

WALKING WITH
THE WOMEN OF UGANDA

FIDA UGANDA



ANNUAL REPORT
2009

WHO IS FIDA-UGANDA

The Uganda Association of Women Lawyers (FIDA-U) is a premier women's rights organization that was the pioneer of legal aid and public legal education in Uganda. Established in 1974, she has a track-record of 35 years of exemplary experience as a passionate, trusted, fearless and uncompromising defender of women's rights.

FIDA-U provides a shield against legal impunity by raising awareness of rights and the mechanisms to enforce them, thus enabling women to assert and claim their rights while concurrently enhancing the capacity of law enforcement agencies to protect women.

FIDA-U undertakes strategic/public interest litigation aimed at law and policy reform for the protection of women. FIDA-U also monitors the justice systems' adherence to international human rights standards in delivering justice to women and has observer status with the Economic and Social Council (ECOSOC) and the Africa Human Rights Commission.

Mission

To promote the human rights and inherent dignity of women and children using law as a tool for social justice.

Objectives

- a) To consolidate gains in access to justice through providing legal aid, legal education, public interest litigation and advocacy for law and practice reform.
- b) To contribute to conflict resolution, peace building, transitional justice and the participation of women as decision makers.
- c) To promote economic justice and rights for women through monitoring and advocacy within the framework of pro-poor development.
- d) To promote sexual and reproductive health rights of women including combating and redressing effects of HIV and AIDS.
- e) To reposition FIDA-U as a sustainable human rights and governance organization.

FIDA-U currently employs 28 staff, of which 21 are professional staff and 7 are support staff. The heart of FIDA-U's workforce is made up of young and enthusiastic professionals with the dynamism and passion to carry FIDA-U into the future.

DEFINING FIDA-U AS A WOMAN

*"FIDA is colorful,
reflecting all the
colours of the
rainbow, because of
its diverse
membership.*

*In terms of
character, FIDA-U
is a social being,
with a big heart,*

*Doesn't seek to be
loved as long as she
knows she is doing
the right thing;*

*Ambitious, knows
where she is going;*

*Destroyer: destroys
patriarchy, fights for
justice, has many
enemies and allies
because it upsets the
status quo;*

*Makes a difference,
no one is ever the
same after talking to
her;*

*She commands
respect."*



LETTER FROM THE CHIEF EXECUTIVE OFFICER

I assumed the Directorship of FIDA with a lot of energy and excitement, but also trepidation. This is one of the most influential women's rights organisations in the country. The issues it addresses are complex and interdisciplinary, inter-sectoral, and the parameters are dictated by many forces starting from the household to the global level. Among its members are an august group of peers, judges, leaders within the government and civil society sector, advocates, academia, young and old people, the list is endless. I was to lead a transitional process that would bring all of them to the discussion table so as to re-energize, re-think, re-tool and re-shape this unique organisation. I was indeed apprehensive, what if I blew out the flame instead of tending it. Fortunately, I had the support of brave and passionate women: The Board of Trustees, the Governing Board, and my life coaches, Ellen Sprenger and Hope Chigudu. They held my hand and we immersed together in the work of FIDA-U with resilience, innovation, creativity and sheer determination.

We thank our supporting partners for believing in FIDA-U; the women of Uganda for enabling us test and succeed in using law as a tool of social justice and the network of community legal volunteers for spreading the fire of justice in every day practices.

During 2009, the extreme leadership of the Chair of the Trustees, Jennifer Bitarabeho Kagugube and the Board Chair, Allen Asiimwe took FIDA-U to greater heights. Many times we had intellectual and emotional arguments, with the aim of discerning the best option for FIDA-U's growth: A practice that we have internalised in order to create room for diversity and flexibility.

The Secretariat basically comprised of young and dynamic staff has kept us alive to the contemporary issues of power and sexuality that challenge the youth. I look forward to watching FIDA-U grow to even greater heights under the caring and competent hands of its next generation of leaders.

Working in FIDA-U can only make a person better. It presents numerous challenges to hone one's life skills as well as opportunities for personal growth. I am honoured for having been entrusted with the confidence that my leadership would contribute to the steering of FIDA-U through the re-branding.

I therefore applaud the membership who heard FIDA-U cry, diagnosed the problem and sought for a fundamental restructuring of the organisation. While FIDA-U will continue to reimage and transform itself in a more beautiful butterfly, the difficult part is over. Congratulations on FIDA-U for having the tenacity for bouncing back without breaking.

Much appreciation to Sarah Kihika, Steven Manyindo and Sharifa Bagalaaliwo for putting this report together.

FIDA-U has been enriched by all the people in our circle. We thank you all.

Maria Nassali
CEO, FIDA-U

LETTER FROM THE CHAIRPERSON



FIDA-U's struggle for gender equality, women's empowerment and the fulfillment of the rights of women and girls continues to attain new heights year by year. We remain a clear champion for the rights of women and girls using the law as a tool of social justice and advocating for policy, legal and practice change at the national and regional levels.

I joined the Board of FIDA-U at a time when our organization was facing numerous organizational challenges that threatened our very existence. Our goal as a Board was to rebuild our organization to meet the needs of our members and women and girls in our communities. And what a journey we have travelled in the past few years, celebrating with women as we reached highs in our struggle for gender equality and mourning when our beloved sisters and daughters continue to be subjected to violence, hatred and injustice in our society.

2009 was a particularly fulfilling year that saw FIDA-U remerge like a beautiful butterfly from the chrysalis and we continue to grow and spread our wings. I am humbled to have served with a great team on the Board and at the FIDA-U Secretariat and Regional offices. We have completed the first year of implementing our Strategic Plan (2009- 2014) and have attained numerous milestones including providing legal services to over 3,000 women and interfacing with over 20,000 people through our mediation sessions, community dialogues and mobile clinics; breaking barriers in working on Sexual reproductive health and rights and bodily integrity issues; pushing for the rights of women doing business and working to restore the dignity of women who were affected by the decades long war in Northern Uganda.

We have had to revisit our strategies so as to enhance our effectiveness and have increasingly engaged with traditional and religious institutions to serve women in Uganda regardless of class or status. We have also worked closely with our sister organizations in the Women's Movement to push for legal and policy reforms on, Domestic Violence, sexual and reproductive health and rights, Electoral Reforms, and on engaging at the East African Community level. We thank our partners and supporters who have patiently stood with us through this time of reflection and rebuilding. We also thank the women of Uganda who continue to entrust us with their stories and who have walked with us this on incredible journey.

FIDA-U's influence and visibility has increased. We are however, still challenged with growing our membership and bringing on board and retaining young energetic women lawyers to serve on our staff teams. We also need to continue our struggle for the total emancipation of women and to engage our leaders to attain the commitments made in the international and regional human rights instruments including the Universal Declaration of Human Rights, the Convention on the Elimination of all Forms of Discrimination against Women and the African Women's Rights Protocol.

We call upon all our members to redouble their efforts to attain our stated goals to enhance access to justice for the women of Uganda.

Allen Asimwe

Chairperson, FIDA-U

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Cover photo: FIDA-Uganda bridging the gap between men and women at the UPDF barracks in Gulu

EXECUTIVE SUMMARY

This report reviews the experiences and status of FIDA-U in the year 2009. The first section introduces the report. The second section provides a detailed description of FIDA-U's five program areas, with analyses of selected cases to illustrate the nature and significance of FIDA-U's work in 2009. The third section reveals financial and administrative developments at FIDA-U in 2009. The fourth and final section indicates the type of projects FIDA-U has planned for 2010.

