

# MCJL 2020 ANNUAL REPORT



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## MESSAGE FROM THE BOD CHAIRPERSON

As a person who was present at the inception of this organisation, I am delighted with the work that has been accomplished including bringing access to justice and human rights onto the itinerary of rights holders and duty bearers. The focus of advocacy, research and litigation in this country has been moved beyond civil and political rights enjoyment, into the social and economic domain, including human rights.

As Chairperson of the Board of Directors, I am more than happy to be a part of such a resilient team. The 10 years' journey has aided the organisation to continuously grow and ground itself as a key player in the access to justice and human rights domain in Uganda. Congratulations MCJL! We are ever grateful to those who have walked this journey with us since 2012 as well as those who have come on board along the way in order to make it possible for the organisation to have a wider and deeper impact in Uganda.

MCJL has consistently worked through five major approaches in delivering its mandate in key areas that include; litigation, capacity strengthening, research, policy analysis, advocacy and institutional grounding. These have been strong pillars for the institution. I am also aware that an institution that does not assess its level of progress is not a powerful one. MCJL is different.

I am optimistic that with the end of this Strategic Plan 2016-2021 and launch of the new strategic plan 2021-2026 will aim at focusing on the lessons learnt and best practices adopted from elsewhere keeping in mind bringing on board new innovations, MCJL will move the frontiers and continue to strengthen its institutional capacity in the coming years. Institutional capacity strengthening will aim at realising strengthened governance systems, strengthened human resources and staff welfare, maintenance of robust monitoring, evaluation, learning and financial systems, strengthened resource mobilisation, quality assurance and risk management.

2020 was the first year of service for some MCJL's Board of Directors who were elected in July 2020. It has been a pleasure to serve as Chairperson of the Board alongside Dr. Sendagire Hakim (Vice Chairperson); Ms. Muniirah Mbabazi (Treasurer); Mr. Galiwango Hamzah; Mr. Kato Ahmed; Mr. Balinda Siragi; Ms. Mirembe Fatumah and Mr. Nyanzi Umar (Secretary). The team exhibited both innovation and dedication over the course of the year and has truly carried the best interests of the organisation on their hearts. The Board is confident that MCJL has the ability to promptly execute strategies which will enable the institution to attain future targets. We are indebted to our members, staff and development partners for increasing the reach and depth of MCJL's work over the course of 2020.

Yours;

Musa Kabega  
Chairperson BOD

*"At 10 years of existence, MCJL is still at the apex of its road map to achieve access to justice without discrimination for all".*

## MESSAGE FROM THE PRESIDENT

When I was elected President of MCJL by the BOD in January, I was honoured to be entrusted with the responsibility of leading an organisation with such a vital mandate. The 2020 Annual Report offers a vivid demonstration of the contribution of the rule of law and access to justice in sustaining peace and achieving just, equitable and sustainable development. In the next pages, you will see just some of the many results MCJL staff have achieved with our partners in some of the most complex and



challenging environments in the country. I am grateful to have inherited from my predecessor, Mr. Senganda Jaffer, a dynamic organisation with a presence and a powerful voice in support of the access to justice and gender equality. Over the course of my mandate, our priority will be to build on that foundation and continue the upward trajectory of MCJL, while navigating these extraordinarily turbulent times.

We will work to develop a forward-looking plan for the next strategic cycle that promotes a “people-centred” approach to justice through innovative and evidence-driven programmes, research and advocacy. We will seek to achieve the highest standards of accountability and transparency and reinforce our own capacities to deliver the change that our partners expect. Our goal is to help establish MCJL as a major change agent that can make a tangible contribution to building more peaceful, just and inclusive societies through the rule of law and help to catalyse progress towards the Decade of Action to achieve the Sustainable Development Goals.

We are now more focused on strengthening institutional capacity and operational efficiency to effectively deliver through restructuring management, creating stronger alliances, carrying out training and sensitising communities on legal empowerment and social accountability approaches. All this would not be possible without the support system of all our partners and networks in the various categories, the dedicated staff and an erudite Board of Directors. Thank you very much.

A great achievement is not the end of the road but rather the starting point for the next leap forward for the years ahead. MCJL pledges to continue pursuing its goal and I believe our footprints will show that we were here and left a mark, in our case, ensuring that social justice is realised by all.

I would like to thank the Board, Management and the hardworking staff for their commitment and dedicated service which has enabled us to continue to contribute to shaping the future. I thank the various stakeholders that we worked with and who have supported us at global, national and local level. Our continued growth and impact in programming, advocacy and community-development is evident and has been cemented by the various partnerships we have built over the years.

Lastly, I thank our development partners who have trusted us with their resources and without whom most of what we achieved would not be. We will remain steadfast to the promotion of gender equality as we pursue our development agenda of transformation and change. We will continue to count on the commitment and support of all stakeholders as we walk this journey!! *Aluta Continua!!*

Sincerely,

Umar Nyanzi  
President



## **ACKNOWLEDGEMENTS**

It would have been impossible for MCJL to do the work that we do and to have an impact on the realisation of human rights in the country, had it not been for the unwavering support of our partners and networks in Uganda and beyond. We owe our successes of 2020 to various organisations, communities and individuals.

Muslim Centre for Justice and Law (MCJL) is indebted to its partners both at individual and organisational levels; through coalitions, well-wishers for the financial, technical and moral support throughout the year 2020. MCJL is greatly beholden to the support from partners below and more:

### **OUR DEVELOPMENT PARTNERS:**

Democratic Governance Facility (DGF)

Trocaire Uganda

### **Our Networks**

The Legal Aid Service Providers Network (LASPNET)

The Domestic Violence Coalition

The Uganda Women's Network

The Coalition Against Torture

The Uganda NGO Forum

The Uganda Land Alliance

Uganda Law Society

The Gender Technical Working Group of the Uganda AIDs Commission (UAC)

Civil Society Coalition on Economic Social and Cultural Rights

### **OUR NEW PARTNERS**

URSB;

Uganda Insurers Association;

Insurance Regulatory Authority;

Kampala Taxi Operators Association;

Uganda Transport Development Agency and

Sharia Inheritance Services Uganda.

We appreciate the strong relationships that we have with our partner organisations and the fruit of pooling resources and expertise together that we enjoyed during 2020. We are also grateful to our network of service providers, government agencies and fellow activists who have supported our work during 2020. Special thanks go to all the individuals and organisations from our target communities who trusted us with their cases during the course of the year.



