

JLOS Development Partner Group's assessment of the JLOS Annual Progress report for 2013/14

General observations.

- Development Partners would like to thank and commend JLOS for the efforts and the work done during the reporting period. We would also like to appreciate the JLOS secretariat for putting together this report and for ensuring that the JLOS institutions deliver on their progress reports well in time.

Reporting and Analysis

- We commend the sector for continuously presenting improved quality of the reports in terms of structural presentation, comparative data and statistics and presentation of outputs and outcomes as well as illustrations in form of tables and graphs for easy reference. However, more **in-depth analytical reporting** against the SIPIII is still not sufficiently done.
- The report still lacks critical analysis of outputs and outcomes to ensure that these translate into real gains for the sector and for the beneficiaries /users of JLOS services. The analysis should be able to provide a deepened assessment of the effects of the activities undertaken. This is a critical area for improvement if we are going to change and improve on the perceptions as well as increasing public confidence in the sector. In general, results based reporting is still lacking. Going forward, we would like to see more results based reporting as this can provide in-depth information on the sectors impact to the population.
- It would also be important to provide footnotes to support the data and figures provided especially explaining sources and origins of these statistics and the basis for their contribution.

The M&E Framework

- Now as we have an M&E framework in place, we would like to see increased use of the M&E framework by all JLOS institutions. While some of the institutions have reported against targets and indicators as provided in the M&E framework, others have not fully harmonised their reporting with the existing targets and indicators in the M&E framework. Some tables lack information on targets especially relating to MoLG and MGLSD. We would like to encourage these institutions to provide data to the secretariat to enable comprehensive reporting. This is very crucial if we are going to be able to effectively track progress of the sector in its totality.

Sector Service Delivery

- It was reported that 47% and 60% of the JLOS institutions have client charters and strategic investment plans respectively to guide the delivery of services. However, we have not seen these mentioned Client Charters and User guides. Also we note that it's only the Judiciary that has been able to develop and operationalise institutional anti-corruption strategy. The report should clearly indicate which institutions have these in place and how they are using them as well as showing how they have been able to help in the improvement of service delivery in the sector.

Sector Challenges

- We appreciate that the sector was able to highlight general challenges in the report. However, the sector should have proposed mitigation measures and plans to address them. .

Development Partners rating.

As we agreed, and following from the last years approach, two colours have been used. **Red** for unsatisfactory, and **green** for satisfactory.

Specific observations

Outcome 1: Policy, Legislative and Regulatory Framework Strengthened

The overall assessment of outcome 1 has been assessed as **Green (satisfactory)** although this was difficult to rate. It could have gone either way.

- There is better reporting in terms of structure making it easy to follow interventions undertaken.
- However, generally the report/section lacks analysis of interventions reported and seems to focus on merely activities and less on impact.
- While several activities are reported, there seems to be no significant progress on improving the legal and policy environment starting from the number of bills enacted being relatively low while several others still at draft stage and enforcement processes not being concretely aligned to SIP III targets.
- In terms of overall assessments of the section visa a Vis targets, the achievements are average.

- Generally the section lacks analysis of interventions reported upon and seems to focus on merely activities and less on impact.
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1.1. The Legal and Policy Environment Underpinning JLOS Service Delivery Improved

- There is generally a marked improvement in the structure of reporting on laws worked on although actual progress reported on the prioritised bills is still relatively low with only two bills enacted as indicated in Table 1.
- Majority of the laws are still stationed at Cabinet or at study completion, which is at the same stage they were reported on last year. Perhaps going forward, JLOS should consider adopting some guidelines spelling out average timelines a bill should be considered at each of the different levels of the legislative process which can serve as a performance standard to improve the handling and processing of legislation.
- For ease of reference, DPs encourage JLOS to consolidate all updates on laws in a matrix that highlights; the specific law, its status and time spent at that stage, the responsible agency, any issue affecting its progress and general remarks.
- There is also lack of consistency in reporting on laws in the successive annual reports with some laws highlighted in previous reports being omitted in the current report without explanation e.g. the Omnibus Amendment Bill and the Penal Code Act review.

