions under SIP III will give special consideration to children, poor women and men and other identified categories of users presently underserved by JLOS institutions. JLOS will track institutional performance in responses that vulnerable groups commonly access. These include administrative services particularly services by the Administrator General; Case management with particular reference to gender based crime; violence against children, land and family justice etc. The number of child victims of violence; women and men served by the justice law and order system, disaggregated by age, gender, location, rights violation/offence, JLOS institution, service and outcome by quarter will form part of the JLOS performance indicators. JLOS will identify gender focal persons in each institution and Invest in training and equipping them with practical tools for gender mainstreaming.

Strategies

- ❑ Implement programs to address age related, disability; HIV/AIDS and gender gaps in access to JLOS Services.
- ❑ Promote service delivery innovations including Justice Centers; Justice for Children; Paralegal services etc.
- ❑ Fast track the investigation, prosecution and adjudication of Sex and Gender Based Violence (SGBV) and Domestic Violence (DV) cases; cases involving children and showcase them as successful accomplishments.
- ❑ Legal awareness and empowerment

Output 2.7. JLOS capacity to prevent and respond to crime enhanced

78. JLOS will pursue the formulation of a national policy for crime prevention; strengthen the justice for children system; strengthen capacity of safety and security related agencies and focus on transitional justice, amnesty and the mobilization and reintegration of ex-combatants in accordance with the law. In addition, emphasis will be put on conflict assessment, conflict resolution and disaster management especially in conflict affected areas of northern Uganda, and Karamoja. The JLOS regulatory and oversight role over operations of Non Governmental Organizations will be strengthened. In addition JLOS will strengthen the capacity of safety and security related agencies through restructuring and training; to this end, re- equipping and re-tooling these agencies will be done. In addition, identification and

implementation of specific measures to boost rehabilitation of offenders including juveniles to reduce the levels of recidivism in the country will be paramount.

79. Human rights bodies have expressed critical reviews regarding JLOS management of public demonstrations, excessive use of force and arbitrary deprivation of liberty in cited incidences. JLOS will review its use of coercive force and support the intended transformation of the Uganda Police Force into a service oriented rights based organisation. In addition the Uganda Police will implement tactics and rights training for its officers and continuously report on measures taken to reduce the incidence of violence in the management of big demonstrations.

Strategies

- ❑ Develop, adopt and implement a National Identification System;
- ❑ Implement an intelligence led, integrated and comprehensive multi-stakeholder national crime prevention strategy; including reduction of illegal fire arms; increasing visibility of police; community policing; targeting of crimes including violent crimes; sexual and gender based crimes; crimes against children and other vulnerable groups; corruption; counter terrorism and traffic related deaths/injuries.
- ❑ Support to enhance information management, utilization and sharing across the criminal justice system;
- ❑ Innovate around victim support services and specialised units for special interest groups in the criminal justice system;
- ❑ Align and strengthen objectives, targets, performance measurements and capacities of actors in the criminal justice system;
- ❑ Modernise the criminal justice system through the development of tailored IT systems;
- ❑ Involve the community at large in the fight against crime with a focus on securing community participation in key issues such as policing; community service; offender rehabilitation; victim support services; parole etc
- ❑ Special support to improve policing of demonstrations and public events.
- ❑ Targeted support to improve investigation capacity; and to match infrastructure to set service standards

Output 2.8. Access to Transitional Justice (TJ) enhanced

80. To promote the public's access to services in the area of transitional justice, JLOS will undertake a holistic approach, which includes access to justice through formal and informal justice mechanisms. In part, the Sector will focus on the overall strengthening of the International Crimes Division (ICD) of the High Court of Uganda by providing necessary technical or logistical support; this may include ensuring the ICD is equipped to handle

cases of gender based violence (training and adequate regulatory/legal framework); the ICD is guided by a rules of procedure that conforms to international standards for the trial of international crimes, is equipped with an adequate research arm to guide its work. The development of a witness protection and victim support program at the ICD and equivalent measures adopted by the police and prosecution will be put in place to enhance protection of potential witnesses and secure their participation at trial. Equivalent support to the DPP is envisioned.

