



THE REPUBLIC OF UGANDA

**MINISTRY OF JUSTICE AND
CONSTITUTIONAL AFFAIRS**

**NATIONAL
ALTERNATIVE DISPUTE
RESOLUTION POLICY**



JUSTICE FOR ALL
FEBRUARY, 2025



MINISTRY OF JUSTICE AND CONSTITUTIONAL AFFAIRS

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FOREWORD

The development of a National Alternative Dispute Resolution (ADR) Policy confirms the Government of the Republic of Uganda's commitment to promoting access to justice through more efficient, effective, and inclusive means. This Policy is aligned with the long-term objectives of improving the dispute resolution framework in Uganda.

The Uganda ADR Policy is an integral part of the national legal and justice sector reforms. It serves as a framework for promoting the use of formal, non-formal and informal ADR mechanisms, such as mediation, arbitration, and conciliation. These methods aim to offer cost effective and timely and accessible alternatives to litigation, fostering reconciliation and maintaining the relationship among parties involved in dispute.

The Policy aims to guide all stakeholders in the justice system, including the judiciary, legal practitioners, civil society, and the public, to integrate ADR in their practices and processes.

The emphasis on ADR is based on the recognition that it provides an alternative to litigation, which can often be costly, time-consuming, and inaccessible to many. ADR offers flexible, less formal, and more participatory approaches to resolving conflicts, fostering reconciliation, and preserving relationships among disputing parties.

The Ministry of Justice and Constitutional Affairs is tasked with roles and responsibility to coordinate ADR practices in all sectors. The Policy encourages integration of ADR across all justice system stakeholders including the judiciary legal practitioners, civil society organisations and the General Public, it emphasizes flexibility, participation, and offers more informed avenues for conflict resolution.

This Policy sets a clear path toward a future where disputes are resolved in ways that preserve relationships, promote social harmony, and support sustainable economic growth.



Hon. Norbert Mao

MINISTER FOR JUSTICE AND CONSTITUTIONAL AFFAIRS

PREAMBLE

The National Alternative Dispute Resolution Policy, 2024 establishes a framework aimed at enhancing formal, non-formal and informal dispute resolution mechanisms in Uganda. This Policy seeks to promote equitable and effective methods for resolving disputes, enhancing access to justice for all citizens. This Policy is anchored on the Constitution of the Republic of Uganda, Regional, Continental and International alternative dispute resolution instruments ratified by Uganda; the United Nations Sustainable Development Goals (in particular, SDG 16.3 on the rule of law and access to justice); and the Uganda Vision 2040.

Recognising the diverse roles played by various stakeholders including government agencies, civil society organisations, and faith based groups, the policy proposes a series of commitments to bridge existing gaps in the justice system and to improve the overall effectiveness of dispute resolution mechanism.

Furthermore, it's important to note that successful implementation of this policy will depend on the collective efforts of the stakeholders involved in the dispute resolution process by fostering collaboration and shared responsibility, with the aim to ensure that justice is accessible and responsive to the needs of the community.

We extend our gratitude to all individuals and organisations that contributed towards the development of this Policy

Robert Kasande

PERMANENT SECRETARY,

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EXECUTIVE SUMMARY

The National Alternative Dispute Resolution Policy, 2024 has been developed to guide the implementation of the formal, non-formal and informal dispute resolution mechanisms in Uganda. Acknowledging the limitations of traditional legal frameworks, this Policy aims to provide efficient and culturally relevant methods for dispute resolution that cater to the diverse needs of Ugandans community.

The ADR processes have been considered ineffective, inefficient, and inadequate in resolving disputes in Uganda. This was caused by limited information among third parties or intermediary persons on the benefits, outputs and outcomes of ADR processes and undefined scope and content of training for intermediary persons in settlement of disputes. The Policy proposes several commitments towards addressing sectoral development and bridging the gaps and challenges in the justice system that impede formal, non-formal and informal resolution of disputes.

The Policy clarifies and defines the scope, content and intermediaries for formal, non-formal and informal dispute resolution as a strategy to promote and practice diverse, inclusive and prompt disputes resolution for peaceful coexistence, quality outcomes and socio-economic development.