1.2. Independence of JLOS Institutions Strengthened

- There is a need for strengthening independent institutions as a matter of priority. DPs note that the Administration of Judiciary Bill is a crucial framework for independence of the judiciary but has been under consideration for a long time. It would be good if JLOS can explain the reason for the delays. And an indication as to when deliberations will be concluded to pave way for its submission to Parliament.
- Specific measures relating to strengthening independence of JLOS institutions are generally lacking in the report – this section or interventions in this area need to be

reinforced in future reports. In addition to highlighting the problems/challenges, more concrete measures need to be undertaken provided.

- The report highlights meetings between the bar and bench aimed to discuss best practices – it is important for DPs to know what conclusions were reached and what actions need to be undertaken arising from such meetings. The report should indicate how these meeting contribute to strengthening judicial independence and all JLOS institutions.
- Additionally, the report should highlight the challenges linked to the continued delay in the appointment of a substantive Chief Justice and Deputy Chief Justice. How is it affecting the independence of the judiciary and JLOS in general?
- Regarding the mentioned shortages of key staff in JLOS institutions the report should clearly indicate how this affected performance of institutions and their independent functions since the sector does not have the responsibility to appoint and discipline these staff. What is the sector doing to address the constraints in filling the vacant positions? What level of engagement has JLOS had with Public Service Commission on this issue?

1.3. Administrative Service Delivery Standards Harmonised

- This has been assessed as **Green** but we had strong reservations especially due to inadequate reporting on areas of progress despite DPs understanding that several interventions have been made in this area which the report does not highlight adequately.
- DPs note the efforts made by JLOS institutions in developing client charters despite the varying levels of progress which is generally below target. It would be useful to report why some institutions are lagging behind and for those that have the client charters, to indicate if they are being used. If so, what is the effect of these charters on improved service delivery? Concrete outcomes should be indicated here. Related to this, DPs reiterate our request for client charters to be shared and made available for everyone. More information on how JLOS is ensuring their harmonisation should be provided.
- DPs observe the inconsistency in the use of the different terminologies such as service delivery standards, client charters, user standards which are confusing. There is a lack of clarity as to whether these service standards have actually been clearly spelled out and whether institutions are aware as to which service standards fall within their mandates. We would like to request the sector to provide a

comprehensive list of service standards by institutions and how the sector will ensure that all these are harmonised.

- In addition, the output does not provide any update on efforts undertaken in enforcing these standards.
- Some activities reported under this section do not indicate results but projected activities that are cut and paste from SIP e.g. on p16 it is stated “...compliance with codes of conduct will be met and service delivery standards will be popularized and enforced’, demonstrating that there is no progress to report.
- The development of Sentencing Guidelines was a commendable achievement reported in the previous year, this year, it would be useful for the report instead of repeating the same development, to explain how the use of these guidelines have improved judicial sentencing practices. For example, more detail on how have these guidelines have affected the resentencing cases arising from the Kigula ruling would be helpful. What plans are underway to extend these guidelines to non-capital offences?
- DPs acknowledge the increased prioritization of ADR processes, perhaps more useful to indicate in this year’s report is the status of the roll-out of ADR in different parts of the country as well as the percentage of cases that have undergone mediation processes as an innovative strategy aimed at reducing case backlog. How has this contributed to a reduction in case backlog?
- DPs commend the progress made in the further roll-out of small claims courts in additional districts, perhaps going forward, the report should be able to indicate or avail statistics on the percentage of cases being handled under those procedures.
- Additionally, it is commendable that the DPP developed a draft Prosecutors' Standards manual for handling children and Sexual Gender Based Violence. However, what is the status of this and how is it being used?
- The goal of harmonizing administrative service delivery standards through Mutual Legal Assistance with neighboring countries is critical although we note priority must be placed on strengthening such initiatives within JLOS institutions as is targeted under the JLOS SIP III.
- Generally, the output report is focused only on the judiciary rather than the broad 17 sector institutions – this calls for more added attention by all the JLOS institutions.