FIDA-U has had a turbulent recent history. Despite the turbulence, FIDA-U has registered significant progress with the help of her partners. While FIDA-U is known as an association of women lawyers, the organization recognizes her extended family of clients, development partners and like-minded organizations. The report is introduced as an opportunity for FIDA-U to engage her extended family in the organization's growth by sharing with them the successes and challenges of 2009.

Following the organization's re-birth in 2008, FIDA-U structured its activities into five program areas that stretch beyond legal concern. The program areas are: Access to Justice; Women's Economic Justice; Sexuality, Reproductive Health Rights and HIV/AIDS; Conflict Resolution, Peace Building and Transitional Justice; and Institutional Development and Sustainability. This report provides a description of the progress FIDA-U has made in each of these program areas, using selected cases to illustrate the significance of FIDA-U's work.

The financial status of FIDA-U improved dramatically in 2009. This report details the financial developments at FIDA-U in 2009, and describes related administrative developments. Impressive new standards have been set and enforced, as revealed in the report.

As an organization with a purpose, FIDA-U takes this opportunity to pause and recollect on her journey. The strides taken from 2008 into 2009 need to be recognized, and the plans for 2010 need to be acknowledged, so as to strengthen the organization's resolve to grow and continue improving the lot of Ugandan women. One of the ways the organization intends to achieve sustainability is through improved visibility. In 2010, effective methods of documenting FIDA-U's work will be used to consolidate previous successes and invite fresh energy into the network. FIDA-U wishes to expand its network of stakeholders beyond the judiciary and parliament, to include parties from various backgrounds such as religious and cultural leaders, health professionals, law enforcement agencies, and members of academia. The organization plans to strengthen the monitoring of government compliance to various international treaties, as well as the domestication of international human rights standards. This work will be conducted through various projects in 2010. FIDA-U looks forward to an exciting and successful year ahead.

1 INTRODUCTION

Looking back at FIDA-U's recent history, 2008 will always be remembered as a traumatic year for the organization. Among our members, "2008" has become synonymous with the crisis that threatened to wrestle FIDA-U into oblivion. Nonetheless, 2008 was a pivotal year in the history of FIDA-U; the organization experienced a re-birth, characterized by several changes in its structure and operations. At the time, the future of FIDA-U was gravely uncertain, and all eyes were on FIDA-U as the organization struggled to emerge from the shadows of 2008. As a resilient association of resourceful women lawyers, FIDA-U overcame numerous challenges by drawing strength from her loyal members, faithful partners and trusting clients. Few observers imagined that in 2009, FIDA-U would rebound in a way that redefines the word "comeback". A popular analogy used to describe FIDA-U's 2008 transformation is that of the beautiful liberated butterfly that forced its way out of a cocoon. In 2009, FIDA-U set out to make a difference in the world; flying to new heights and facing up to numerous challenges along the way.

Every day, an increasing number of women from all walks of life approach FIDA-U for legal assistance; wealthy and destitute, educated and illiterate, young and old, local and foreign. The women who form FIDA-U's extremely diverse client base have one thing in common - a child-like trust in FIDA-U. This trust is based on the solid set of qualities that define FIDA-U's reputation in Uganda; professionalism, experience, expertise, specialty, integrity, diligence, dedication, endurance, patience, courage and a holistic approach to problem solving. FIDA-U is obliged to nurture this well-earned trust.

At FIDA-U, every client receives special audience. The lawyers patiently assimilate the full story as contextualized and explained by the client. FIDA-U offers clients a safe space to express themselves and share their experiences without fear of being judged or misunderstood. The clients often express relief and gratitude on receiving such audience. In formulating solutions to clients' problems, FIDA-U takes into account the legal, social, economic and cultural dimensions of each predicament, offers the most appropriate and complete solution to the problem, and follows the solution through to fruition. This is what sets FIDA-U apart.

Throughout her daily battles, FIDA-U remains cognizant of her faithful partners and greatly appreciates their unwavering support. As part of an expanding network of organizations with complementary roles, FIDA-U recognizes the importance of collective effort in the advancement of the network's shared causes. The networking effort goes beyond collaboration, and involves the candid sharing of successes and challenges. FIDA-U wishes to expand her network and enhance the network's strength and transparency through such symbiotic partnerships.

This report offers an account of how FIDA-U has delivered to her partners and clients with respect to the work and responsibility entrusted to the organization. Being a progressive and dynamic organization, FIDA-U will never be satisfied with the status quo. In this report, FIDA-U takes stock of developments in 2009 not just for the sake of meeting institutional requirements, but to communicate and analyze its status with the goal of identifying innovative ways of growing as an organization.

"The whole is greater than the sum of its parts."

-Aristotle

2 ACCESS TO JUSTICE

Access to justice is the core body of FIDA-U's work. The objective of this work is to consolidate gains in access to justice through legal aid, legal education, public interest litigation and advocacy for law and practice reform.

Through our access to justice initiative FIDA-U, in 2009 sought to enhance awareness of rights amongst women and children in order to eradicate the collective socialization and silencing of children and women's experiences. In 2008 the total number of cases reported to FIDA-U's legal aid clinics was 1,657. During the period under review, women from all walks of life sought quality legal aid from the FIDA-U legal aid clinics based in Kampala Iganga, Gulu and Kamuli. In 2009 the number of cases FIDA-U received increased to a total of 2,405 cases. The majority of these cases were reported by women.

The increase in the number of cases reported to FIDA-U is indicative of an enhanced awareness amongst women of their rights. This assertion is justified by the fact that women had awareness enough to speak out about violations; they had awareness of FIDA-U as an avenue to report crimes committed against them and they had awareness of their right to get legal recourse for those crimes. In addition, this statistic also signifies the confidence invested in FIDA-U as an organization dedicated to championing women's rights.

The criminal cases reported to FIDA-U during 2009 were brought by women who had been subjected to abuse from fathers, brothers, uncles, husbands, boyfriends and acquaintances. In our experience these women were skeptical of the ability of law enforcement agencies to hold their perpetrators accountable but they were confident that by reporting their cases to FIDA-U, their voices would be heard and the police and courts would have no choice but to bring their offenders to justice. The reputation FIDA-U has built as an enforcer of justice is proof of the significant and unique role we play in protecting the rights of women and children.

While the majority of clients seeking legal aid were women, we observed a new and developing trend during the year which highlighted that a significant number of men brought their female relatives to FIDA-U for legal assistance. This trend not only ratifies FIDA-U's status as a recognized, reliable pillar for women's rights amongst women it clearly positions FIDA-U as a recognized authority for women's rights amongst men as well. This trend also marks the birth of a gradual shift in the attitudes of men towards the work that FIDA-U does and is affirmation of the significance of FIDA-U's work in transforming societal prejudices and inequities for the advancement of women's rights.

The afore mentioned shift in men's attitudes is also attributed to the legal awareness campaigns that FIDA-U has conducted in communities as part of FIDA-U's goal to promote access to justice by, addressing and removing negative myths and perceptions perpetrated about the organization. By doing this FIDA-U sought to increase the reporting on of cases on human rights violations in order to enable these contraventions to effectively be addressed. Great strides have been made by FIDA-U in 2009 to make justice more accessible to women and to ensure

that women in Ugandan society enjoy their rights as full citizens and not as mere appendages to men.