## ACRONYMS

ACHPR	African Court on Human and Peoples' Rights
ADR	Alternative Dispute Resolution
AGM	Advocacy group Members
CA	Community Activist
CAO	Chief Administrative Officer
CDO	Community Development Officer
CEDOVIP	Centre for Domestic Violence Prevention
CFPU	Child Family and Protection Unit
CID	Criminal Investigations Department
CLO	Community Liaison Officer
DCDO	District Community Development Officer
DGF	Democratic Governance Facility
DPC	District Police Commander
EAC	East African Community
GBV	Gender based violence
HRO	Human Rights Officer
IRA	Insurance Regulatory Authority
KOTSA	Kampala Taxi Operators Association
LAICON	Legal Aid Innovation Conference
LASPNET	Legal Aid Service Providers Network
LC	Local Council
MCJL	Muslim Centre for Justice and Law
NETPIL	Network for Public interest Lawyers
NGO	Non-Government Organisation
OC	Officer in Charge
PWDs	Persons with Disability



RDC	Resident District Commissioner
RPC	Regional Police Commander
SASA	Start Awareness Support Action
SDGs	Sustainable Development Goals
SISU	Sharia Inheritance Services Uganda
SRHR	Sexual and Reproductive Health Rights
UAC	Uganda AIDs Commission
UCLF	Uganda Christian Lawyers Fraternity
UHRC	Uganda Human Rights Commission
UIA	Uganda Insurers Association
ULS	Uganda Law Society
UMLAS	Uganda Muslim Lawyers Fraternity
URSB	Uganda registration services Bureau
UTRADA	Uganda Taxi Drivers Development Agency



## **MCJL'S PROFILE**

### **Vision**

A Ugandan Society that upholds universal faith-based principles in ensuring equitable access to justice, human rights and observance of the law.

### **Mission**

To facilitate observance of human rights, justice, peace and good governance through promotion of public interest, civil liberties and obligations under the law.

### **Core Values**

Respect for Human Rights

Tolerance and accommodation of diversity

Popular participation and Social responsibility

Collaboration and Team work

CELEBRATING High ethical standards and Professionalism

### **Our Approach**

We believe sustainable development is about cooperating with people, enabling them to get what they need because they are entitled to it. That is why we help people to stand up for their rights. Our practical, community-level work aims to demonstrate that alternatives are possible and that people can shape change. Working alongside our partners and allies, we create, implement programs and campaigns and provide legal assistance, while we advocate for systemic change as part of a worldwide influencing network. We are committed to using a human rights-based approach to guide our work, and we ensure that the people impacted by our programs are involved in decision-making ('nothing about us without us'). We use the evidence delivered in our programs to accelerate our influencing work and adapt our strategies and ways of working. We are open to and build new connections, expanding and deepening more equal partnerships. Adapting to new realities, we innovate and rigorously measure all that we do, in order to learn, relearn and improve the quality of our work; we mutually develop and share knowledge and expertise with our many partners, colleagues and donors. Together we promote human rights.

We work in a way which is passionate, principled, connected and collaborative.

*A Decade in promoting Human Rights for All*

## PROMOTING HUMAN RIGHTS FOR ALL IN UGANDA

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2020 in numbers



2019-2020

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## 1.0 INTRODUCTION

The year 2020 marked MCJL's 10<sup>th</sup> year in enhancing access to justice. It is also a unique year as the institution rolled out its old strategic plan 2016-2021 that builds upon the experiences, lessons and practices from the previous years. At 10, MCJL has experienced remarkable growth, innovation and learning but also challenges. During the year, MCJL continued to consolidate its gains from the past, while exploring new strategies of engagement as a means to institutional strengthening. Our work contributes towards the achievement of national, regional and global human rights frameworks. These include: The Constitution of Uganda; Universal Declaration for Human Rights and Sustainable Development Goals (SDGs).

The new management plan introduces a number of changes for the betterment of MCJL. These will also be rolled out in the new strategic plan 2021-2026. These are both at the Management and Programmatic Level.

### A. Management Level

At the management level, the plan envisions a filled-up office of the functional Human Resource office. This is a priority area of institutional development that MCJL would wish to have rolled out by 2021.

### B. Programmatic Level

At a programmatic level, the plan introduces a fourth programme Climate Change as well as changes in programme names for example from Research Advocacy and Information Officer to Advocacy Officer and Research and Information Officer.