1.4. Legislative and Regulatory Environment for Realization of National Development Objectives Improved

- DP's have assessed this as **green** although we take note that there was lack of sufficient information on key developments to enrich this section.
- DPs appreciate JLOS for its engagement in the process of developing the NDP II and specifically contributing to the development of the NDP II through an issues paper.
- DPs would like to know more about the outcome of the evaluation of the NDP I in respect to the sector's contribution to national development and propose that this should have been incorporated under this output for a more comprehensive outlook.
- Additionally, it is important to identify which laws need to be prioritized necessary for national development objectives and what progress has been made towards their enactment?
- The report could better explain the gender based laws being given priority by the sector and how far these have gone in the legislative process. Previously, JLOS reported in 2012 efforts towards developing a gender mainstreaming checklist to guide legislative drafters, how has this been used to improved content in bills currently being drafted?
- We note progress made in relation to the list of laws reported on p.20 as enacted although it is inconsistent with what is reported in Table 1 on page 10 regarding the status of prioritized laws

1.5. Enforcement of Laws Improved

- We note the increased interest by the sector to engage public stakeholders in law enforcement and would like to encourage more detailed reporting with examples on the actual strategies being used. We understand that some of the weaknesses of SIP III become more and more apparent in this area because the strategies indicated have no direct implications on the real outputs. We hope that the Midterm review will be able to address these inconsistencies and are keen to see this process started.

- DPs also commend the sector for the increased registration service points established at different levels to improve access of services to the people in relation to births, marriages, Business registrations among others.
- Generally, enforcement of all laws and analysis on impact needs to be clearly reported on.
- Enforcement on some laws with human rights implications such as the Public Order Management Act and the Anti-Pornography Act needs to be highlighted under this section particularly as the regulations have not yet been developed.

1.6. Transitional Justice Policy and Legislation Enacted

- DPs note progress in engaging policy makers in benchmarking visit on TJ. The report however does not provide useful information on the outcome of the visit and how it has impacted current thinking around the TJ policy.
- DPs continue to remain concerned by the slow progress on the TJ process amidst the reinstated amnesty regime and the pending approval of the policy framework by Cabinet as we advance towards election period. What could be the reason for the delay by the Supreme Court in issuing its judgment on Kwoyelo's case?
- The process of reporting on TJ should be harmonized for both outcomes so that there are no repetitions i.e. outcome 1.7 and 2.8.

1.7. Informal Justice Framework Strengthened

- The section could benefit from highlighting what specific innovative practices JLOS intends to exploit towards strengthening coordination between formal and informal justice systems to build confidence in the justice system and enhance fair and effective access to justice for the local population.
- It seems there is no progress to report in relation to harmonizing land administration under the customary system and the formal statutory system. Interventions in this regard need to be clarified or reinforced in the next reporting period.
- The report mentions that one of the major challenges is the delay in Local Council elections and this has been a recurrent challenge since many years back. We urge that this needs to be urgently addressed especially since the sector is investing in capacity development of LC Courts who could change after elections.
- In this regard, we are happy to note the ongoing capacity building initiatives targeting Local Council Courts although the report does not specify the level of

LC courts targeted in light of the prevailing concerns of the illegal existence of LC I and IIs.

1.8. JLOS Compliance and Participation in EAC Regional and International Integration

- This has been rated **Green** but it should be noted that DPs found it difficult to assess. We appreciate the sectors engagement in the EAC integration process. But it would be good to indicate the outcomes of the meetings undertaken and whether they add value to the sector.

Outcome 2: Access to JLOS Services Particularly for Vulnerable People Enhanced.

- Again this was a difficult area to rate. It could have gone either way: red or green. We have rated the outcome **Green**, but we stress the importance of making more improvements and progress in this important area which is at the core of the sectors main business Access to Justice has been a perennial underperformer and this is the core of JLOS services. While we appreciate the laws and other infrastructure improvements, we need to see that the actual access to justice for ordinary Ugandans has actually improved and most especially access to justice for vulnerable persons.
- On many of the outcome areas in this section (except for 2.1, 2.4, 2.6 and 2.7), there are no proper tables with indicators and targets to make our assessment as objective as possible.