2.1 Legal awareness

In recognition of the importance of legal empowerment through legal literacy sessions, during the course of the year a number of legal awareness sessions targeting different communities were held in different parts of the country. The legal awareness sessions sought to empower women and vulnerable members of the community to use the law, the legal system, and legal services to protect and advance their rights and interests as citizens.

In Gulu, under the combating sexual and gender based violence project which was supported by DANIDA, four legal awareness sessions were held. These awareness sessions were conducted with the help of local leadership who carried out the mobilization of their various communities. Some leaders were also invited to be present at these awareness sessions. In order to have more women attending these sessions, the venues of the legal awareness sessions were usually markets sub county headquarters , army Barracks (for soldiers and their wives) and other accessible areas in the communities which were not intimidating to women.

In Iganga, eight legal awareness sessions were held in to educate, inform and equip the community on their legal rights especially concerning children. The legal awareness sessions sought to empower child advocates in the community. The topics covered included: the rights and duties of children under the law, parental and community responsibilities towards children, the inheritance rights of children, how to make a will, defilement and the relevant institutions that handle matters concerning children e.g. the Family and Children's protection Unit, the probation office and the family and children's court. The trainings were made possible by the support availed to FIDA-U by Terre des Hommes Netherlands.

Eighteen schools in Iganga also benefited from awareness sessions. These awareness sessions enlightened children on their rights and responsibilities and also provided them with information about the key institutions that are responsible for the protection of children's rights. This is in recognition of the paradigm shift from the welfare principle, which denied children some of the rights which adults enjoyed, to acknowledging that children should be afforded a full set of rights which adults enjoy and treating children as their own agents and agent of their own rights. Drama activities and games such as snakes and ladders were used creatively to educate children of their rights and responsibilities.

As a result of the community awareness sessions FIDA-U has seen a great increase in the number of clients received at the legal aid clinic. These women are now aware of their rights and the responsibilities of their partners as parents and they come to the clinic to seek help in making their partners fulfill their obligations towards their children as provided for under the law. Awareness of FIDA-U alternative dispute resolution methods in particular has been a significant and positive contributing factor in resolving matters brought to the organization. In the past

when FIDA-U invited respondents to visit our offices to participate in alternative dispute resolution activities, they often failed to honor these invitations. This was a particularly common occurrence for men. After realizing the legal implications of this however, respondents have come to appreciate the Alternative Dispute Resolution approach adopted by FIDA-U.

The community has also appreciated that certain traditional practices that violate women's rights are not allowed under the law, however a complete change in attitudes regarding these traditional practices is going to take time and patience to achieve as most of the community still hold strongly to their cultural beliefs.

2.2 Training paralegals

FIDA-U in partnership with Issis Wicce organized a capacity building workshop to train women paralegals from KIWEPI and Dyeru Kwo Post testing club. The main objective of the training was to address the needs of women living and affected by HIV/AIDS in conflict and post conflict situations using a rights based approach. The training provided participants with basic legal knowledge on the following:

- (i) The salient features of the 1995 Constitution of Uganda;
- (ii) The Penal code Act amendments with emphasis on Rape and defilement;
- (iii) Human Rights and Specific Rights to HIV /AIDS;
- (iv) Marriage, Separation and Divorce; Domestic Violence and its Effects;
- (v) The Law of Succession;
- (vi) Property Rights under the law of Succession;
- (vii) The Roles of the various duty bearers under Succession and
- (viii) The rights of children.

The participants were also trained on how to make work plans for their projects. At the close of the training the participants undertook to share the legal knowledge they had acquired with the rest of their communities. They also undertook to sensitize their communities on the rights of persons living with HIV Aids. It is noteworthy that having empowered communities to address their common legal issues, simple cases are resolved within the communities, with only complex cases referred to FIDA-U.

The women's movement in Uganda has grown so significantly that gradually women recognize that they are no longer second class citizens. They are more empowered by having legal awareness and are increasingly and continually asserting their rights. This shift is an optimistic

indicator of how FIDA-U and women's rights awareness is enabling women to participate in molding and maintaining better futures for themselves, their children and their communities.



Paralegal trainees receiving bicycles at the close of the training

2.3 Institutional and sector wide learning

As part of the organizations effort to improve institutional and sector wide learning, FIDA-U focused on documenting and developing informative teaching and learning multimedia tools. In 2009 FIDA-U commissioned videos and documentaries presenting in-depth insights into the projects, workshops and overall work FIDA-U does. These documentaries and videos not only served to increase awareness and sector wide learning through visual media but were also key components in FIDA-U's advocacy strategies. By committing to create insightful and persuasive film content FIDA-U made a strategic decision to engage female talent and to this end FIDA-U employed the acclaimed Barbara Angopa of Blue Turaco; (winner of the 2008 Arts and Culture category at the CNN Africa Journalist of the Year Awards and the 2009 Richard Ortega Memorial prize for Broadcast Journalism awarded by the United Nations Correspondents Association) to develop the documentaries.

The documentaries included compelling stories of some of the real life experiences of our women clients. "Crazy for Justice," a case profile of a rape victim, for example, was documented to illuminate the emotional turmoil experienced by women in their pursuit for justice and to encourage others to speak out. On its own story telling is a therapeutic

mechanism in liberating women to tell their intimate stories uninhibited, uninterrupted and unjudged. FIDA-U provides a platform for women to find their voice, to speak out, to make their case. FIDA-U goes beyond the legalistic approach to legal aid and this holistic approach is what sets FIDA-U apart from other legal aid service providers in the country.

2.4 Alternative Dispute Resolution

Representing clients and mediating in disputes is a key component of FIDA-U's access to justice initiative however FIDA-U appreciates the growing need for alternative dispute mechanisms. Increasing recognition of and adopting alternative dispute mechanisms was central to FIDA-U's work in the period under review. In 2009 FIDA-U successfully employed the use of an alternative dispute resolution mechanism in the form of Memorandums of Understanding for cases brought to FIDA-U. The Memorandum of Understanding is an agreement entered into by two disputing parties who consent to a set of terms to resolve disputes out of court. This memorandum of understanding is registered in court and upon its registration is automatically transformed into a consent judgment.

This arrangement is a special understanding between FIDA-U and the courts in recognition of FIDA-U's key contribution to enhancing issues of access to justice. Magistrates' courts, in Gulu, Arua and some in Kampala now attach judicial recognition to the Memorandum of understandings prepared by FIDA-U. Through the use of alternative dispute resolution mechanisms to resolve cases FIDA-U not only offered expeditious and cost effective justice to clients, but also contributed to the reduction of case backlog in the courts.

2.5 Empowering state agencies

FIDA-U has also been working to empower state agencies to effectively address gender and human rights issues. Women have waning confidence in Uganda's law enforcement agencies and they report criminal offences confident that FIDA-U monitors these law enforcement agencies and in particular the police. In an effort to re-establish some confidence in the abilities and conduct of members of law enforcement agencies, FIDA-U carried out an awareness and sensitization workshop with senior officers in the Uganda police force.

The purpose of this workshop was not only to impart critical knowledge on sexuality, and gender issues but to involve and empower law enforcement to actively engage in gender and human rights. The outcome of the workshop was that the Uganda police force acknowledged that change and transformation in gender equality starts with altering individual attitudes, and building gender analytical skills. The key achievement of the workshop for FIDA-U was that the Police agreed to incorporate gender and the law in their Police Training curriculum.