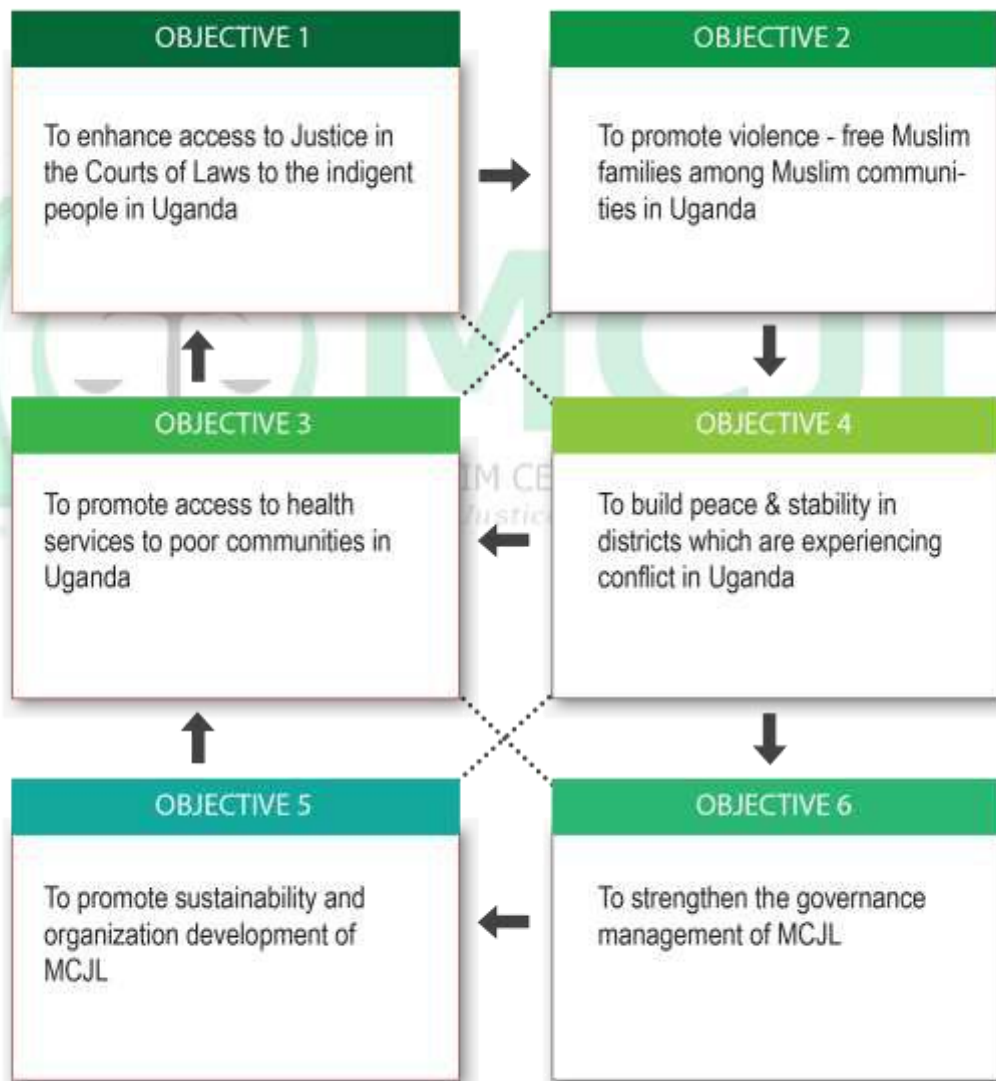
Over the years, MCJL and partners have carried out work on Climate Change and Sexual and Reproductive Health Rights (SRHR) albeit in silence. In 2020, MCJL introduced a methodology of work that it opts to roll out in 2021. A movement on Climate Change and SRHR was a missed opportunity for all years of doing work in this area. We are hopeful that in 2021, the institution will take forward the conversations that identify visible and invisible Climate change and SRHR issues.

MCJL continued with litigation including strategic cases like the Constitutional Petition No. 48 of 2017 Muslim Centre for Justice and Law & Anor. Vs. Attorney general challenging sections, 2(2), 34 and 42 of the Motor vehicle (third party risks Act Cap 214 and regulation 4 of the motor vehicle insurance (third party risks) regulations S.1 214-1; MCJL also filed Miscellaneous Cause No. 83 of 2020, Anatolius Byakora Vs. Royal Techno Industries Ltd, Attorney General and 2 others. The application is seeking for declarations among others that the actions of the Respondents in negligently exploring for geothermal energy around Kibiro, Hoima District with no regard for the health or environment of the local communities is a violation of applicable international environmental standards and articles 22, 26, and 37 of the constitution. We have also embarked on implementation of judgements made in Courts of law, identifying strategic partnerships among others.

## 2.0 MCJL'S INSTITUTIONAL GOALS AND OBJECTIVES

The overall goal of MCJL is  
Empower resource - constrained communities to sustainably realize their Human Dignity

Our new strategic plan 2016 - 2021 is guided by six (6) major institutional Objectives; which have been our driving force and these include.



### **3.0 PROGRESS ON THE PROGRAMMATIC WORK**

Under the programme, MCJL seeks to remain responsive to the changing and diverse needs of its target groups to ensure that Human Rights for all is sustainable. Two major programs were implemented:

- 1- Access to Justice
- 2- Women empowerment

#### **3.1 ACCESS TO JUSTICE**

As part of rolling out its strategic plan, MCJL is implementing a Project aimed at enhancing access to justice for the poor and marginalised through providing legal aid services, trained paralegals (Qadhi Court Adjudicators and Local Council Committee Members) and Police, creating legal and human rights awareness among others through the use of the ICT as well as advocating for Legal, Policy and Practice change as far as Muslim Family law relates to the formal justice system and reforms in the criminal justice system.

The Project uses a multi-pronged approach to raise awareness on legal and human rights, provide services for those that qualify for them and advocate for changes in some statutory laws hindering access to justice especially in the Muslim Communities, work with the different constituencies to develop guidelines to support the application of the Marriage and Divorce of the Mohammedans Act as well as the operationalization of the Qadhi Courts in Uganda.

Access to Justice Programme has employed a number of approaches. These have included legal aid, legal awareness/education, prison visits and community empowerment done through conducting trainings for justice actors, community sensitizations and lobby for law reform through national engagements as well as strategic litigation. A number of activities were done under these strategies as summarised below.





Figure 1: Paralegals Semi-Annual Interface training with the Legal Aid Manager

### 3.1.1 APPROACH 1: LEGAL AID

The strategy focuses on cases handled through court representation, Alternative Dispute Resolution (ADR) and legal advice. Litigation of cases filed in the past continued in 2020 and cases litigated ranged from administration of estates, land, labour, accident claims, domestic violence, among others as illustrated below;

Our team of 8 lawyers and 45 paralegals started 6,899 cases of which 6,053 were resolved. Lawyers started 581 court cases and resolved 43 most in our favor. 574 cases were handled through ADR of which 266 were resolved through mediation. 1196 walk in clients were advised and 65 referred to other legal aid service providers in areas where MCJL does not reach. MCJL also advised 418 clients via the toll-free line and 202 clients via the SMS platform whereas 50 people downloaded our E-law App (that contains the different laws of Uganda). Our community Paralegals started and resolved 3,325 cases; 388 through mediation, 2685 clients advised at Local council and mosque level.

The COVID -19 restrictions this year made our lawyers and paralegals unable to access the prisons, however they were able to access, interact and assist a number of suspects in police custody and at court through duty counsel. Accordingly, MCJL managed to advise 170 clients at police, reconciled 39 disputes and secured bond for 43 suspects.



Figure 2. MCJL Advocate conducting a successful ADR

### 3.1.2 APPROACH 2: COMMUNITY EMPOWERMENT

Community empowerment is more than the involvement, participation or engagement of communities. It implies community ownership and action that explicitly aims at social and political change. MCJL uses a multi-pronged approach to raise awareness on legal and human rights and also emphasises the use of the Human Rights Based Approach in all interventions.

The Community Empowerment Program aims at building capacities and resources for access to justice for all. Through this program MCJL mobilizes communities and works with existing community networks to create knowledge and awareness in order to bridge the gap between rights holders and duty bearers, to contribute to the realization of access to justice for all.