81. A robust outreach strategy will be implemented in order to ensure public awareness of their rights, promote public participation in the ICD and other TJ mechanisms to be developed, and disseminate information about the available remedies to be delivered by the ICD and other transitional justice mechanisms. These measures will be accompanied by the adoption of alternative justice mechanisms, which will complement the formal justice process by seeking to deliver restorative and reparative justice to victims for past human rights violations. Further, de-concentration efforts by the Sector will be applied generally, to include the establishment of transitional justice mechanisms in the most affected areas to enhance community participation in the design and implementation of these mechanisms and to promote the access to justice of the most vulnerable in society.

Strategies

- Promote alternative justice mechanisms in transitional justice
- Strengthen the formal justice system;
- Enhance public awareness and outreach program

Output 2.9. Legal Aid Policy and Law Implemented

82. The Sector will build on its work under SIP II to ensure a functional legal aid system that integrates the statutory criminal poor person defence system; standards for legal aid provision and complements the pro-bono scheme; and low cost models of legal aid.

Strategies:

- Make legal advice and representation available and accessible to all those who need it through the development, adoption and implementation of the National Legal Aid Policy and Strategy;
- Set up regulator for legal aid;
- Provide for Legal Aid Service Provider;
- Capacity development of Legal aid institutions.
- Legal and rights awareness programs
- Specialized services and service units;
- Promote the use of paralegals;
- Strengthen the pro-bono function of Uganda Law Society;
- Finalise, disseminate and implement ADR regulations;

Output 2.10. JLOS User- oriented Service Attitude inculcated

83. JLOS will pursue and support the transformation of its procedures by focusing on introduction and nurturing of a service culture among all its human resource and that of its partners.

Strategies:

- Compliance with standards
- Increase staff motivation to serve;
- Patriotism training and awareness creation;
- Pursuit of internal fairness and equity in resource allocation and incentive distribution.

84. Results under this component will be delivered primarily by the Sector Leadership and all institutions in the Sector with the technical support of the JLOS secretariat and collaboration of Ministries, Departments and Agencies (MDAs), development partners and Non State Actors.

Outcome 3: Observance of Human Rights and Accountability promoted

Performance indicators

- Proportion of Uganda Human Rights Commission recommendations adopted increase to 60% by 2017
- Reduction in human rights violations by JLOS institutions;
- Proportion of Auditor General's Recommendations that are implemented by JLOS institutions within a financial year increase to 80% by 2017
- Proportion of completed corruption cases to registered cases increased to 150% by 2017
- Proportion of pretrial detainees decrease to 45%
- 20% Reduction in the index of perceived corruption in JLOS by 2017.

85. **Introduction:** The Government of Uganda's long term objective is full respect for human rights. It is the responsibility of JLOS through legislation, management, dissemination of knowledge, information and other means to counteract abuses of human rights. JLOS will intensify the task of making institutions aware of their responsibility for ensuring that human rights are not abused, and of increasing understanding of what the national and international obligations mean. JLOS will pursue capacity development and role clarification to ensure that respect for, and awareness of human rights is seen as an attitude in the ordinary operation of their functions not as an added on. Human rights pursued thus will become binding obligations for institutional performance within each institutional area of operation.

86. These measures shall complement institutional management measures to address gender equality; non discrimination; rights of children, women and persons living with HIV/AIDS, persons living with disabilities among others.
87. Building on SIP II achievements the sector will promote observance and respect of human rights across JLOS institutions. The sector will also promote e-government, reduce fiduciary risk and ensure that human rights gender and social accountability measures are strengthened and mainstreamed in all JLOS activities.
88. The sector through its anti corruption strategy shall mainstream the National Policy on Zero Tolerance to Corruption and accountability in management of public services. This will include the utilization of ICT for greater disclosure and transparency; effective inspections and complaints mechanisms.