A well built reputation for being a trusted guardian of women's rights and a fearless defender of women has allowed FIDA-U to effectively intervene in highly controversial legal cases and prevent the miscarriage of justice. High profile cases in the media in particular were adamantly followed up by FIDA-U and as a result of FIDA-U's persistent scrutiny of cases in the media, government was forced to act and follow due process in a these cases. Examples of FIDA-U successes in obtaining justice for victims in high profile cases in 2009 are set out in the column to the right.

2.6 Child rights

The use of DNA testing in custody and paternity cases is increasingly becoming a common feature of legal aid. In past years, DNA testing has improved vastly and became so reliable that it is now admissible evidence in court when a

CASE STUDIES

In June 2009, Magandazi a serial rapist who was about to be released on grounds of insufficient evidence for robbery, was on the intervention of the Deputy DPP charged with rape and remanded.

April 2009, Mugarura a serial child molester who was emasculated, was only sentenced upon FIDA-U's intervention in the matter. The case was strategic in offering an expansive interpretation of sexual intercourse to include any contact with the vagina by any object with the aim of sexual violence.

May 2009, FIDA-U and ACTION AID Pallisa offered legal assistance to Ms. Alupot whose husband had forced her to breast feed puppies on account of bride-wealth.

FIDA-U ensured the re-committal of Peter Aurien, a Police Officer, who had shot and killed his wife in May 2008 but whose case had erroneously been dismissed on grounds of insufficient evidence.

A 14 year old young girl from Bushenyi who stoned an attempted defiler to death was not charged on the intervention of FIDA-U for having acted in self defence.

In December 2009, FIDA-U stopped the Child trafficking of an 18 year old student to Sudan.

judge is deciding cases related to paternity, guardianship, and monetary requirements of a birth father.

For the purposes of FIDA-U work DNA testing has become a concrete method of conclusively and irrefutably resolving disputes brought to the organization in paternity cases and has expeditiously enabled women access to justice. The case in the right column is just one example of the numerous disputes FIDA-U was able to resolve as a result of the availability and use of DNA testing.

FIDA-U invited Mr. L for a mediation meeting and during the meeting; the parties were advised to seek a DNA test to ascertain paternity. Having been so advised Mr. L claimed he could not afford the cost of a DNA test. In the interest of justice and seeking to protect the best interest of the child, FIDA-U offered to cover the cost of the DNA test.

The DNA test was conducted and the results showed that Mr. was irrefutably the biological father of the child. Having ascertained the paternity of the child the matter was referred to court to seek an order against Mr. L compelling him to provide child support.

The significance of DNA testing however is not merely limited to just resolving cases which seek to provide financial benefits to a child in the form of child support, inheritances, and any other related financial gains. DNA testing has greater implications as well in relation to the child. Children need and have a right to identity and a sense of self. By conclusively determining paternity, children are able to establish not only their identity but are able to formulate and access their personal and familial history. Knowledge of paternity allows a child ownership of their right to nationality and citizenship. It also secures the right of a child to be raised by and have a personal relationship with both parents.

DNA testing has been invaluable in giving women hope that their children will live in dignity having a father, clan and tribe. The denial of paternity on grounds of disability is not uncommon in Uganda's communities and is for the most part grounded in cultural beliefs. The case highlighted a key challenge that children with disability experience, underscoring the importance of ensuring that children with disabilities also have access to all the rights that other children enjoy. From the case FIDA-U also recognized the part that DNA testing plays in addressing cultural misconceptions regarding disability. It is noteworthy to mention that the deniability of paternity is not exclusively associated to children born with disabilities and could potentially be the case where fathers refuse to look after children on the basis of gender.

In cases where DNA testing is necessary, expenditure for the test is supposed to be the responsibility of the alleged fathers. In a significant number of cases however, alleged fathers often cannot or claim they cannot afford to pay. In the interest of seeking justice for clients FIDA-U must therefore bear the costs. The costs of DNA testing are still exorbitant in Uganda and it is FIDA-U's assertion that Government should avail DNA testing services at a reasonable cost or else bear the burden of looking after the fatherless children of Uganda.

2.7 Caseload Statistics for the Period of January to December 2009

NATURE OF CASE	IGANGA	GULU	KAWEMPE	ARUA	KAMULI	TOTAL
<i>Land Dispute</i>	276	104	104	3	15	502
<i>Maintenance</i>	303	209	468	30	21	1,031
<i>Succession</i>	223	25	79	-	7	334
<i>Custody</i>	24	2	23	-	1	50
<i>Marital Property</i>	-	-	22	-	-	22
<i>Marital Dispute</i>	114	-	85	4	14	217
<i>Divorce</i>	8	-	2	-	-	10
<i>Defilement</i>	11	11	-	-	-	22
<i>Sexual violence</i>	-	-	-	-	2	2
<i>Paternity Dispute</i>	7	-	12	-	1	20
<i>Commercial Disputes/Breach of contract</i>	15	34	7	1	5	62
<i>Domestic Violence</i>	3	10	13	2	6	34
<i>Legal consultation</i>	-	1	83	-	3	87
<i>School fees</i>	-	-	12	-	-	12
TOTAL	984	396	910	40	75	2405

3 WOMEN'S ECONOMIC JUSTICE AND PROPERTY RIGHTS

One of FIDA-U's key objectives is to advance the economic justice and property rights of women in Uganda through monitoring and advocacy within the framework of pro-poor development. This is in recognition of the fact that property and economic rights of women remain largely marginalized in Uganda and unless women have equal access to control and ownership of resources they will not be able to realize their rights. It has been observed at FIDA-U that a majority of the reported domestic violence cases are rooted in property disputes. The Joint Survey on Local Council Courts (LCCs) and Legal Aid Service Providers¹ found that the majority of disputes at the local level refer to land and family matters.

Although a significant number of women in Ugandan society make monetary and non monetary contributions to the acquisition and maintenance of property in their homesteads, such contributions often go unrecognized. The result of this is that in relationships husbands (or male partners in cohabiting relationships) tend to have sole title to property which is jointly acquired. Wives are commonly excluded from ownership and consequently, are left with the difficult task of proving that they have equitable title to property acquired jointly. Subsequently women in this position are compelled to stay in abusive relationships in order to protect their proprietary claims over the property, afraid that leaving would result in the loss of their claim over the property.

Whereas the constitution of Uganda recognizes that men and women have equal rights during and at the dissolution of marriage hence have an equal right to matrimonial property, and whereas the formal succession laws give women inheritance rights over land, customary patriarchal practices in Uganda have barred women from enforcing and asserting their legal rights². Following the numerous legal awareness

¹ Joint Survey on Local Council Courts and Legal Aid Service Providers, NCG (U) April

² Amanda Ellis, Claire Manuel, and C. Mark Blackden, gender and economic growth
Unleashing the power of women directions in development world bank 2006

CASE STUDY

Land Dispute of S v P and ANR

FIDA – U then invited the LC5 area councillor and the district speaker to address the injustices that S had been subjected to. Following a mediation meeting the matter was resolved amicably in favour of S.

sessions and mobile clinics organized by FIDA-U, women are now aggressively asserting their rights to property. This is evidenced by the high number of cases involving land disputes, marital property and succession, debt collection and contracts bought to FIDA-U.