Figure 3. Community awareness on Kawempe Mbogo by the Human Rights Officer

### Strategies realized to achieve Program Goals:

- a) Strengthening existing government structures such as continued engagement with the Local Council Courts and the Police to deliver on their mandate.
- b) Conducting community sensitizations on legal and human rights issues
- c) Conducting Prison visits
- d) Establishing partnerships and providing capacity building on use of human rights-based approaches for Community Based Paralegals and key stakeholders at the local level.
- e) Holding annual Muslim Human Rights Conference
- f) Conducting Participatory Action Research (PAR)

On the 6<sup>th</sup> of August 2020, MCJL conducted a training of Qadhi Court and Local Council adjudicators on gender and human rights where 36 participants (20 male 16 female) from Mpigi and Butambala Districts were reached. The training focused on the right to fair hearing while adjudicating over matters in the informal courts. The participants were also trained how to write judgments as well as documenting proceedings.

On the 21<sup>st</sup> and 28<sup>th</sup> of August 2020, MCJL Conducted two semi-annual interface meetings with Muslim leaders from Kampala and Mayuge Districts where a total of 74 (32 male 42 female) religious leaders attended the interface meeting on Gender based violence. The

meetings focused on defining the role of religious leaders in preventing GBV as well as managing cases of gender-based violence especially during the difficult times of Covid-19.

On the 20<sup>th</sup> and 26<sup>th</sup> of August 2020, MCJL organized two justice user's meetings one in Kampala and another one in Mayuge District where a total of 19 religious leaders attended. The Justice User's Committee provide a platform for stakeholders in the formal justice system and informal Muslim structures to interact and harmonize their operations. They are charged with promoting Qadhi courts systems by making it more service friendly and appreciated by the formal systems through appropriate referrals. MCJL therefore deemed it important to empower the justice users' committees with knowledge about how the formal system works and how they can improve their service delivery to the Muslims who seek justice at their structures. In both meetings, the focus was on improving documentation and proper record keeping. MCJL believes that when records are well kept, it enables proper tracking of cases decided, creates system of precedents, facilitates research and presents an opportunity to correct mistakes previously committed through periodic reviews of cases already decided. Further still, documentation and filing enables record and data analysis that can be used to inform policy and legal frame work

MCJL also organized three legal aid camps in Butambala and Kampala (Kawempe Division) where members of the public were sensitized on a number of legal aspects such as land related issues, administering of estates, how to write a legally recognized will etc. A total of 462 (262 male, 200 female) community members were sensitized. In addition to the above, 400 community radio talk shows were conducted via 19 village radios 11 in Mayuge and Bugiri and in Kampala, Mpigi and Butambala. The talks shows were conducted by our community-based paralegals who addressed the public on a spectrum of legal matters that affect these communities.

### **3.1.3 APPROACH 3: CAMPAIGNS, PARTNERSHIPS AND NETWORK**

In 2020, MCJL continued to work creatively to promote, advocate and shift the normative discourse around the law and human rights. This has been through legal and policy analysis, lobby and policy influence, advocacy engagements, strategic communications, capacity building, nurturing and sustaining strategic partnerships and collaborations. This goes from grassroots, subnational, national, regional and global spaces to promote and advance human rights and social justice so that no one is left behind due to their social, economic, religious, cultural or political standing using the human rights-based approach as our guiding principle.

The year 2020 MCJL continued to reach out to its target constituents who include women, youth, men and the general public. MCJL has participated in a number of campaigns both alone and in partnerships with other organisations like LASPNET, CEDOVIP, URSB among others for instance on the 29<sup>th</sup> of March 2020, MCJL in partnership with LASPNET jointly advocated for the reduction of prison population in a bid to mitigate the negative effects of Covid-19. The government responded by releasing 883 prisoners upon presidential pardon.

On 4<sup>th</sup> August MCJL had a partnership meeting with the Uganda registration services Bureau (URSB). The meeting was intended to address challenges pertaining to registration of Muslim marriages. This meeting culminated into a draft memorandum of understanding between MCJL and URSB in which both parties commit themselves to work together to carry out sensitization campaigns within the Muslim communities on the need for registration of their Marriages. The MOU is now before the solicitor general for approval.

MCJL launched a legal aid Model in partnership with LASPNET in Omoro District Local government. The launch was a synopsis of legal aid services to the poor and vulnerable persons of Omoro who sustained the prolonged effects of war. During the launch, outcomes from the meeting with the then acting chief justice that was held on the 29<sup>th</sup> of July 2020, were shared and significance progress is being made towards establishment of magistrates Court in Omoro District. The people of Omoro expressed the desire for a legal aid services due to vulnerability and long distances to Court which hinders reporting and follow up of cases.



*Figure 4. MCJL President and LASPNET CEO launching the Legal Aid model in Omoro district*

MCJL was one of the Stakeholders that responded to the call for the expression of views by Parliament of Uganda on the draft succession bills of 2018 & 2019. In a memorandum that MCJL Submitted to the legal and parliamentary affairs committee of Parliament, we stressed that succession in Islam is considered as an act of worship and called upon members of parliament to appreciate this uniqueness.



# MEMORANDUM

## On the

### Ugandan draft Succession Amendment Bills, 2018 & 2019

#### By

## MUSLIM CENTRE FOR JUSTICE AND LAW

On 31<sup>st</sup> July 2020, MCJL conducted a press conference to address perceived criminality against Islam and Muslims. This followed media articles published in the daily monitor on 3<sup>rd</sup> July 2020 and new vision on 12<sup>th</sup> July 2020 which alluded that certain Muslim NGO's were funding terrorist activities. MCJL wrote to Uganda police to come out and clear the air on the allegations made and also wrote to the editors in chief of the above newspapers refrain from publishing content that not only promoted stereo types but also with far reaching consequences to a group of Ugandan citizens



Figure 5. President MCJL, Research Advocacy and Information officer together with Naguru Imam on the press conference on Islamophobia

MCJL conducted 12 radio talk shows on a number of radio stations in a bid to popularize our research work contained in a number of our reports and position papers. All of those reports and position papers feed into our advocacy for the need for operationalisation of Qadhi Courts under article 129(1) (d) of the constitution as the most effective remedy for access to family justice within Muslim Communities.