Output 3.1. Human Rights Observance in JLOS institutions promoted:

89. This output under JLOS SIP III will enhance human rights awareness and practice at institutional and Sectoral levels to reduce the incidence of human rights violations. The state working in partnership with both the Civil Society Organizations and the private sector will instill measures to reduce human rights violations by state and non agencies and individuals by developing national capacities of State and non State actors in applying rights based approach to service programming and delivery. Measures to realize minimum standards in conditions in detention facilities and across JLOS Institutions will be implemented including management of children living with in mates in prisons. Also during the plan period, additional detention centres will be constructed; emphasis will be placed on continuous training of JLOS service providers on human rights and the needs of people with disabilities, women, poor and vulnerable groups and children with particular emphasis on those in leadership and front line service providers. JLOS will promote the rights of victims and accused persons; work with civil Society Organizations and the Private Sector through Working Groups, User committees and pilot demonstration projects to promote the rights of victims and accused persons. JLOS will develop, adopt and implement the National Human Rights Action Plan and institutionalize human rights desks and complaints mechanisms across JLOS institutions.
90. JLOS will ensure that all bills presented to Cabinet and Parliament are rights compliant; that outstanding ratified Covenants and Conventions are presented to Parliament for domestication and that MoJCA and ULRC incorporate international and regional human rights law into national laws and that country reports to various treaty bodies are timely submitted by the various monitoring agencies.

Strategies

- Human rights awareness at institutional and sectoral levels;
- Instill measures to reduce human rights violations by state and non agencies and individuals by developing national capacities of State and non State actors in applying rights based approach to service programming and delivery;
- Strengthened inspection function.
- Establish sector Human Rights Coordination Office in MoJCA
- Strengthen human rights desks in all JLOS institutions
- Develop, adopt and implement National Human Rights Action Plan.

Output 3.2. External JLOS Accountability Promoted

91. The Sector will devise mechanisms to promote institutional independence and minimize extra –legal interference; review, develop and publicise harmonized transparent, fair, efficient and non-costly institutional and individual accountability mechanisms for violations of human rights norms; set procedures and practices; make public, information related to institutional policies; rules and procedures; operational and budgetary information; and implement the Sector wide communication strategy;

Strategies

- institutional independence and minimize extra –legal interference;
- set procedures and practices;
- make public information related to institutional policies, rules and procedures; operational and budgetary information; and
- implement the Sector wide communication strategy;
- Support to strengthen inspection function and internal complaints systems;
- Support to public interest litigation

Output 3.3. JLOS Internal Accountability promoted

92. Internal dissemination of institutional policies, rules, procedures, codes of ethics and systems of enforcement of discipline and individual accountability for errant behavior and human rights violations; Support to internal complaints handling mechanisms; Support to rewards and recognition of exemplary service regimes; Support to enhance internal capacity to enforce rewards and sanctions regimes; develop and implement institutional Peer Review Mechanisms in human rights observance and accountability; review and strengthen financial management strategy; develop a data base and make public external audit findings and follow up action; Pilot external independent oversight bodies to investigate individual cases of misconduct, conduct audits of institutional performance as a whole, with a view of rooting out systemic misconduct and corruption and to render institutional performance more transparent. JLOS will further ensure that

internal policy dialogue focuses on behavioral reforms and accountability for increased professionalism and increased service delivery.

Strategies

- Strengthen Internal audit function; and support JLOS audit Committee;
- Review, develop and publicise harmonized transparent, fair, efficient and non-costly institutional and individual accountability mechanisms for violations of human rights norms;
- Implement performance management system in Sector institutions;
- Internal dissemination of institutional policies, rules, procedures, codes of ethics and systems of enforcement of discipline and individual accountability for errant behavior and human rights violations;
- Strengthen internal complaints handling mechanisms;
- Support to rewards and recognition of exemplary service regimes;
- develop and implement institutional Peer Review Mechanisms in human rights observance and accountability;
- Review and strengthen financial management strategy;
- Ensure internal policy dialogue on behavioral reforms and accountability for increased professionalism and service delivery.