On a daily basis FIDA-U receives women who have been thrown out of their homes with little else other than the clothes on their backs. Often this is regardless of the nature of the sizeable monetary and non-monetary contributions they have made to the acquisition of property and to the maintenance of the home. Whenever women assert their ownership over property, difficulties arise when they are asked to provide evidence of their input. Furnishing receipts to prove their contribution is often required but making such proof available is particularly difficult since it does not occur to the majority of our female clients to keep receipts when their relationships are still harmonious. Moreover, women cannot obtain receipts from the market for the tomatoes, onions and vegetables they purchase weekly from local markets which lack accountability measures.

The value of the 'non - monetized work' women contribute is frequently not considered a contribution towards the home and men habitually back this assertion by saying "my wife does not work". The work women partake in the domestic arena is not viewed as "work" in the traditional context of a "job". There is no price attached to child-rearing, house-keeping and other tasks performed by women in the home so it is impossible to attach monetary value to such contributions. As a result of this their legitimate contributions are overlooked.

In an effort to minimize and combat this problem, in 2009 FIDA-U embarked on a campaign to sensitize women on how to secure their proprietary interests in property acquired jointly with their husbands or partners. FIDA-U also strived to protect the property rights of women through the provision of legal aid and education on how to protect property rights through the lodging of caveats and joint registration.

The land dispute case of S v P and ANR (see page 11) signifies the legitimacy that local government authorities attach to FIDA-U's work. Having established itself as the guardian and champion for women's rights it therefore follows that government bodies and institutions will seek its guidance when confronted with situations involving the violation of women's

CASE STUDY

The Case of Christine (C)

In 2006 married couple CF and CM acquired 3 hectares of land. For two years they vigorously farmed the land. However, when the harvesting season arrived CM threw CF off the land and forbade her and her children from accessing any food from the plantations and gardens they had developed together. CF resorted to working on other people's farms to sustain herself and her children earning only a meagre income.

She approached the LC1 chairman for assistance, who on failing to resolve the matter, directed her to seek legal assistance from FIDA-U who then attempted to arrange mediation proceedings to resolve the matter. The area magistrate supported FIDA-U's efforts to arbitrate the property dispute and ordered a meeting to take place.

At the meeting, local councils and residents of the village attested to CF's plight. The outcome of the meeting was that CM and CF agreed to separate, the land in dispute was divided equally between them and CF was restored in her home.

rights. The increased legal awareness sessions that have been held by FIDA-U in communities, and which targeted local council leaders have raised awareness on the available mechanisms for resolving disputes and protecting rights relating to land and property.

The case of Christine (C) (see page 12) symbolizes the numerous incidents where women's contribution in developing family land most often goes unacknowledged. Since women in Uganda are commonly regarded and treated as laborers rather than wives, they are often denied the right to jointly own property with their spouses. FIDA-U's intervention in the case not only secured CF's property rights but also served as a learning curve for the community which took part in the restoration of CF in her matrimonial home. In the future if similar incidents arise, the community can look back and draw from CF's experiences as a means of resolving disputes of this nature.

The case of AZ verses WZ in the right column underscores the importance of educating women on how to protect their interests in matrimonial property. AZ was a business woman who society would not ordinarily associate with having this kind of difficulty and her case brings to light the fact that the marginalization of women's property rights affects all women irrespective of their social strata. Previously FIDA-U focused on only indigent women but currently, FIDA-U represents any woman whose rights have been violated based on the fact that the marginalization of women cuts across class, age, profession and economic status.

The law and social practices endow men with automatic ownership of property in the home while the women are required to prove their legitimate claims. It is in this regard that FIDA-U embarked on a series of campaigns to create awareness on how women can protect their proprietary claims, through registration, lodging of caveats ensuring purchase agreements are made jointly and recognize the contribution of women in the acquisition of property. In particular more women need to be custodians of their title deeds. Economic justice for women has been targeted as an area for aggressive development for 2010.

CASE STUDY

The Case of AZ v WZ

AZ and WZ had been married for over 38 years and had three children. During the subsistence of their marriage, they acquired numerous properties to which AZ made financial and non financial contributions. The properties however were solely registered in WZ's names. In the 18th year of their marriage, WZ started a relationship with another woman and had four children with her. Consequently he left WZ and started cohabiting with his mistress in a house which he had jointly acquired with AZ.

WZ further initiated steps to transfer some of the property to the children he had with his mistress. AZ sought FIDA-U's intervention to help her protect and secure her interests in the land and matrimonial property.

After a series of negotiations, WZ agreed to transfer half of the property to AZ. Following the execution of the agreement, Mrs AZ was able to reclaim her property.

4 TRANSITIONAL JUSTICE, PEACE BUILDING AND POLITICAL PARTICIPATION

Decades of conflict have left the majority of the population in Northern Uganda vulnerable and without the means, capacity or confidence to seek legal redress³. Following the need to fill the vacuum in access to justice in Northern Uganda, FIDA-U opened two offices in Arua and Gulu. In addition to offering legal aid and enhancing access to justice for victims of SGBV, The offices were also established to handle a series of post conflict needs the community had and also to entrench women's rights in the transitional justice processes that were to be adopted.

Transitional Justice refers to a range of approaches (judicial and non judicial) that societies undertake to reckon with legacies of widespread or systematic human rights abuse as they move from a period of violent conflict or oppression towards peace, democracy, the rule of law, and respect for individual and collective rights. The purpose of these approaches is to provide wounded societies with: a holistic sense of justice; establish civic trust; reconcile people and communities and prevent impunity and future abuses. The values of transitional justice are justice and reconciliation, with a goal to end cycles that perpetrate war, violence and human rights abuses.

Transitional justice process have now been regarded as the midwife for a democratic, rule of law state⁴ They are indispensable foundations for sound constitutionalism, peace-building, and national reconciliation in post-conflict societies or societies emerging out of abusive, authoritarian, and fractured periods.⁵ Unfortunately the patriarchal social construction which places men at a superior position to women has marginalized women's issues in the Transitional Justice processes. For example, although women bore the biggest brunt of the war in Northern Uganda, women were absent at the negotiating table at Juba. Like in many other conflicts, sexual violence, particularly rape and sexual slavery, were methodically used as power tools of war and as an instrument of terror in Northern Uganda.⁶ Many women and young girls were brutally raped and forced into sexual slavery, in order to provide relatively safe, cheap, and convenient sexual services to the fighters.⁷

FIDA-U therefore sought to enhance the engagement and visible participation of women, as decision makers in conflict resolution, peace building and transitional justice. FIDA-U believes that Transitional justice mechanisms cannot simply "slot" gender-oriented notions of justice into existing processes, but rather these mechanisms need to re-conceptualize their methods. FIDA-U strives to have women's rights placed at the centre. To achieve this we have engaged the

³ Also see "The International Criminal Court and its Relevance to Affected Communities" by Mariana Goetz in *Courting Conflict?* March 2008 where she discusses at length the crucial need for Legal Aid in supporting victims of atrocities to seek redress

⁴ Priscilla Hayner, *UNSPEAKABLE TRUTHS* (2000)

⁵ *Makau Mutua* Transitional justice in sexual and gender-based violence in *Unfinished business: Transitional justice and women's rights in Africa ACCORD Occasional Paper No. 1 2008*

⁶ Report by Citizens for Global Solutions , *IN UNCHARTED WATERS: Seeking Justice before the atrocities have stopped in Uganda and the Democratic Republic of Congo*, June 2004

⁷ *The daily monitor* of the 13 may 2004

various stakeholders such as the Judiciary, the Police and the religious and cultural leaders in ensuring that women's rights are at the centre of their transitional justice process.