2.1. Rationalized Physical De-concentration of JLOS Services

- We would like to commend JLOS' initiative on the installation and rehabilitation of special ramps in Arua, Fort Portal, and Kasese Courts to ensure that service points are accessible to the elderly people with disabilities.
- DPs note significant progress in this area. We note the fast tracking of the completion of constructions in different jurisdictions. Under this output, the

emphasis is on construction of buildings to increase access to justice. However, we would like to stress the importance to operationalize the functionality of all new Mini JLOS structures upcountry as soon as the construction is finalized, with the required equipment, tools and skilled staff to maximize value for money and to avoid deterioration of the buildings while they are unoccupied. For example, here we would like to note that almost a year since the Moroto Mini JLOS was launched in February; it has not been furnished or used by the sector staff and the people it is meant to serve.

- The report mentions an increase in total prison population: from 38158 in July 2013 to 41516 in June 2014 with a 260% occupancy rate. However, it is also reported that there was a lower crime rate in 2013/14. We would expect with a lower crime rate that the prison population would also reduce. As per the service delivery standards, the police should work closely with the DPP and not arrest and detain until the investigations are finalized and conclusive. We believe that a change in attitude in the police force is required to adhere to these standards. Also, whenever possible, the Judiciary should be encouraged to offer petty offenders Community Service Orders instead of sentencing them to prison.

2.2. JLOS House Constructed, Equipped and Functional by 2017

- We appreciate the progress being made in the ongoing procurement process. However we would like to highlight the importance of ensuring that the procurement process is transparent.

2.3. Adjudication of Labour Justice Improved

- We would like to commend the appointment of two judges for the Industrial Court; and the constitution of the Industrial Court after 10 years of inactivity. This will go a long way in enhancing labor dispute resolution. Nevertheless, we note that the Industrial Court is not yet functional due to lack of support staff and office equipment. We hope the implementation of the *Labor Dispute, Arbitration and Settlement Act*, will be efficient, hoping the composition of the court, which requires that all members of the bench be present, will not be an obstacle to its efficiency.
- The Inspectorate of Courts or the Judicial Service Commission should monitor regularly the functioning of the tribunal in order to ensure that it is user friendly and to see if it addresses its backlog as well as the new cases.

- As the Industrial court is under the MoGLSD, we would like to encourage the MoGLSD to prioritize this area and allocate the necessary tools and resources for the court to be functional.

2.4. Service Delivery Standards Met and Improved

- We commend the establishment of service delivery standards by JLOS. We look forward to their effective implementation; as they will help to reduce the back log of cases and increase accountability of the justice system. However, we suggest that these standards also should be presented in a table form, with targets and performance indicators to see if the standards have been achieved. Also, the standard No.6 of prisoners' work of a maximum of 8 hours/day is different from the 6 hours/day mentioned on page 90 for the UPS Client Charter. This should be harmonized.
- Much as these initiatives are commendable, we would like to see the services go beyond numbers and the quality of services improved.
- In table 8, we recognize that many courts/judges met their target (GII, Chief Magistrate, CID officer, DPP) which is very positive. We believe the reduction of caseload for these magistrates and prosecutors will increase their dedication to the files which should have a positive impact on the quality of their work. However, two performance indicators have not been met. The High Court still has a very high case load per judge and the proportion of juveniles resettled upon release of 40% is far below its target of 52%. We regret that once again, no data was availed from the MoLG on the percentage of reduction in appeals from LC Courts referred for retrial.
- In the first graph on page 52 representing Judicial Officers by rank and gender, we suggest that JLOS could present the % of gender per court instead of using numbers. That would provide quick indication if the various courts are achieving the 1/3 target of women in public functions. In the text, percentages are used but not linked to the data in the graph referring to numbers. Based on the 25% of gender representation at the level of Supreme Court and Court of Appeal, there is still room for improvement to promote female judges' access to higher judicial positions.
- **Case disposal:** The increase in cases registered demonstrates a sign of growing confidence in the system which is positive. However, despite great achievements at the level of the Supreme Court and Chief Magistrate Courts, the case backlog is still increasing. The supply needs to meet the demand for justice and the case backlog need to be tackled as a matter of urgency. Especially the Court of Appeal

and High Courts need to improve their total disposal rates, which are extremely low at 15.6% and 24% respectively.

