



Statement on the Industrial Action by Judicial Officers

On August 25th, 2017 members of the Uganda Judicial Officers Association commenced industrial action. This was triggered by the failure of the Executive branch of the State to heed to the demands of the association issued in July 2017 for improvement of their welfare and working conditions. The industrial action has paralyzed work in the courts throughout the country. Needless to mention, several suspects remain in police cells and prison unable to have their day in court. Several commercial and civic disputes remain unresolved.

It is most unfortunate that matters have been permitted to escalate to a level where a whole arm of Government is constrained to resort to industrial action for the Executive to attend to its genuine demands and concerns. This should not have been the case if the Executive had attended to these legitimate demands of the Judiciary in time. We believe that a firm time-bound commitment given in good faith to attend to these demands in a phased manner in the short-term would have averted this industrial action.

It must be recalled that the Government has been unacceptably slow in attending to the past promises made to improve the conditions of service for Judicial officers by the President. It is also a fact that the Government has never acted on the previous recommendations of the Judicial Service Commission on this important matter. Equally disturbing is the fact that currently Government funds less than 40% of the Judiciary's budget and yet there is increasing demand for justice services by many citizens.

The Judiciary is not an ordinary Government institution. It is one of the three arms of Government and is the only one charged with the exercise of judicial power in Uganda. Like the other arms of government –the Executive and Legislature - that are well facilitated, the Judiciary is an equal and important arm of government deserving of all necessary support to execute its constitutional mandate. Ignoring their legitimate demands only serves to undermine the structure of our democracy.

The Uganda Law Society urges the Executive branch of government to demonstrate credible and tangible commitment to resolving this matter with the urgency it deserves. The Constitution commands all organs and agencies of the State to accord support to the Judiciary to ensure effective administration of justice. The Executive has to provide the written assurances necessary committing to the improvement of the terms and conditions of service of Judicial Officers in the short term, as an initial sign of goodwill to enable them go back to work. The budget of the Judiciary should be enhanced so that the Judiciary can discharge its constitutional mandate and administer justice effectively.

Relatedly, we also implore the Executive to ensure that the Administration of Justice Bill is tabled in Parliament and urgently passed as it is a springboard to solving many of the problems bedeviling the Judiciary.

We also appeal to the members of UJOA to have some flexibility in their negotiations with the Executive so that the innocent public does not unnecessarily suffer for a prolonged period.

Lastly, we request members of the Bar to advise their clients regarding these developments. The Uganda Law Society will continue to engage all stakeholders to ensure that this issue is addressed without further damage to the rule of law.

A handwritten signature in black ink, appearing to read 'Gimara Francis', with a vertical line through the middle of the letters.

Gimara Francis
President, Uganda Law Society

29th August 2017