Output 3.4. Anti-Corruption Measures in JLOS adopted and implemented

93. JLOS will strengthen measures to reduce incidences of corruption; improve the environment and procedure for execution of court decisions through vigilant supervision of court bailiffs; developing standards for efficient and effective administration of justice; mainstreaming gender and human rights standards in the administration of justice; developing internal capacity to enforce regulations and lead awareness enhancement initiatives for the public sector on government liability and its implications for national development. In addition JLOS will implement the JLOS Anti-Corruption Strategy aligned to the National Anti corruption strategy and the Public Sector Reform initiatives including performance management, open government and access to information. The JLOS Anti Corruption strategy strives to enhance the sector capacity to prevent corruption; to strengthen the detection, investigation and adjudication of corruption cases and to promote and enforce effective mechanisms for punishment of those found culpable.

Strategies

- Investigate, prosecute and adjudicate corruption related cases both internal and external to JLOS;
- Support to evaluate and roll out Anti-corruption division of the High Court;
- Explore and exploit linkages to the Accountability Sector;
- Promote identified practices of prosecution led investigations;

- ❑ Capacity development of JLOS Anti-corruption actors;
 - ❑ Support to internal administrative mechanisms to locate, identify and punish corrupt activities;
 - ❑ Develop a data base and make public proven cases of corruption and follow up action by JLOS institutions.
 - ❑ Implement the JLOS Anti-Corruption Strategy
94. During the planning period, JLOS will continue lobbying for pay reform; strengthen institutional disciplinary mechanisms; develop procedural manuals; develop performance standards with set targets; promote the use of client charters and user guides at institutional and sector levels to enhance staff accountability.
95. JLOS institutions under SIP III shall establish an efficient and effective system and process for human, physical and information resource management. In JLOS SIP III the driver of interventions shall be development and implementation of a comprehensive and effective organizational and staff overall performance assessments systems undertaken annually at institutional and sectoral levels. The assessments shall not be used solely for sanctions but also for internal management dialogue and staff development aimed at improving overall performance. Considerations of improving efficiency of resource utilization and zero tolerance to corruption shall be central to resource management interventions.

Output 3.5. Accountability in Transitional Justice Promoted

96. The International Crimes Division of the High Court will contribute directly to achieving a greater degree of criminal accountability of key perpetrators of serious human rights violations, war crimes and crimes against humanity. Further, the adoption and strengthening of alternative justice mechanisms, in particular traditional justice practices and truth-telling mechanisms will be adopted to enhance alternative forms of accountability, and seek to deliver restorative justice to victims and perpetrators in the conflict. The Sector will focus on institution strengthening of key stakeholders to deliver timely judgments in all cases in post conflict areas.

Strategies:

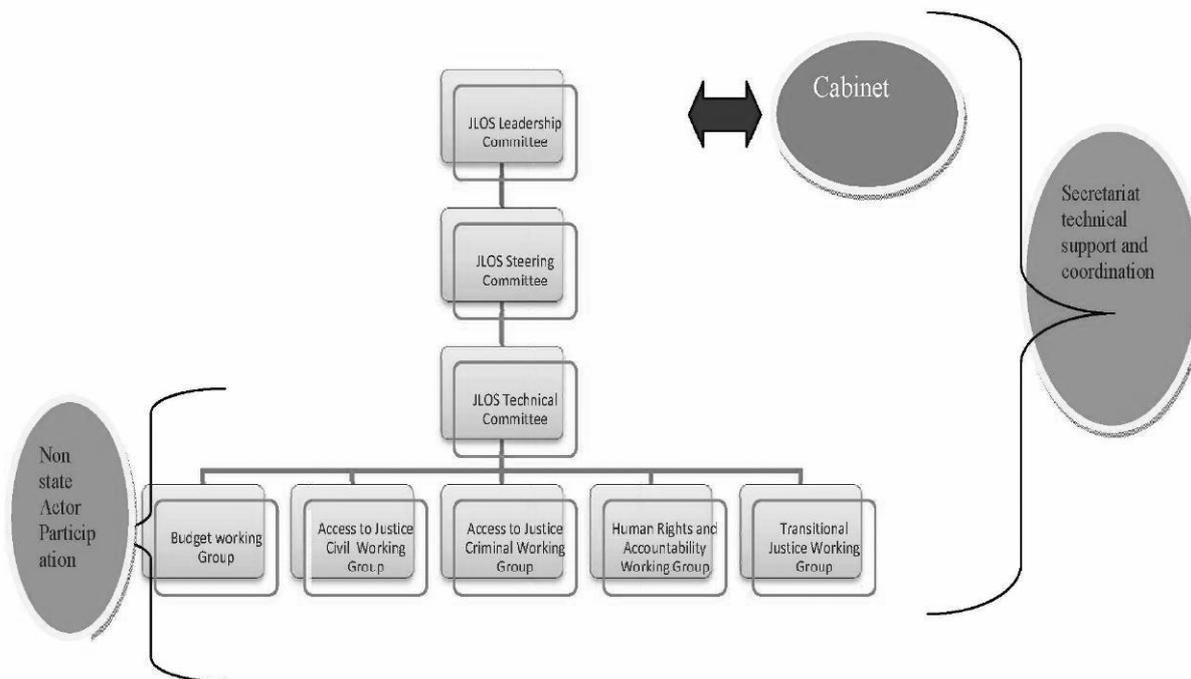
- ❑ Promote witness/victim protection and facilitate the development of witness protection guidelines, policy/law.
- ❑ Adoption of alternative justice mechanisms, including truth telling.
- ❑ Adoption of a policy on reparations.
- ❑ Enhance access to information by victims/ witnesses on their rights.
- ❑ Ensure the observance of human rights in all justice institutions in the implementation of transitional justice mechanisms.
- ❑ Strategic mapping and identification of affected communities so as to direct development programmes