In the period under review FIDA-U received favorable support from the Judiciary in Gulu which allocated a single day every week to try cases filled by FIDA-U. This has helped reduce the number of cases pending in our Gulu Office which is one of the busiest FIDA-U offices.

4.1 Community awareness

To increase legal awareness in the post conflict communities, FIDA-U held a number of Community awareness sessions. The community awareness sessions were conducted after preliminary visits to the various communities and dialogues with the local leadership in the area. The purpose of these visits and dialogues was to ascertain the matters that mostly affect the community, which form the focus of the awareness sessions.

The resource personnel were from within FIDA-U offices, probation and social welfare offices, the police, the administrator general's office, and other partners like War Child Canada and Norwegian Refugee Council. These awareness sessions were also conducted with the help from of local leadership who undertook the mobilization of their various communities. Some leaders were also invited to be present at these awareness sessions. Including resource personnel from various law enforcement agencies to highlight the practical implementations of the law, enhanced theirs and the communities sense ownership over the project as the beneficiaries.

FIDA-U worked closely with the media throughout the implementation of this project. The media were particularly interested and receptive to what the organization was doing. They reported positively on several of our activities within the communities which also helped in promoting our visibility within the region.

The community legal dialogues target both men and women to apprise them of the law applicable to their day to day life experience. This is important because in most communities men wield power over women and therefore it is strategic that men take a vested interest in changing their behavior in a manner that respects women as equal human beings.



Women attending a legal awareness session in Gulu

4.2 Centering women's rights in cultural practices

It has been recognized that the formal justice institutions are inadequate in handling the enormous number of cases in Northern Uganda. There is a general consensus that both the formal and informal institutions need to complement each other as transitional justice mechanisms. In this regard FIDA-U has sought to strengthen cultural institutions as guardians and promoters of women's rights.

In a project supported by UNIFEM, FIDA-U, designed the Acholi Principles on Gender relations; an outstanding piece of work on cultural renegotiation, for proactively preventing abuse and achieved by reinterpreting culture using a human rights and gendered approach.

The principles were born out of extensive research and several interviews conducted in various parts of Acholi documenting Acholi cultural practices in regard to gender relations. Following the documentation, the Acholi Chiefs, in a validation exercise, were required to reflect on how sensitive the cultural practices were to women's rights mindful that

COMMENTS

"We wish FIDA could bring for us these sessions twice a week because they are very educative and shall also teach our soldier husbands to respect us. They usually mistreat us saying we have no rights and nowhere to go and report. Likewise it would reduce on the number of incidences of domestic violence within the barracks."

- Sabrina Okell

"This is constructive and educative information. There is going to be a big change in our families."

*-Onen Milton LC3 Chairperson
Lakwana Sub County.*

"Sensitization and such awareness sessions shall go a long way in averting these problems."

- Rwot Kweri Abwoch Guna

women as primary care givers were the custodians of culture. As a result of the validation exercise, the Acholi leaders agreed to discard cultural practices that undermined the dignity of women and to promote a culture which protects the rights of women. This resulted in the production of the Acholi Principles on Gender relations - a documented set of principles which are to be relied on by all the chiefs when resolving disputes arising from gender relations in Acholi.

4.3 Training of peace monitors

Peace monitoring entails the collection of information about the activities and operation of peace programs to track program performance over time. Monitoring is an ongoing assessment of the progress of a project or peace processes. Peace monitoring helps in determining whether peace programs are working as intended as well as assess whether programs are on track to achieving sustainable peace.

In 2009, FIDA-U undertook the training of peace monitors. The trainings sought to empower the community to act as monitors for peace building, good governance, respect of women's rights and human rights in post conflict situations.

4.4 Political participation

As part of a strong network of like-minded entities in civil society, FIDA-U had consequential interactions with the Ugandan parliament in 2009. After years of tireless lobbying as the Domestic Violence Bill Coalition, the entire network celebrated the passing of the Domestic Violence Bill into law in 2009. Despite being long overdue, this success alone made 2009 worthy of celebrating as a landmark year in the advancement of human rights in Uganda. The Domestic Violence Act represents a new dawn and promises a brighter future for women across Uganda.

While the network was still celebrating this very welcome development, the grotesquely unconstitutional Anti-Homosexuality Bill was introduced into parliament on 14th October 2009⁸. In unison, the Civil Society Coalition on Human Rights and Constitutional Law (CSCHRCL) roundly condemned the Anti-Homosexuality Bill in a clear statement issued in swift response to the odious bill, on 23rd October 2009⁹. The CSCHRCL issued a second statement condemning the bill on Human Rights Day, 10th December 2009¹⁰.

⁸ [Uganda's Anti-Homosexuality Bill: Full text with commentary, W. Throckmorton \(18/12/2009\)](#)

⁹ [Anti-Homosexuality or Anti-Human Rights Bill? Statement from the Civil Society Coalition on Human Rights and Constitutional Law \(14/10/2009\)](#)

¹⁰ [Embrace Diversity: End Discrimination in Uganda! CSCHRCL \(10/12/2009\)](#)

The bill seeks to violate at least eight fundamental human rights protections enshrined in the Constitution of Uganda. The bill severely damaged Uganda’s reputation on the international stage, causing Uganda’s President to intervene on what he described as a “foreign policy issue”¹¹. Despite the President’s intervention, the bill continues to linger in the Presidential Affairs Committee and the Foreign Affairs Committee. A cabinet report suggested several changes to the bill, but to date the draft legislation remains intact in its original form. Of particular concern are reports that the subcommittee tasked with examining the bill described the section outlawing the “promotion of homosexuality” as having “some merit”¹². It was reported that the committee recommended that the “useful provisions of the proposed law” be incorporated into the Sexual Offences Act¹³.

As an alert watchdog, FIDA-U vigilantly monitors the state’s fulfillment of its responsibilities towards respecting and protecting the human rights of its citizens as written in Uganda’s constitution and various international treaties. In this capacity, FIDA-U will maintain keen observation on developments surrounding the Anti-Homosexuality Bill.



Empowering women lawyers to understand their bodies as a basis for engaging the sexuality discourse

¹¹ [New Vision: Museveni warns NRM on Homo bill, M. Oluput and C. Musoke \(12/01/2010\)](#)

¹² [Daily Monitor: Cabinet committee rejects Bahati Bill, R. Muhumuza \(08/05/2010\)](#)

¹³ [Daily Monitor: Cabinet committee split over homosexuals Bill, J. Tugume \(25/04/2010\)](#)

Anti-Homosexuality Bill

or

Anti-Human Rights Bill?

Fundamental rights and freedoms are inherent and not granted by the State

(Article 20),

The Right to Equality and Freedom from discrimination (Article 21),

The Right to Life (Article 22),

The Right to Privacy (Article 27),

The Right to Freedom of conscience, expression, movement, religion, assembly and association - including freedom of speech, academic freedom and media freedom (Article 29),

The Right to Education (Article 30),

Affirmative Action in favor of marginalized groups (Article 32),

The Right of Minorities (Article 36).