*Figure 6. President MCJL and Research Advocacy and Information officer conducting a radio talk show*

In the year 2020, MCJL was at the forefront of advocating for legal reform in the Motor vehicle (third party) Risks Act Cap 214. This particular law makes it compulsory for all motor vehicles to have Motor Third Party Insurance. The 1989 law limits maximum compensation for an accident claimant to 1 million shillings only and 10 million for a group accident. It excludes government vehicles from its operation and has many other loopholes. In this year MCJL held two stake holder engagements at hotel triangle one with transport associations and another with Uganda insurers Association. The meetings intended to bring all stakeholders on board for purposes of collective advocacy. Still on third party insurance, MCJL contracted Spark TV which aired a documentary on the plight of accident victims. The documentary aimed at creating public awareness about the gaps in the above law and to empower the public to demand for its reform.



Figure 7. Research Advocacy and Information officer during a Spark TV interview

On the 21<sup>st</sup> November 2020, MCJL Participated in the joint media brief Organized by NETPIL & UCLF and issued a joint statement on violence during the electoral process. The statement condemned excessive use of force by security agencies during election period. This was in response to the 51 Ugandans that were killed by security agencies while querying November riots which had arose as a result of arrest of presidential candidate Kyagulanyi Robert Sentamu.

On 23<sup>rd</sup> November 2020, MCJL Participated in a Domestic violence Coalition meeting organized by CEDOVIP. In this Coalition MCJL contributes to the access to justice cluster which focuses on advocating for laws and policies that aim at ending violence against women. In the meeting, the sexual offences bill was reviewed and recommendations were made to remove alternative punishments for judicial officers and to provide for minimum punishment for sexual offences as opposed to maximum punishment. It was also recommended that the employment Act 2006, be amended to make it compulsory for all employers to have a sexual harassment policy.

On the 15<sup>th</sup> & 16<sup>th</sup> of December MCJL participated in the thematic training on effective lobby and advocacy organized by LASPNET at Essella Hotel. The training enhanced skills of trainees especially in multi-layered political lobbying, problem tree analysis method, fronting the right holder strategy, emotion-based story-telling, self-care and reason-based framing and how to measure an effective advocacy strategy.





Figure 8. MCJL together with other LASPs engaging in a Lobby and Advocacy meeting organized by LASPNET



Still on the 15<sup>th</sup> and 16<sup>th</sup> of November 2020, MCJL Participated in the training of legal aid service providers and paralegals in the use of the integrated Information Management System and upgraded paralegal data and referral modules. It was organized by LASPNET at Essella Hotel. MCJL was represented by the HRO, ICT officer and 2 paralegals. It empowered them with knowledge on how to use the upgraded IIMS which includes referral pathway module for paralegals as well. They were given skills on how to use ICT for effective legal service delivery and how to use the IIMS for data compilation and management.



*Figure 9. Residential training organized by LASPNET on IIMS Utilization for LASPS and Paralegals attended by MCJL Paralegals, Human Rights Officer and ICT Officer*

#### **3.1.4 APPROACH 4: STRATEGIC LITIGATION**

MCJL is still tracking Constitutional Petition No. 48 of 2017 **Muslim Centre for Justice and Law & Anor. Vs. Attorney general** in the constitutional Court challenging sections, 2(2), 34 and 42 of the Motor vehicle (third party risks Act Cap 214 and regulation 4 of the motor vehicle insurance (third party risks) regulations S.1 214-1. The petition is challenging the minister's act of providing for the maximum amount claimable instead of providing for minimum as well as aggregate liability claimable per accident. The petition also challenges exclusion of claims arising from un-identified or uninsured vehicles. The petition has already been conferenced and MCJL has moved the constitutional Court to set the hearing date. We are hopeful that once this petition is successfully determined, it will accelerate legal reform



on Motor third party insurance where by many accident victims will be able to recover a comforting economic compensation.

MCJL also filed Miscellaneous Cause **No. 83 of 2020, Anatolius Byakora Vs Royal Techno Industries Ltd, Attorney General and 2 others.** The application is seeking for declarations among others that the actions of the Respondents in negligently exploring for geothermal energy around Kibiro, Hoima District with no regard for the health or environment of the local communities leading to explosions in which drilling mud, and crude oil spilled on the land of the local community, in air and flowed into lake Albert, disposing toxic wastes into the environment and local waterways, is a violation of applicable international environmental standards and articles 22, 26, and 37 of the constitution.

### **3.1.5 APPROACH 5: NATIONAL AND INTERNATIONAL ENGAGEMENTS**

MCJL has continued to provide staff opportunities to present work in various fora. These spaces have not only built their advocacy capacities at such levels but allowed the Institution to acquire knowledge on current trends and discussions around access to justice.

Expert Group Meeting on Human Rights, Sustainable Development Goals and Sexual Reproductive Health Rights organized by the World Health Organisation (WHO). This meeting was aimed at exploring linkages between human rights, SDGs and SRHR as well as to identify strategies and appropriate approaches to advocate for realisation of SRHR at the grassroots level, using human rights-based approaches and SDGs.

Legal Aid Innovation Conference (LAICON) on the theme “Exploring new innovations to enhance Access to Justice amidst COVID-19 pandemic” organised by LASPNET, HiiL and Barefoot law. The Conference was an effort into system change with a goal to get those involved in legal services to adopt technology and innovation for their work while showing great innovation. The Conference also had innovators providing cost effective legal aid models that can be applied and replicated within the justice system. The chief guest was His Lordship Alphonse Owinyi Dollo; the Chief Justice of the Republic of Uganda.

The 8th Annual Disability Rights Conference organised by the Centre for Human Rights and the University of Pretoria in 2020 November. The theme for this conference was “Realizing the rights to health of persons with disabilities in Africa”. The Purpose of the Conference was to provide a platform on disability rights concerns focusing on developing responses to overcome barriers faced by persons with disability in respect to their protection.

The Conference on privacy and data protection in Africa: Challenges and Prospects from 12<sup>th</sup> to 15<sup>th</sup> 2020 by the Centre for Human Rights, University of Pretoria. The Conference was organised by the Expression, Information and Digital Rights Unit in collaboration with the African Declaration on International Rights and Freedom Coalition (AfDec Coalition). The Conference aimed at improving privacy and data protection scholarship in Africa. The purpose of the conference is the momentum on data protection and privacy is increasing worldwide due to data and privacy breaches that have been witnessed.