Section 3: JLOS SIP III PROGRAMME MANAGEMENT

97. The JLOS SIP III will be implemented by the 16 institutions that comprise the sector along with Non-State Actor partners and development partners. In light of the strength and robustness of SIP II management structures, the SIP II structures have been retained and will be utilized to deliver SIP III results. Noteworthy changes are at the sub national levels of implementation with the creation of a Regional Coordination committee; the revitalization of the Chain Linked Committee and the reinforcement of the District Coordination Committees.

3.1 Management structure at National Level:

The Sector Management Structure under SIP III is illustrated below:



The JLOS Leadership Committee:

98. This is the Committee comprised of all heads of institutions- who are ultimately accountable for the delivery of JLOS services in the country and is responsible for political leadership and guidance to the sector. It is responsible for the articulation of the JLOS Vision and Sector development policy. The Leadership committee is comprised of the following officials:

- i. The Honorable the Chief Justice
- ii. The Honorable Principal Judge
- iii. Minister of Justice and Constitutional Affairs (MoJCA)

- iv. The Honorable Attorney General
- v. Minister of Internal Affairs
- vi. Minister of Finance, Planning and Economic Development
- vii. The Minister of Gender Labour and Social Development
- viii. The Minister of Local Government
- ix. Minister of State for Internal Affairs
- x. Minister of State for Justice/Deputy Attorney General
- xi. Director of Public Prosecutions
- xii. Chairperson of the Uganda Law Reform Commission
- xiii. Chairperson of the Uganda Human Rights Commission
- xiv. Chairperson of the Judicial Service Commission
- xv. Chairperson Steering Committee-(ex officio)
- xvi. Chairperson Technical Committee-(ex officio)
- xvii. Senior Technical Advisor- JLOS Secretariat – (ex officio)

99. The Leadership Committee may co-opt any institution(s); individuals; Development Partners or Non State Actors as deemed necessary to their meetings. The Leadership Committee will determine its rules of procedure. The Leadership Committee meets a minimum of two times a year.

The JLOS Steering Committee

100. The Steering Committee is the body responsible for policy formulation, coordination; fundraising, external accountability and quality assurance of JLOS results to the people of Uganda. It shall consist of the following:

- Solicitor General (Chairperson)
- Chief Registrar (Alternate Chair)
- Deputy Director of Public Prosecution(Management Support Services)
- Permanent Secretary, Ministry of Internal Affairs
- Permanent Secretary, Ministry of Local Government
- Permanent Secretary, Ministry of Gender, Labour and Social Development
- Permanent Secretary, Ministry of Finance, Planning and Economic Development
- Secretary to the Judiciary
- Secretary, Uganda Law Reform Commission
- Secretary, Uganda Human Rights Commission
- Secretary, Judicial Service Commission
- President, Uganda Law Society