



UGANDA LAW SOCIETY

PRESS REMARKS ON RECENT EVENTS IMPACTING ON THE RULE OF LAW IN UGANDA ULS BOARD ROOM 24TH MAY 2016

BACKGROUND

The object for which the Uganda Law Society is established amongst others under Section 3 of the Uganda Law Society Act is to protect and assist the public in Uganda in all matters touching, ancillary or incidental to the law. The society was also set up to assist the Government and the courts in all matters affecting legislation and the administration and practice of law in Uganda.

The journey of Uganda's political and constitutional instability is well captured in the preamble of the 1995 Constitution. In many respects the preamble provided for our collective commitment to building a better future by establishing a socio economic and political order through a popular and durable national constitution based on principles of unity, peace, equality, democracy, freedom, social justice and progress.

In line with our mandate we want to comment on the following matters that in our view are a draw back on this commitment:

1. The Uncalled For Pressure On Courts To Settle Political Disputes

We have noted the increase in pressure on the judiciary to handle disputes that essentially require political as opposed to legal solutions. We understand from our membership and the general public that the various persons have been arrested including our members and others charged on charges, that are largely politically motivated and which should not have been brought to courts of law. It goes without saying that the courts are not the

appropriate avenues for complete resolution of political disputes.

We understand that various people are languishing in prisons as a result of the above.

2. The ULS has noted that during and immediately after the just concluded presidential and parliamentary elections, there was an increase in clampdown on fundamental rights and freedoms. This was exemplified by shutting down of social media and banning of the press from reporting certain events. The media remains a very critical aspect of our democracy and the benefits of a free media cannot be over emphasized in a democratic society.

Our appeal is as follows:

1) To The Government

Not to bend the law to settle political disputes. It is time for the Government to tone down on its aggressiveness and to adopt a more inclusive, tolerant and conciliatory approach.

2) To The Judiciary

We urge the Judiciary to exercise the independence expected of it under Article 126 of the Constitution and to dispense justice without fear and favor so justice is not only done but seen to be done.

3) To Key Political Actors

The Electoral cycle has been concluded and the process of disputing the elections under Ugandan Law has equally been concluded.

While it is understood that you still have grievances, we urge you to pursue the same within the law and the use of extra constitutional means in resolution of disputes should be avoided.

Conclusion

The key political players are requested to seriously consider the option of dialogue as a means of resolving the political disputes. Let us remember the history of Uganda and where Uganda has come from.

Yes there are some problems with our electoral democracy but we cannot resolve them by a win lose approach.

The Uganda Law Society remains committed to upholding constitutionalism and the rule of law. We will work with all stakeholders to ensure that the rule of law is promoted.



Francis Gimara

President ULS

24th May 2015