The workshop organised by the Centre for Human Rights, University of Pretoria on the 2<sup>nd</sup> December 2020 to assess the status of implementation of the Maputo Protocol and Submission of State reports to the African Commission on Human and People’s Rights. The objective of the Conference was to critically assess the actions implemented by states, following the training received by their delegates, for the preparation and submission to the implementation of the Maputo Protocol. It also hoped that it will create an opportunity to sensitize other countries that have not yet ratified the Maputo Protocol to do so.

On the 25<sup>th</sup> of November 2020, MCJL organised a Colourful 3<sup>rd</sup> human rights conference under the theme” Enhancing access to Family justice, addressing the question of domestic relations legislation in Uganda.” The conference was an awakening call to the parliament of Uganda in particular and other stake holders to speed up the reforms in our existing family laws especially the operationalisation of Qadhi courts which is an urgent concern among the Muslim communities.



*Figure 10. The colourful Human Rights Conference graced by the Speaker of Parliament*

On the 26<sup>th</sup> & 27<sup>th</sup> of November 2020, MCJL Participated in the training on the universal periodic review process organised by Defend Defenders under the civil and political rights cluster. The training helped cluster members to appreciate the nature and working of UPR process and to also appreciate their role in this process. Members were tasked to identify different human rights violations under the ICCPR and report on the same for the 2016 to 2021 period. MCJL was tasked to report on the Muslim cleric Killings and closure of Madarasa Schools.

### **3.2 WOMEN EMPOWERMENT PROGRAM**

MCJL is implementing a Gender based violence (GBV) prevention project entitled peaceful and harmonious families in Omoro and Gulu districts from. The project uses the SASA (which stands for Start Awareness Support and Action)! faith approach (specifically in the Muslim faith) and its implemented through the religious structure to prevent violence against women and its connection to HIV covering the districts of Omoro, Lamwo and Gulu. The project is directly implemented by 3 change agents who include;

#### **3.2.1 APPROACH 1: COMMUNITY ACTIVISTS:**

These are community members who were trained to act as foot soldiers to sensitize the community on the benefits of harmonious living by preventing all forms of gender-based violence using a faith approach (of using religious texts in the Quran and the teachings of the Prophet (S.A.W) that speak against violence against women and girls). The CAs hold discussions with faith community members on the benefits of peaceful living in homes, sharing roles and responsibilities between men and women, alternatives to violence and balancing power in relationships. This is done to counter negative cultural norms, beliefs and practices that perpetuate violence against women. The community activist discussion is conducted weekly in different mosques in Gulu and Omoro districts using the various communication materials e.g., pictorial power posters, Muslim discussions on misinterpreted verses that perpetrate violence against women, sermon notes and radio talk shows.

#### **3.2.2 APPROACH 2: ADVOCACY GROUP MEMBERS (AGM):**

These are lay men and women in the community who are respected and educated; these were identified and trained by MCJL on GBV laws and Policies. The AGM's role is to monitor the implementation of GBV laws and Policies at the village level and the sub-county level. At the Village level they follow up on the commitment made by the LC1 on implementation of the GBV laws while at the sub-county level the AGM monitor stakeholders (CDO, Police and Health) on the implementation of the GBV laws and policies.

Furthermore, these raise awareness in the community on the domestic violence Act, the laws and responsibilities of the stake holders, monitoring the implementation of the GBV laws and policies at the sub county and village levels and they also do follow ups on the commitments made by the duty bearers at both the sub county and the village levels.

They also hold monthly meetings with various change agents to track progress of the roll out activities and their ability to facilitate sessions on engaging the faith community members to become aware of men's power over women. The major objective of this activity is to review the progress of the on-going roll-out activities about engaging men and women in the faith community in better understanding the problem of VAW and its associated risks to HIV. In the process the change agents in their respective monthly meetings discuss their successes and challenges during the roll out and come up with recommendations and way forward. The SASA team members support the change agents on how to overcome some of their challenges as well as taking them through training and practice sessions on skills building for raising awareness and understanding power imbalances, this gave the change agents more

knowledge and built their confidence to facilitate new knowledge and attitudes across the faith community they engage.

Due to the Covid-19 situation, lockdown and movement ban during the year, we secured a movement permit to allow us monitor and mentor our change agents. We also conducted phone mentorship especially on content masterly to improve their knowledge and skills in facilitating change within homes. We also had to change our ways of community engagement from mosques to house hold engagements that helped us continue working and reaching out to the community.

### 3.2.3 APPROACH 3: WOMEN CAUCUS:

These are women councillors at the sub-county level trained by MCJL. Their main role is to lobby for service delivery at the sub-county or council sitting. Furthermore, the Women Caucus also monitor the implementation of GBV laws and policies assisted by the Advocacy Group Members at the sub-county level; and also conduct awareness raising sessions to the community members on the existing laws and policies on GBV.

The Change agents' community engagement on a one on one and house hold engagement contributed to a successful result of positive change of attitude in the community. This was evident during the rapid assessment survey that was conducted with 288 community men and women showing that they had knowledge on VAW, 41% that is 59 / 144 women have a say in making key decisions at family level compared to 2019 that had 9 women having a say in making key decisions at family level.

Throughout this year, the Project managed to reach out to 1842 direct beneficiaries in 2020, 977 women and girls and 865 men and boys These numbers include the different change agents, task force committee, duty bearers, community men and women.24 Community activists (CA's) (11Female & 13Male), 30 women caucus, 653 Female engaged by the CAs, 587 Male engaged by CAs, 324 Females engaged by Advocacy group members (AGM), 278 engaged by AGM, 25Women & 25Male in their only spaces, 24 advocacy group members from Lamwo and Omoro ( 12 Female and 12 Male, ). Approximately 1800 community members (approximately 1000 Female, 800Male) where reached out through radio talk shows.





Female CAs conducting an activity in jamia mosque using the power poster

Women having a discussion during the CA engagement



#### **4.0 INSTITUTIONAL DEVELOPMENT**

Under this strategic objective, we would like to build an institution that is resilient enough to challenge the ever-changing operational context and power dynamics. As such, MCJL is employing seven (7) management priorities each specifying the outputs and outcomes as committed to under the strategic plan. These priorities are;

1. Strengthened Governance Systems;
2. Strengthened Human Resources and Staff Wellness;
3. Maintain Robust Monitoring, Evaluation, Learning and Financial Systems;
4. Strengthened Resource Mobilization;
5. Strengthened Communications and Media Engagements;
6. Quality Assurance and Risk Management and;
7. Explore Sustainability for MCJL.