- We urge the the judiciary to enhance its implementation of the case backlog strategy to address these inefficiencies.
- The report notes that the DPP has managed to prepare 17,252 witnesses for court appearance against a target of 21,565 witnesses. The annual target could not be reached due to insufficient funding. While we appreciate the funding limitations/challenges, we also note that funding is usually applied to enable the assistance of only prosecution witnesses. However, lack of support for the poor defence litigants to bring their witnesses to Court also has the potential to delay the disposal of cases.

2.5. User Empowerment Services Improved

- We recommend that JLOS links up with Legal Aid Service Providers (LASPs) in public education about the laws and how to access justice in order to reach the most vulnerable groups. We also recommend that in all its constructions for mini JLOS houses and justice centers that the Sector includes legal aid facilities. It is reported on page 61 that one of the greatest challenges is access to land justice. What is JLOS doing to implement the land policy? What has the affirmative action on land and civil cases achieved? Is it effectively being implemented?
- We appreciate JLOS Open Days and awareness weeks conducted by DCCs across the country and the review of the Chain Linked Committee Guidelines. However, most of the DCCs visited during the joint M&E exercise don't seem to function well as reported. We would like to see all DCCs functional and effective. We also encourage linkages with LASPs and the Small Claims Procedure at local level and hope that the DCC Guidelines promotes such partnerships and collaboration.

2.6. Vulnerability Profiled and Discrimination and Bias in Access to JLOS Services Eliminated

- This has been rated **red** due to lack of information in the tables and also due to nonperformance in the targeted areas.
- The table on Disposal Rate of small claims on page 66 does not have related data under the columns to be understood.

- We recognize the great value of Justice for Children (J4C) but the reporting on this project needs to capture all the work done by all other institutions or projects. We suggest it could be summarized and all institutional work on this harmonized to give one clear picture of progress in this area.
- Table 19 “Case management by the Law Council” has no data for the number of disciplinary cases brought forward and registered. Also there is no data put forward for the number of supervisory visits to LASPs for the previous years except for 2013-14. This makes it difficult because we cannot easily track progress in this area.
- Overall, on table 20 related to the performance against vulnerability indicators, beside two targets met (proportion of small claims settled within 2 weeks and % ge of juveniles diverted from formal judicial proceedings), all other targets are not met or the institutions are not providing data to allow us to make an assessment of the performance. It is recommended to be consistent in reporting; if the target is in percentage, then performance should also be in percentage form.

2.7. JLOS Capacity to Prevent and Respond to Crime

Enhanced

- We appreciate the important role of the Uganda Police Force in preventing and responding to crime and its successes through community policing.
- We commend the work done by the Community Service, reporting and increase of 5.6% in registered orders. We encourage increased support for the use of alternatives to imprisonment, such as community service. This MIA department should be adequately staffed to fully optimize the quality of the orders. Alternative to imprisonment not only protect the family of petty offenders, keeping the bread winner at home but also encourages restorative justice.
- We note that despite that Uganda Prisons Service (UPS) has developed various measures to reduce escape rates; the success is limited, from 8.4 to 8 per 1,000 held prisoners. This seems to suggest that the root causes of escapes might not have been addressed. The same can be said for the rate of recidivism passing from 26.7% to 26% despite all the vocational skills training, formal education, counselling, spiritual and moral rehabilitation, and welfare and rehabilitation activities. We encourage JLOS to continue to reflect on what is required to reduce recidivism and the escape rate. We also recommend that the sector should intensify its engagement with the Ministry of Public Service and Ministry of Finance to assure recruitment of staff and meet the required ratio.

- On table 27, we regret the absence of data from MoLG on LCC and from MoGLSD on juvenile rates of recidivism. We encourage UPF and UPS to increase their ratio of police and prisoner warders to achieve their respective targets. We commend the UPS on reaching their targets on rehabilitation programs and the MIA on achieving its target on the number of petty offenders sentenced to community service annually. However, we recommend that the sector should increase coordination with social services to reduce the rate of recidivism.