The Policy is aligned to the Constitution of the Republic of Uganda, the Uganda Vision 2040; the National Development Plan III, and the Judiciary Strategic Plan III and United Nations Sustainable Development Goals (in particular, SDG 16.3 on the rule of law and access to justice);.

The Policy provides guidance for information dissemination, supervision and monitoring of stakeholders based on the Policy problem, Policy statements, outcomes, impacts and stakeholder roles and is guided by the principles of mutual agreement in settlement of disputes between or among parties with or without third parties, reconciliation of parties to a dispute, adherence to norms and aspirations of the people in conformity with the law and consistency with fundamental rights and freedoms.

The Policy will be funded by Government of Uganda and non-state actors including the Private Sector and Civil Society Organizations.

The Policy clearly defines roles and responsibilities of stakeholders. The Ministry responsible for justice will be responsible for linking stakeholders and taking leadership on matters of formal and non-formal resolution of disputes.

DEFINITION OF KEY TERMS

The Policy adopts the following meanings for key Alternative Dispute Resolution (ADR) terms:

- i. “Formal” means use of established structured and systematic ways with authorised third party.
- ii. “Non-formal” means use of established structured and systematic ways without a licensed or accredited third party.
- iii. “Informal” means use of unstructured and unsystematic ways, anywhere, anyhow by any other third party.
- iv. Processes means the steps taken for settlement which include; giving notice of the dispute; lodging of complaints; agreeing on the neutral person; inviting the other party; hearing; and resolution of the dispute.
- v. Procedure means the ways of carrying out or implementing the processes in resolving disputes.
- vi. Mutual settlement of disputes means the parties are in agreement to the process of resolving the dispute.
- vii. On their own settlement means engagement of parties without a third party.
- viii. With the assistance of an intermediary person means engagement of parties with a third party.
- ix. Negotiation means engagement between parties to a dispute without a third party.
- x. Conciliation means listening to the parties and making proposals by a neutral or non-neutral third party to help or enable parties in settlement of their disputes.
- xi. Mediation means listening and guiding the parties by a neutral third party to help or enable parties in settlement of their disputes.
- xii. Arbitration means a mutual agreement to hearing of evidence and presentation of parties or attorneys of parties by a third party and making a binding decision.
- xiii. Disputes are disagreements between parties and include conflicts, cases, grievances, issues of controversy.
- xiv. Intermediary person means authorised third party or any other third party.
- xv. Authorised third party means licensed or accredited individuals or groups of individuals agreed to by parties or appointed by court e.g., arbitrator, conciliator and mediator.
- xvi. Any other third party means informal justice actors e.g., faith-based leaders, cultural leaders.

LIST OF ACRONYMS AND ABBREVIATIONS

ACRWC	African Charter on the Rights and Welfare of the Child
ADR	Alternative Dispute Resolution
AfCFTA	African Continental Free Trade Area
CADER	Center for Arbitration and Dispute Resolution
CLE	Continuous Legal Education
CPA	Civil Procedure Act
CPD	Continuous Professional Development
CPR	Civil Procedure Rules
CRC	Convention of the Rights of the Child
CSO	Civil Society Organisations
FBO	Faith Based Organisations
ICCPR	International Convention on Civil and Political Rights
ICSID	Convention on the Settlement of Investment Disputes between States and Nationals of Other States
MDAs	Ministries, departments and agencies
ODR	Online Dispute Resolution
PAC	Practice Area Committee
S.I.	Statutory Instrument
SDG	Sustainable Development Goals
UDHR	Universal Declaration on Human Rights
UNCITRAL	United Nations Commission on International Trade Law

1.0. INTRODUCTION

The National Alternative Dispute Resolution Policy, 2024 aims to establish a framework to guide the formal, non-formal and informal dispute resolution mechanisms in Uganda. It is aimed at attaining efficient and effective diverse mechanisms of dispute resolutions. This Policy is aligned with the Constitution of the Republic of Uganda, international and regional human rights instruments ratified by Uganda; the United Nations Sustainable Development Goals (in particular, SDG 16.3 on the rule of law and access to justice); the Uganda Vision 2040; the National Development Plan III,; and the Judiciary Strategic Plan III.