In this section, we will explain the institutional development engagements for the year 2020

Staff capacity building: MCJL has concentrated on building staff capacities both internally but also ensuring that staff are exposed to regional and global engagements as part of building their capacities. We have participated in various national trainings and workshops as earlier discussed in this report.

Internally, MCJL staff capacities have continued to be grown in purposeful staff retreats. The retreats are purposely set to take stock of what we planned to achieve in previous years but also prioritise key issues for a specific year. It is during these retreats that we develop yearly work plans and identify partners to engage with during the year. Opportunities are provided to staff to get to learn more about the institution and the approaches it uses. In the 2020 retreat, staff capacities were built in human rights-based approach, Climate Change and community participation, among others.



Figure 11. The staff reflection meeting

**Mentorship programme:** MCJL has continued to nurture its staff capacity through a mentorship programme. We have found that these are crucial sessions that allow staff to grow in various fields that may not specifically be work related but which potentially affect staff performance. Staff are grouped and allowed time to engage with mentors and assessments done during the appraisal process.

**Internship programme:** The institution has continued to run its internship programme by attracting very brilliant students from various universities including the Jönköping University in Sweden, Makerere University through the Public Interest Law Clinic, Law Development Centre, Kyambogo University and Islamic University in Uganda. These add great value to human rights advocacy beyond having their capacities built in the same area.

**Strengthening MCJL's internal systems and control measures:** MCJL concentrated on building its systems. In 10 years of serving this country, the institution has worked towards ensuring that systems like the accounting system, management information and a case tracking system are built and utilised by staff. The management information system is not yet fully utilised as staff are still undergoing capacity development but we are happy to report that the other is fully functioning.

**Insurance and NSSF:** We have staff with rights. We also believe that as a human rights institution, we must abide by the law and lead by example. Our staff are all insured and the institution fulfils its National Social Security Fund requirements.

Quality assurance and control measures: MCJL has a fully functional quality assurance department. At 10 years of service, the institution found it necessary to have internal control measures as part of ensuring that it works differently and mitigates risks. The recommendations from various reviews are what MCJL bases on to ensure compliance.

### **Strategic Partnerships:**

MCJL engaged chief Magistrate of Bugiri who allowed MCJL lawyers to place a duty council desk at Court premises where they can advise arbitrate and assist litigants in Bugiri and Namayingo Courts.

On the 29<sup>th</sup> of July, 2020, MCJL conducted a strategic meeting with the then acting chief Justice his lordship Honourable Justice Owiny Alfonse Dollo. During this meeting, the linkages between Qadhi courts and formal courts especially challenges relating to implementation of decisions of Sharia Courts, contradictory judgements by judicial officers on matters pertaining to Muslim personal law, establishment of magistrates Court in Omoro District and generally access to justice concerns affecting the Muslim community. The acting chief justice pledged to work with MCJL in order to address the concerns especially within the Muslim community

MCJL engaged the office of the Solicitor General on issues pertaining to Qadhi Courts. In this vein, MCJL on 20<sup>th</sup> August 2020 shared her research reports and position papers including a baseline Survey on access to justice in Qadhi Courts, Position papers on Islamic inheritance, Gender responsiveness of Muslim adjudication systems in Uganda, guidelines for national service delivery framework in Muslim justice system among others. This engagement is one of the efforts by MCJL to lobby for the operationalisation of Qadhi Courts as enshrined under article 129(1) (d) of the constitution.

MCJL engaged the insurance regulatory authority (IRA) and Uganda insurers association (UIA) on access to justice concerns of accident claimants. This was done in a series of meetings where it was agreed that MCJL will partner with UIA in lobbying for passing of motor vehicle insurance bill 2016 which law addresses compensation challenges for accident victims.





*Figure 12. Lobby meeting for the Motor Third Party Act with Manager Legal and Compliance of Insurance Regulatory Authority.*

On 4<sup>th</sup> November 2020, MCJL worked out a memorandum of understanding with Sharia Inheritance services Uganda (SISU). The purpose of is to ensure that Muslims who choose to have their property distributed in accordance with Islamic law, there is a body of experts that can effectively handle this distribution while taking into account the human rights and fair distribution for all rightful beneficiaries.

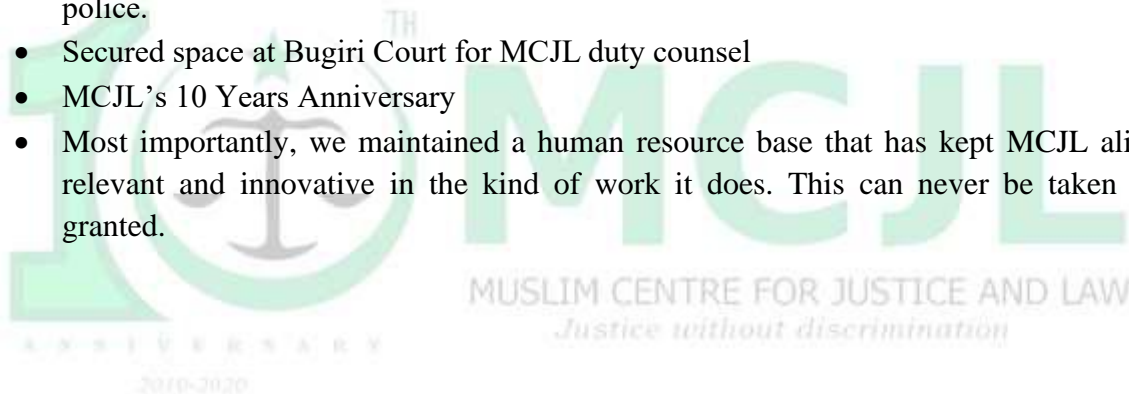
On 6<sup>th</sup> November 2020, MCJL responded to a survey conducted by The Women Pro Bono Initiative. The survey was aimed at assessing the role of paralegals and evaluating their effectiveness in offering legal aid to indigents in Uganda. MCJL currently has 46 paralegals spread over Kampala, Mpigi, Butambala, Mayuge and Bugiri districts.