5 SEXUAL AND REPRODUCTIVE RIGHTS / SEXUAL AND GENDER BASED VIOLENCE

FIDA-U seeks to use the human rights framework to empower women to exercise their sexual and health rights within the existing legal framework. FIDA-U has employed various advocacy strategies to eliminate all practices that restrict or violate the sexual and reproductive rights of women as well as worked to protect women and girls from all forms violence, including sexual violence, such as rape, marital rape, sexual abuse, and sexual exploitation.

Sexual and bodily rights are universal human rights based on the inherent freedom, dignity and equality of all human beings. They are central to the realization of women's human rights and gender equality. The right to sexual and reproductive health implies that people are able to enjoy a mutually satisfying and safe relationship, free from coercion or violence and without fear of infection or pregnancy, and that they are able to regulate their fertility without adverse or dangerous consequences. Sexual and reproductive rights provide the framework within which sexual and reproductive well-being can be achieved.¹⁴

In 2009 FIDA-U reopened the debate for the reform of law on Sexual and Gender Based Violence. In particular FIDA-U sought to specifically readdress issues on the classification of sexual offences as offences against morality, the definition of rape and the evidentiary and procedural requirements of proving rape. The laws on sexual violence as they presently stand do not offer the appropriate protection to victims and instead leave victims open to re-victimization.

The classification of rape as an offence against morality rather than an offence against the person for example, trivializes sexual violence and compounds the injustices experienced by victims of SGBV. This is because an offence against morality is merely an immoral act, the punishment for which is not as severe as an offence against a person. Rape is an act of violence that is committed against and inflicted upon the physical being. It is not simply an insult to a victims sense of

¹⁴ International Planned Parenthood Federation _IPPF..

Charter on sexual and reproductive rights. London:IPPF, 1996

CASE STUDY

Republic v. M

K, in an act of passion- cut off the penis of a man who she found defiling her ten year old daughter. K was arrested and charged with grievous bodily harm. Unbelievably M: the defiler was not arrested. Upon investigation by FIDA-U it was discovered that M already had 2 pending complaints against him at the local Police.

This investigation is what led to the subsequent arrest and prosecution of M. In his prosecution FIDA-U extensively relied on the broad definition of sexual violence to include any contact of a sexual organ as provided for in the Penal code. FIDA- U stood surety for K and eventually the case against her was dismissed in January 2009.

This case is strategic for the clear interpretation of the amended 2007 Defilement law that recognizes any slight contact with a sexual organ of a child as defilement and offers compensations to victims of violence.

morality therefore to categorize it as such, is an affront to victims of rape.

FIDA-U has intervened in a number of cases involving Sexual and Gender based Violence. See case study of Republic v. M on page 19.

5.1 Training on sexual violence using national and international justice mechanisms

FIDA-U conducted training on Sexuality and Feminism for its members and staff during the period of June 2009. This was in order to enhance understanding of SGBV amongst the organizations staff and to enable lawyers to effectively advise clients who have been subjected to forms of SGBV.

FIDA-U also organized a regional workshop on how to address sexual and gender based violence using international justice mechanisms. 15 women lawyers from Kenya, Uganda and Tanzania were trained on the latest developments in international criminal law in relation to the prosecution of sexual violence. This was in order to enable them to effectively represent victims of sexual violence during conflict at international criminal tribunals.

The training underscored the imperative to monitor the integration of Gender standards of prosecuting sexual violence which are commensurate with the ICC standards. It is incumbent on women lawyers to ensure that the spotlight on gender crimes is maintained, particularly in the operations of the War Crime Division in Uganda, which has been created to try mid-level perpetrators of war crimes while the ICC targets the leadership. Only when the international standards are incorporated in the national legal framework, will justice be realized for women.

The acquired knowledge about the functioning of international human rights mechanisms, the expansive definition of sexual violence, and the standards of victim's protection will result in an improved criminal justice system in East Africa. In arguing our cases FIDA-U lawyers have made a point to cite international treaties to remind government of its human rights obligation.

In a bid to bring the protection of the sexual and reproductive rights of women to the fore front of the human rights agenda, the Chairperson of FIDA-U spearheaded the vigil and the lighting of the candle, held on June 8th 2009 at Parliament. This was part of an advocacy campaign for the enactment of the Domestic Violence Bill, the Sexual Offences Act and the Marriage and Divorce Bill aimed at protecting the rights of women and providing redress for victims of SGBV. In 2009 FIDA-U also served drafted a position paper and lead spokesperson to address the Legal and Parliamentary Affairs Committee in defense of the Domestic Violence Bill in October 2009.

6 INSTITUTIONAL DEVELOPMENT AND SUSTAINABILITY

Numerous workshops have been organized for capacity and team building of all Staff they were held on the, 8th - 9th January 2009, 14th - 15th April 2009 and 21st September 2009.

The skills building workshops for staff and members included basic skills such as office practice and etiquette, public speech, how to hold effective meetings, what is feminism, and more complex issues such as sexuality and reproductive rights, monitoring and evaluation and result oriented management. Senior staff in particular benefited from individual coaching methods on how to effectively link individual development to the organizations goals for the purposes of fostering and engaging employees' to connect their passion for law with the desire to succeed at work.

Staff members have learned to work coherently and systematically and all FIDA-U teams/projects developed monitoring and impact indicators, as the basis against which FIDA-U can measure the impact of its programs and projects.

6.1 Governance and sustainability workshop

FIDA-U held a regional governance workshop in Zanzibar. The holding of the workshop in Zanzibar expressed the sisterhood and support to our young sister Zanzibar Female Lawyers Association (ZAFELA) and augmented the commitment to equity amongst women lawyer's organizations irrespective of the size of the organization. The workshop provided an opportunity for peer accountability among attending organizations.

6.2 Membership

It is FIDA-U's dream that every woman lawyer in Uganda will become its proud member. There have been complaints by members however, that the organization does not meet their personal needs. FIDA-U is mindful that relationship building is a mutual relationship, and in appreciation of this fact, FIDA-U recognizes there is need for in-depth analysis on how to build a mutually benefiting relationship that taps into the strengths of the vast and varied membership.

To better understand and serve FIDA-U's membership, a survey was completed in 2008. In summary, the report showed that Members were unsatisfied with being mere beneficiaries of FIDA-U programs or guests at FIDA-U events. FIDA-U's members sought to be active participants in shaping FIDA-U's agenda and were keen to contribute to the organizations decision making processes.

Having closely reviewed the survey, it was FIDA-U's estimation that it was necessary to re-establish a Program Advisory Committee (PAC) to enable members to serve as a peer accountability mechanism for FIDA-U and to organize themselves. This would have the ripple effect of nurturing a sense of belonging and pride in our members and remove the disillusionment of members. Repairing the organizations relationship with its members is crucial. Members, are key enablers for FIDA-U, they are invaluable advocates for the expansive grassroots education that we are aggressively fundraising for and are significant for establishing FIDA-U's representation at different forums.