2.8 Access to Transitional Justice (TJ) Enhanced

- The international community has repeatedly mentioned that the Amnesty Act was not aligned with the international human rights obligations, offering a blanket amnesty to reporters and with no focus on victims. We therefore encourage JLOS to work with other relevant GoU Ministry Departments and Agencies to harmonize the legislation, allowing ICD to deliver on its mandate.
- Development partners would like to emphasize that without adequate policy and legal framework, the actual services to be provided to affected groups and victims under this outcome will remain vague and it will be difficult to register substantive progress. Only one activity targeted victims where it is reported that 450 reporters and victims were trained in various life skills. The sector has in practical terms been focusing much more on perpetrators than on the victims. We hope that the TJ policy will be adopted soon as it should put the victims in the focus of the TJ process. We wish to urge the sector and government to address the gaps in the legislation.

2.9 Legal Aid Policy and Law Implemented

- This was assessed as **red** because there is no approved Legal Aid Policy and subsequent law in place and this is of great concern. We note that the sector commenced on the process of drafting a Legal Aid bill as they await cabinet approval of the LA Policy but development partners regret that there seems to be no movement since the Policy was adopted by the JLOS structures. The sector needs to intensify its engagement with Cabinet to ensure that the policy is approved and the subsequent law enacted.
- We would however like to recognize that there is a lot of positive work done by Civil Society institutions such as Paralegal Advisory Services, Justice Centers,

Uganda Law Society and Law Development Center in the provision of Legal aid services.

- We notice that statistics provided in the report on the beneficiaries of services provided by Justice Centers Uganda and Paralegal Advisory services is different from the information these institutions provide to DGF in respect of the number of people assisted and/or reached.
- We also note that the report does not capture the legal aid services provided by non-government organizations that are not supported by JLOS, although DGF data from all its supported LASPs was supplied to JLOS. It would be useful to have the overview of the overall legal aid services provided by civil society included in the JLOS Annual Performance Report. We believe it would foster greater collaboration/synergies between state and non-state actors in their justice support to vulnerable groups.

2.10. JLOS User-oriented Service Attitude Inculcated.

We appreciate that the changes in attitudes take a long time to show results. But we would like to emphasise that customer service in JLOS is still very poor.

Improvements in this area could be achieved if the sector puts in place clear strategies to improve this especially strengthening performance management within the sector.

Outcome 3: Observance of Human Rights and Accountability Promoted

- The overall assessment of outcome 3 has been assessed as **red**. Observance of human rights and accountability is generally still lacking in the sector. We feel that more could be done in this regard to create awareness, and to ensure the adherence to human rights and accountability in JLOS institutions.

3.1. Human Rights Observance in JLOS Institutions Promoted

The JLOS DPs appreciate the progress in the following interventions:

- Establishment of 8 regional human rights offices of the Uganda Police Force across the region to promote human rights adherence. We would encourage the UPF to prioritize effective operations of these offices and also the PSU offices.

- The operationalization of the Human Rights and Accountability working group and opening up of the human rights desk within the Ministry of Justice. We are optimistic that these two bodies will effectively follow up human rights issues that are raised across the sector.
- The training of the JLOS institutions' staff and empowerment on human rights. We would like to encourage coordination of these trainings and it should translate to a change in attitude and behavior of the institutions towards respecting human rights. We appreciate the 0.5% reduction on human right violations by the UPF and do hope that this reduces further.
- Human rights complaints handling and monitoring of compliance. We appreciate the progress by UHRC in the training and human rights committees in UPS and UPF.
- The DPGs are however concerned about the slow progress or challenges in the following areas:
 - The increasing population in prisons. It is unfortunate that even though there is decrease in crime rates, increased disposal rate by the courts, expansion in prison carrying capacity, and the population of those on remand keeps increasing. One may wonder why we should have people who have overstayed in remand in prison and yet we have competing space and effective institutions that should handle this.
 - The observance of the 48 hour rule is still a big a challenge to the sector particularly due to the absence of medical doctors in health centers. We would like to encourage the police to inform all their officers that even clinical officers and midwives can examine victims for purposes of completing the Police Form 3 (PF3) and testify for the same.
 - There is a need to address the backlog of cases in the Human Rights Commission and improve on its investigations.