On 14<sup>th</sup> of December 2020, MCJL had a meeting with the Top management of Uganda law reform Commission at the commission's board room. The purpose of the meeting was to be brought up to speed about the efforts being made by government to ensure operationalization of Qadhi courts and to see how MCJL can work with the commission to facilitate the process of operationalization of Qadhi Courts. In the meeting it was revealed to us that there is a Draft Qadhi Courts Bill, however it was noted that more stake holder engagement is still required to generate consensus since the Draft bill in its current form does not clearly represent the position of Muslims, yet this is the community in which this proposed law is intended to apply.

## 5.0 MCJL 2020 ACHIEVEMENTS

We registered numerous and measurable milestones in all our areas of operation summarised below;

- Conducted policy reviews and lobbied stakeholders and law makers on the need for legal reform in Motor third party insurance laws
- Engaged stake holders, policy and law makers on the need to accelerate reform in domestic relations related laws.
- Recovered UGX 81, 059,600 on behalf of clients through Court and mediations
- Recovered land on behalf of clients worth UGX 13,500,000.
- Created new and strengthened partnership with a number of stakeholders. Our new partners include URSB, Uganda Insurers Association, Insurance Regulatory Authority, Kampala Taxi Operators Association, (KOTSA) Uganda Taxi Drivers Development Agency (UTRADA), Sharia Inheritance Services Uganda (SISU)
- Meeting with RDC Mpigi paved way for holding mediations with security from the police.
- Secured space at Bugiri Court for MCJL duty counsel
- MCJL's 10 Years Anniversary
- Most importantly, we maintained a human resource base that has kept MCJL alive, relevant and innovative in the kind of work it does. This can never be taken for granted.



## **6.0 CHALLENGES FACED AND LESSONS LEARNT**

### **6.1 CHALLENGES FACED**

It goes without saying that we faced challenges during the implementation of some of the activities as follows;

- In cases filed against the Attorney General, no appearances were made in some of the cases that came up for hearing thereby leading to adjournments, the Attorney has not filed submissions and responses to some of our matters
- Faced a challenge of hostility from parties who did not want to accept service in cases filed against them.
- The biggest stone during the 2020 implementation was the Covid-19 pandemic in Uganda and the lock down that had a hiccup in the project implementation which made it difficult to collect process tools like the Outcome tracking tools during CA community roll out. this wasn't done due to the limited number of participants in an engagement that can't support the collection of OTTs and activity report forms

### **6.2 LESSONS LEARNT**

- We learnt that there is a lot of ignorance among the public on human rights and their application. Many people are unsure on how to identify a human rights violation and how to seek redress in case of a violation. This makes us a relevant institution in this country.
- It is important to initiate engagements with regional bodies and mechanisms like the ACHPR, the Pan African Parliament, and other structures like EAC among others to popularise our work and borrow experiences and best practices.
- In future trainings will be held out of Kampala and they will be residential to allow participants concentrate and avoid losing the time that they would have used to travel to the venue.
- We learnt that there is a need to do refresher training on counselling and opposition monitoring so that the advocates become more conversant and confident about countering opposition.

## 7.0 MCJL IN THE MEDIA



## 8.0 SOCIAL MEDIA ANALYTICS



18

VIDEOS  
UPLOADED



8,944

SOCIAL MEDIA  
POSTS



163,638

WEBSITE VISITORS

LAW



Social Media  
Analytics for 2020



## AUDIENCE GROWTH

 **11,838** Likes

 **403** Followers

 **163,638** Visitors



  
ANNIVERSARY  
2019-2020

MUSLIM CENTRE FOR JUSTICE AND LAW  
*Justice without discrimination*

# Engagement per month

JANUARY		FEBRUARY		MARCH		APRIL	
<b>JAN 2020 SUMMARY</b>		<b>FEB 2020 SUMMARY</b>		<b>MAR 2020 SUMMARY</b>		<b>APR 2020 SUMMARY</b>	
Tweets	Tweet impressions	Tweets	Tweet impressions	Tweets	Tweet impressions	Tweets	Tweet impressions
830		639		915		10	1910
Profile Visits	Members	Profile Visits	Members	Profile Visits	Members	Profile Visits	Members
5		1	2	81	10	119	26
New followers				New followers		New followers	
1				4		26	
MAY		JUNE		JULY		AUGUST	
<b>MAY 2020 SUMMARY</b>		<b>JUNE 2020 SUMMARY</b>		<b>JULY 2020 SUMMARY</b>		<b>AUG 2020 SUMMARY</b>	
Tweets	Tweet impressions	Tweets	Tweet impressions	Tweets	Tweet impressions	Tweets	Tweet impressions
10	2673	3	997	14	4306	29	5906
Profile Visits	Members	Profile Visits	Members	Profile Visits	Members	Profile Visits	Members
388	38	159	36	156	26	267	33
New followers		New followers		New followers		New followers	
30		21		20		36	
SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER	
<b>SEPT 2020 SUMMARY</b>		<b>OCTOBER SUMMARY</b>		<b>NOV 2020 SUMMARY</b>		<b>DEC 2020 SUMMARY</b>	
Tweets	Tweet impressions	Tweets	Tweet impressions	Tweets	Tweet impressions	Tweets	Tweet impressions
15	2899	24	5292	39	34.8K	8	3028
Profile Visits	Members	Profile Visits	Members	Profile Visits	Members	Profile Visits	Members
135	33	159	44	516	115	136	43
New followers		New followers		New followers		New followers	
18		22		38		19	



## Top Campaigns Hashtags

13 Online Campaigns

#HaveYourSayUG

#Human Rights Conference

#16DaysOfActivism

#MediationWeek2020

#AccessToJustice#A2J

#ProBonoDay2020

#Laicon2020

#StaySafe

#MotorThirdParty

#MediationTransformsLives



Social Media  
Insights





- HUMAN RIGHTS CONFERENCE
- MOTOR THIRD PARTY
- PARTNERSHIPS
- ROLE OF RELIGIOUS LEADERS IN MITIGATING ELECTION VIOLENCE
- COMMUNITY OUTREACHES
- QUARTERLY SUCCESS STORIES
- OTHERS

CELEBRATING:



Social Media  
Insights

MUSLIM CENTRE FOR JUSTICE AND LAW  
*Justice without discrimination*

ANNIVERSARY

2010-2020

## How we made News in the year - 2020



17  
Television  
Talk shows



435  
Radio Talk  
shows



11  
News paper  
Articles



20  
Online  
Campaigns