6.3 Relationships with International and Regional bodies

FIDA-U was able to develop working relationships with the leadership of international and regional bodies. By utilizing networking and information sharing opportunities FIDA-U successfully solicited advice on how to strengthen working collaborations with international and regional agencies and establish links with international human rights mechanisms. FIDA-U's involvement with these international organs is characterized below:

- (i) Having established a good working relationship with the EAC, FIDA-U was sponsored to participate in the Civil Society Forum in Burundi held between the 19th -21st August 2009 to discuss the Draft Protocol on Democracy and Good governance. During the forum, the EAC commended the efforts of FIDA-U and women lawyer's organizations in the region to work collaboratively in order to collectively engender the EAC policies and practices.
- (ii) In recognition of FIDA-U's expertise in women's rights and, in 2009, the Commissioner for Internally Displaced Persons (IDP) sought FIDA-U's input in the formulation of the Internally Displaced Persons Convention. FIDA-U had an advisory role and was enlisted to ensure that the IDP Convention was engendered.
- (iii) FIDA-U's chief executive officer participated in the OMCT workshop co-sponsored by the Office of the High Commissioner of Human Rights. The workshop provided a strategic opportunity for FIDA-U leadership to dialogue with different Special Rapporteurs and learn how to engage international human rights mechanisms in the protection of women's rights.

7.1 Development partnerships

In order for FIDA-U to make a difference in the lives of millions of Ugandan women, the organization requires support. FIDA-U appreciates the continued support of her development partners. Through their support, FIDA-U maintains a countrywide presence with offices in:

- a) Iganga fully supported by Terres-des Hommes (TDH);
- b) Gulu and Arua supported by DANIDA HUGGO project up to December 2010.
- c) Gulu will continue under the Gender for Growth project up until 2013.
- d) FIDA-U's head office is located at Plot 11 Kanjokya Street. (FIDA-U's legal aid clinic had previously moved to Mawanda Road as part of a cost saving measure that merged the Kawempe Plan Office with the head office. However, due to the fact that the Mawanda office was broken into twice in 2009, FIDA-U was compelled to merge the legal aid clinic with the Secretariat in 2010).

FIDA-U has learned to provide her development partners with quality reports in a more timely manner. This has improved confidence in the organization and all program objectives have been met, resulting in repeat and increased support.

However, the structure of this increased support has limited the organization's administrative capacity. While most organizations spend 35% of their budgets on administrative costs, FIDA-U is limited to 5-10% which barely covers utilities. The scarcity of support to meet administrative costs means that the organization cannot secure the additional capacity required to operate optimally. This has had negative

FIDA-U's DEVELOPMENT PARTNERS

Advocat San Frontiers;

African Women Development Fund;

American Jewish World Services;

Austria Development Cooperation;

Christian Aid;

*DANIDA-HUGGO Basket
Fund;*

Ford Foundation;

IPAS;

OSELA;

Terre des Hommes;

Tides Foundation;

UNFPA;

UNIFEM;

Urgent Action Fund-AFRICA.

implications for staff capacity, particularly in the area of documenting the impact of FIDA-U's work. FIDA-U's current wage bill is estimated at 49 million a month and the staffing is expected to increase on finalization of the pending grants.

The innovative introduction of electronic monthly meetings has reduced administrative costs and improved office operations. Meetings requiring physical attendance are held quarterly.

FIDA-U has increased attention to areas of particular interest to development partners. This has resulted in FIDA-U having a broader impact in altering women's marginalization. FIDA-U regards legal aid as its core area of expertise and continues to work towards increasing support in this area.

7.2 Financial administration

The system audit carried out in June 2008 found the following internal weaknesses:

- i) Double posting of payments.
- ii) Recording unauthorized payments, petty cash recorded as expenditure item.
- iii) Mix up of projects expenses.
- iv) Misclassification of expenses.
- v) No soft copy of fixed asset register.
- vi) Inordinate delays in bank reconciliations.

The systems audit recommended:

- i) Following of the accrual accounting policy while maintaining bank accounts.
- ii) Stamping payment documents.
- iii) Prompt issuing of cheques.
- iv) Prompt bank reconciliations prior to the 15th day of the next month.

In the past FIDA-U struggled to manage its vast resources; relying on accounts assistants to meet the organization's financial management and reporting requirements. The recruitment of Ms. Edith Ssali as FIDA-U's finance and administration director streamlined operations and enabled FIDA-U to merge good business practices with human rights.

FIDA-U has developed and implemented financial and administrative best procedures and practices, to ensure simple, fast and effective processes. The following are the successes:

- (i) FIDA-U currently boasts of prompt financial reporting to facilitate organizational decision making and support from development partners.
- (ii) All audits commissioned by FIDA-U's development partners - DANIDA, UNIFEM, Terres De Hommes , TDH, confirmed FIDA-U financial prudence and adherence to sound ethical standards.
- (iii) All the recommendations of the System's Audit above have been implemented.
- (iv) FIDA-U was effectively run within the available budget.
- (v) Despite having no institutional development partners since 2008, FIDA-U does not have any new creditors.

FIDA-U has economically but efficiently utilized its resources by curbing down on unintentional wastage of stationery and utilities. Improvements include:

- (i) Introduction of fuel cards saving the organization an average of 750,000 shillings a month.
- (ii) Bulk purchasing of office items.
- (iii) Enforcement of stationery controls by introducing an inventory where staff sign for the stationery and stocks are verified every quarter.
- (iv) Availing all staff with organizational emails to improve communication and documentation.
- (v) Minimizing cash transactions by opening bank accounts in all areas of operation to reduce risk of loss or fraud.
- (vi) Empowering coordinators as signatories to the project accounts motivating them to act ethically and professionally. In addition, all project coordinators were coached about the roles and responsibilities of the Accounts/Assistant and expected deliverables.
- (vii) Accountabilities are promptly done and staff appreciate that the authority vests in them and would be individually accountable for their actions.
- (viii) There is compliance with the organizational Human Resource and Finance Manual.

7.3 Financial Statements for the year ended 31 December 2009

STATEMENT OF FINANCIAL STATUS			
	2009		2008
	UShs		Ushs
Assets			
Non-Current Assets			
Property and Equipment	328,167,386		341,975,219
Current Assets			
Cash and Cash Equivalents	47,355,095		344,101,909
Receivables	4,448,680		309,662
	47,800,775		344,411,571
Total Assets	806,168,161		686,386,790
Accumulated Funds and Liabilities			
Accumulated Funds			
General Fund	(322,463,717)		(278,818,751)
Capital Fund	328,167,386		341,975,219
Donor Fund	720,234,951		477,467,137
Designated Fund	3,909,236		4,500,947
	729,847,856		545,124,552
Current Liabilities			
Creditors and Accruals	76,320,305		141,262,238
Total Accumulated Funds and Liabilities	806,168,161		686,386,790

8 THE YEAR AHEAD - 2010

In 2010, FIDA-U is working with its development partners on several projects. These include research, advocacy, networking, capacity building, sustainability, training, media campaigns, community empowerment and documentation of FIDA-U's work.

	<u>Project Area</u>	<u>Details</u>
1	Research	Child Mothers Vulnerability of Market Vendors Culture and Human Rights The Human Rights Audit of the Transitional Justice Mechanism
2	Advocacy	National and International Strategic Litigation
3	Networking	National International
4	Capacity Building	Gender Feminism International human rights Workshops
5	Sustainability	Modeling good practices of livelihood and sustainability Workshops
6	Training	Local Council court officials Judiciary (Lira, Apach, Oyam) Support legal training institutions (Law Development Center) Training of trainers Workshops with Human Rights movements on the Protocol Multi-sector training
7	Media Campaigns	Television talk shows Newspaper supplements Radio talk shows Documentaries
8	Community Empowerment	Community Awareness sessions in Arua Cultural/Community dialogues and legal awareness sessions
9	Documentation	Documentaries Improved online presence Target broader public audience Information, Education and Communication (IEC) materials