2.0. BACKGROUND

2.1. Historical Background

Access to justice is a fundamental right that guarantees one to an independent and impartial process to protect rights that are at stake. Access to justice should be timely, accessible, and effective in remedies, in tandem with the Constitution and international human rights standards. ADR is an approach to access to justice and is being adopted across the globe as a complement or alternate to the conventional law suits or litigation.

The concept of ADR is not new in the Uganda context. Before introduction of formal justice systems, Ugandan cultures had different mechanisms of resolving disputes. In particular, use of third parties or neutral persons to resolve disputes was part of the traditional conflict resolution processes, with the key objective of fostering reconciliation, peace and unity in the communities.

Uganda first promulgated an Arbitration Act in 1930 and the Civil Procedure Rules Statutory Instrument (S.I.) No. 63-1, but first promulgated by General Notice 607/1928) as legal frameworks that paved way for court-based ADR, providing a legal framework for its practice within the formal justice system.

Prior to ADR being formally integrated in Uganda's justice system, there were a number of challenges based on beliefs, for example: the justice system being adversarial; the rights of the parties not being protected; ADR being an impediment to the rule of law; and that ADR would oust the powers of courts in administration of justice.

Due to the changing socio-economic realities, acceptance by disputing parties, and ADR's cost effectiveness, and efficiency in resolution of disputes, ADR gradually came to be viewed as a tool of access to justice.

To support trade and investment Uganda enacted commercial laws that emphasized the Investment Code Act initially Cap 92 to Cap 74¹, exemplifies legislation later tailored to create a conducive environment for foreign investment by encouraging efficiency dispute resolutions.

2.2. Policy Context

2.2.1. Global and Regional Policy Context (Economics, Socio-Political and Environmental Context)

Global economic shifts, particularly in International trade further propelled the adoption of ADR. The need for standardized mechanism to manage cross-boarder disputes led to the introduction of United Nations Commission on International Trade Law (UNCITRAL) arbitration and conciliation rules, which provided a universal legal framework supporting the use of ADR. The international backing helped legitimize ADR in Uganda

1 Revised edition of the Laws of Uganda, 2000

2.2.2.National Policy Context (Economics, Socio-Political and Environmental Context) Background

The Constitution of the Republic of Uganda, 1995, under article 126 enunciates the principles embedded in ADR for example: that justice shall not be delayed; and reconciliation between the parties to a dispute and administration of justice without undue regard to technicalities. This constitutional mandate provided a strong foundation for embedding ADR Principles within the Judicial Processes.

Subsequently, the Commercial Court Division of the High Court was established in 1996 and in the execution of its mandate, was enjoined to incorporate ADR by being proactive. The Commercial Court Division (Mediation Pilot Project) Practice Direction, 2003, Legal Notice No 7/2003 piloted mediation as a form of court annexed ADR at the commercial division. This highlighted a proactive approach to integrating ADR into formal court processes.

In 1998, the Civil Procedure Rules were amended to introduce scheduling which requires parties to set out the issues of agreement and disagreement and the possibility of ADR. The Arbitration and Conciliation Act, Cap 5 established the Center for Arbitration and Dispute Resolution (CADER). Reinforcing Uganda's infrastructure for ADR services.

Currently, ADR is incorporated into a number of key Ugandan legislation including, among others, the Land Act, Cap 236, the Labour Disputes (Arbitration and Settlement) Act, Cap 227, the Employment Act, Cap 226 and the Judicature Act, Cap 16. These legal incorporations demonstrate the integral role ADR plays in ensuring accessible, efficient and amicable dispute resolution across various sectors.

2.3. SITUATIONAL ANALYSIS

This sub-section presents the Strengths, Weaknesses, Opportunities and Threats (SWOT) of formal, non-formal and informal resolution of disputes.