3.2. External JLOS accountability promoted

- It is good that the complaints desk for the Judiciary and DPP have been established. However, the effectiveness of these desks should be reported on. Are the local people aware of their existence and using them? Are there follow up mechanisms?
- JLOS keeps reporting that the JLOS institutions have client charters; however these are not easily accessible to the public. Many people do not know where to

access redress and that is why a number of them are file their complaints to UHRC instead of the right JLOS institution. The report should indicate if the citizens are informed about the existing JLOS services and how/ where to access them.

- Confidence of the public towards accessing JLOS institution should be strengthened through information sharing. This will also build the capacity of the local people to demand for services, hold officers accountable and fight corruption.
- The DPs feel that the JLOS has not done enough to engage with the local people who are in need of JLOS services.
- However, we would like recognize progress made by UPS in operationalizing human rights committees and improving its accountability mechanisms.

3.3. JLOS Internal Accountability Promoted

- JLOS DPs appreciate the progress in promoting internal accountability by supporting internal complaint mechanisms, the structural reporting mechanisms, and the supervision by the inspectors' forums, the judiciary performance management systems, the complaints handling mechanisms by the PSU as well as the joint monitoring and evaluation of progress among others.
- We note the effort of JSC in the supervision and monitoring of the judicial officers and the operations of the judiciary as a whole.
- The JLOS DPs recommends a continued strengthening of the internal accountability and appreciates the efforts being made. We encourage the police to gazette the complaints register and follow up on its implementation.

3.4. Anti-Corruption Measures in JLOS Adopted and Implemented

- It is good that there is a move towards the institutionalization of the JLOS Anti-Corruption Strategy. We note that amongst all JLOS institutions, it seems that only the Judiciary has launched and is in the process of operationalizing its own anti-corruption strategy.
- We appreciate the performance of the Anti-Corruption Division of the High Court in the handling and management of corruption cases, the JSC barazas on Anti-Corruption, the investigation by the CIID and prosecution by DPP.

- However more needs to be done in combating corruption. Key institutions like the Court (including DPP) and Police are still ranked among the most corrupt institutions. We appreciate JSC report detailing the forms of corruption in the Judiciary; the findings in this report should help the sector in managing corruption.

3.5. Accountability in Transitional Justice

- As already mentioned before, the DPs acknowledge that the TJ Policy has been waiting forwarded to Cabinet for approval. However we urge the sector and government to speed up this process.
- So far, the DPs see an unclear direction regarding the way forward for prosecution of those responsible for violations and reparation for the victims. There is a lack of progress that needs political commitment and direction.

Financial Performance

As efficient financial management is key to improving the accountability and efficiency of services and achieving better results, Development Partners decided that in addition to the assessment of the sector's progress on substance we would also like to undertake an assessment of JLOS's financial performance. You will remember that for the first time during last year's Review in October 2013 a section on financial reporting was part of the Assessment by the Development Partners.

Given the vital importance of monitoring the financial management of the sector, Development Partners very much appreciate the possibility to participate in the JLOS Budget Working Group and also that regular Budget Focal Point meetings between the Development Partners and the JLOS Secretariat have been established. This dialogue gives all of us the opportunity to stay informed about the budget planning, the audit process and also to discuss areas of concern at an early stage. We are very grateful for the open and constructive dialogue that we are engaged in with the sector.

During the Semi-Annual Review in March this year, we asked you to include some basic information in the Annual report, and we are pleased that a lot of this information was provided.

We would appreciate in regard to future reporting if the following additional information could be provided.