Strengths refer to internal strong points, abilities or enablers. The identified strengths of formal, non-formal and informal resolution of disputes include:

- i. Availability of third parties to settle disputes.
- ii. Easy accessibility by parties in resolving disputes anywhere, anytime.
- iii. Flexibility, creativity and innovativeness in resolving disputes.
- iv. Variety of outcomes of resolving disputes.
- v. Parties control or manage resolving disputes.
- vi. Application of different methods in resolving disputes.
- vii. Confidentiality in resolving disputes.
- viii. Amicable outcomes in resolving disputes.
- ix. Efficiency in resolving disputes.
- x. Mutual relationships among parties and communities.

Weaknesses refer to internal shortcomings, inabilities. Weak areas or points. For the

formal, non-formal and informal resolution of disputes, weaknesses include:

- i. Limited use of source and scope of evidence in resolving disputes.
- ii. Inability to enforce resolutions where one party misbehaves or absconds.
- iii. Lack of public scrutiny in resolving disputes.
- iv. Lack of documented precedence for reference in resolving disputes.

Opportunities refer to external prospects or areas that can be exploited. The opportunities of formal, non-formal and informal resolution of disputes include:

- i. Existence of: third-party structures for resolving disputes under the informal, non-formal and formal system; ADR practices in resolving disputes; many disputes among the public; high case backlog in the judicial system Awareness among the public on use of ADR in resolving disputes; alternative justice systems; and training opportunities for third parties in resolving disputes.
- ii. Willingness among parties to resolve disputes.

Threats refer to external obstacles, bottlenecks, challenges that affect situations or circumstances. The threats to formal, non-formal and informal resolution of disputes include:

- i. Limited awareness among the public on the appropriate disputes that can be handled by the formal, non-formal and informal.
- ii. Moral decay among third parties and members of public.
- iii. Negative influence of parties or third parties with power imbalance
- iv. Perception among some parties, third parties and members of the public that: mutual resolution of disputes is not a lucrative venture; they are for litigation other than mutual resolution of disputes; and mutual resolution of disputes is for the vulnerable and indigent persons.

The SWOT needs to be take into account when focusing on formal, non-formal and informal mutual settlement of disputes with or without third parties towards zero unresolved disputes.

3.0. PROBLEM STATEMENT

ADR as a form of dispute resolution, includes formal, non-formal or informal processes or procedures of mutual settlement of disputes between parties on their own or with the assistance of an intermediary person through negotiation, conciliation, mediation or arbitration.

ADR has notable shortfalls, including ineffective formal processes such as mutual settlements and mediation; non-formal approaches with negotiations or third-party assistance; and informal settlements with or without intermediary involvement. These issues extend to inefficiencies in formal procedures with intermediaries, conciliation, arbitration, and challenges with non-formal procedures and undefined informal dispute categories. Additionally, there is a lack of adequate formal intermediary support and clear definitions for non-formal and informal disputes.

The main causes of these shortfalls include limited information for parties and intermediaries on the benefits, outcomes, and impacts of engaging a neutral person, inviting other parties, settling disputes mutually, negotiating without a third party, or utilizing mediation, conciliation, and arbitration. There is also inadequate knowledge sharing among parties on dispute scope, the need for full disclosure, consequences of non-compliance with time frames, and insufficient training for intermediaries on handling disputes.

These issues result in a high rate of unresolved disputes, contributing to family breakdowns, 26.32% case backlogs, prison congestion of 20,996, increased crime rate of 501, stalled development projects, and reduced domestic and foreign investments. While legislative and institutional frameworks for ADR exist, challenges and gaps hinder ADR's potential and development in the country.

4.0. VISION, MISSION, GOALS, OBJECTIVES, VALUES/ GUIDING PRINCIPLES, JUSTIFICATION/ RATIONALE

4.1. Policy Vision

The vision is ***“To have a society or communities free from unresolved disputes”***.

4.2. Policy Mission

The mission is: ***“To promote and practice diverse, inclusive and prompt disputes resolution for peaceful coexistence, quality outcomes and socio-economic development”***.

4.3. Policy Goal

The goal is ***“Efficient and effective diverse mechanisms of dispute resolutions”***.