- some analysis of the tables, figures and information provided, for example regarding the sector's absorption capacity or regarding challenges such as the late releases of funds to JLOS institutions and how this might affect the timely implementation of activities,
- even though there is a reflection of some Development Partners' contributions and their funding modalities, we would like to ask you to reflect the precise Development Partners' contributions to the SWAP Development Fund and to the whole sector;
- in terms of transparency it would be interesting to read in the report how the SWAP Development Fund Account is being managed, accessed and controlled by JLOS,
- An area that is unfortunately still missing is the sector's response to the implementation of the recommendations from previous Auditor General Reports, which ones have already been addressed and where you see the main challenges. We know from our engagement at technical level that the sector last year developed an Action Plan in order to tackle the identified issues like for example weak financial management, poor procurement as well as poor contract management; this Action Plan is an initiative that Development Partners commend the sector for. However, we regret that since the last Auditor General Report was published in April this year, the sector has not shared an updated version of this Action Plan with us. We would like to encourage the sector to share this updated Action Plan as soon as possible with us so that this can further inform our discussions at the technical level. It is important for Development Partners to know about the progress being made regarding the implementation of the findings and also where the sector might require support from Development Partners in order to improve certain processes like for example procurement and project management. We would also like to call for the individual institutions' and in particular for the respective Accounting Officers' engagement and contributions in addressing the Development Partners would also like to suggest that Auditor General's recommendations.
- A big concern of Development Partners that was also mentioned by in the previous Auditor General's reports is the reallocation of funds without prior approvals within some JLOS institutions, as this makes it very difficult to assess what the money was actually spent for and whether this was in accordance with the agreed upon annual work plan and budget. We would therefore like to call for a transparent approach in handling reallocations and

would appreciate if the sector shared information about the reallocations undertaken and the respective justifications with the Development Partners.

It is with strong interest that we are awaiting the Auditor General's report for the Financial Year 2013/14. As you are aware, Development Partners need to be able to justify how our support to JLOS, equally as Government of Uganda, is actually being managed and used by the sector. At a time where Development Partners for different reasons are reviewing their funding to the sector, it is essential that the sector has a sound financial management and control system in place and that we can see which results and progress the sector's investments generate.

We very much appreciate the efforts being made in order to improve the sector's financial management and financial reporting and would like to emphasize that we are very grateful for the open and transparent dialogue with JLOS and also the possibility of attending the regular Budget Working Group. Given the vital importance of the financial performance of the sector for Development Partners, we look forward to strengthen the dialogue with the sector even further.

Overall Assessment

Based on the JLOS Development Partner Group's assessment of the three main outcomes of the SIP-III as outlined in section 1, 2 and 3 of the Report, the JLOS 2013/14 Annual Progress Report has been assessed as being satisfactory. Although we need to stress that this was on the border lines. It could have been either way. Progress in many of the critical areas is still low or lacking.

Progress under Outcome 1 and 2 has been assessed as being **green - satisfactory**, while Outcome 3 has been assessed as **red - unsatisfactory.**

Outcome 1: Policy, Legislative and Regulatory Framework Strengthened

1.1 The Legal and Policy Environment Underpinning JLOS Service Delivery Improved

1.2 The Independence of JLOS Institutions Strengthened

1.3 Administrative Service Delivery Standards Harmonized.

1.4 The Legislative and Regulatory Environment for the Realization of National Development Objectives Improved

1.5 Enforcement of Laws Improved

1.6 Transitional Justice Policy and Legislation Enacted

1.7 Informal Justice Framework Strengthened and Linked to the Formal Justice System

1.8 JLOS Compliance with and Participation in EA Regional Integration Processes Improved

Outcome 2: Access to JLOS Service Particularly for Vulnerable Persons Enhanced.

2.1 Rationalized Physical De-concentration of JLOS Services

2.2 JLOS House Constructed, Equipped and Functional by 2017

2.3 Adjudication of Labour Justice Improved

2.4 Service Delivery Standards Met and Improved

2.5 User-Empowerment Services Provided

2.6 Vulnerability Profiled and Discrimination and Bias in Access to JLOS Services Eliminated

2.7 JLOS Capacity to Prevent and Respond to Crime Enhanced

2.8 Access to Transitional Justice Services Enhanced

2.9 Legal Aid Policy and Law Implemented

2.10 JLOS User-Oriented Service Attitude Inculcated

Outcome 3: Observance of Human Rights and Accountability Promoted

3.1 Human Rights Observance in JLOS Institutions Promoted.

3.2 External JLOS Accountability Promoted

3.3 JLOS Internal Accountability Promoted

3.4 Anti-Corruption Measures in JLOS Adopted and Implemented

3.5 Accountability in Transitional Justice Promoted