4.4. Policy Objectives

The strategic objectives under this are to:

- i. Provide information on the benefits, outputs, outcomes, and impacts of each dispute resolution process to parties, third parties, and authorized persons.
- ii. Ensure awareness of timelines and consequences related to lodging, inviting, and responding to disputes for all parties involved.
- iii. Educate third parties on the methods and processes of various dispute resolution techniques, including conciliation, mediation, arbitration, and negotiation.
- iv. Promote understanding of mutual settlements and the role of intermediaries in effective dispute resolution.
- v. Define the scope and content of training for intermediary persons involved in dispute settlement to ensure comprehensive understanding and skill development.

4.5. Scope

The Policy takes an inclusive approach that encompasses:

- a. Formal, non-formal and informal mechanisms
- b. Private and public matters
- c. Civil or criminal disputes
- d. Justiciable and non-justiciable matters

- e. Traditional and innovative methodologies, processes and approaches of dispute resolution.

4.6. Principles and values

4.6.1. Principles

The principles include:

- a. Mutual agreement in settlement of disputes between or among parties with or without third parties
- b. Reconciliation of parties to a dispute
- c. Adherence to norms and aspirations of the people in conformity with the law
- d. Consistency with fundamental rights and freedoms

4.6.2. Values

In resolving disputes, the parties shall uphold:

- a. Transparency
- b. Accountability
- c. Confidentiality
- d. Trustworthiness
- e. Integrity- quality of being honest and morally upright
- f. Fairness
- g. Impartiality
- h. Equity
- i. Reliability
- j. Accessibility

4.7. Justification/Rationale

Regulatory Impact Assessment was carried out on three possible alternative options using cost-benefit analysis, impacts and distribution of impacts, and ease of enforcement and implementation as well as monitoring and evaluations.

The overall ranking indicates that best option in addressing issues in mutual settlement of disputes is enhancing coordination which also ranked number one in analysis of benefits, costs, negative impacts and their distribution, and ease of monitoring and evaluation.

The second-best option is introducing a policy which ranked number one in analysis of costs, positive impacts and their distribution, and ease of enforcement and implementation.

The last option is Do nothing which also ranked last in analysis of benefits, cost, positive impacts and their distribution, negative impacts and their distribution, ease of enforcement and implementation, and ease of monitoring and evaluation.

In line with the analysis and its conclusion, the RIA recommended the development of ADR Coordination Strategy, ADR Policy, Manual on Coordination of Stakeholders and Guidelines on mutual settlement of disputes, Practice directions on mutual settlement of disputes, Operational manuals on mutual settlement of disputes and Standard Operating Procedures to facilitate implementation of a policy.

The justification/rationale for non-adversarial formal, non-formal and informal dispute settlement mechanisms is that:

- a. Adversarial formal dispute resolution mechanisms are slow and expensive while the non-adversary mechanisms are timely, efficient and effective in resolving disputes among parties
- b. Adversarial mechanism is rigid, follows set rules and procedures whereas the non-adversarial mechanism is flexible and adaptable in resolving disputes
- c. Adversarial mechanism is divisive whereas the non-adversarial mechanism is constructive and amicable in resolving of disputes and enhances access to justice
- d. Adversarial mechanism resolves few (about 7%) disputes whereas the non-adversarial mechanism can resolve more (about 93%) disputes through mutual settlement of disputes with or without third parties outside the court system (2024 justice needs and survey report)
- e. It is complementary to courts of law in resolution of disputes.
- f. Adversarial mechanism is costly and a burden to administration of justice whereas non-adversarial mechanism is cost effective and self-financing

5.0. POLICY THEMATIC/PRIORITY AREAS AND STRATEGIC ACTIONS, AND IMPACTS

The Policy proposes several commitments towards addressing sectoral development and bridging the gaps and challenges in the justice system that impede formal, non-formal and informal resolution of disputes.

5.1. Thematic/ Priority Areas/ Policy Statements

The thematic areas are on formal, non-formal and informal resolution of disputes. The Policy statements under each are presented as follows:

a. Formal resolution of disputes

The Policy statements include;

1. Establishing programmes for capacity development, quality control, research and knowledge management and leveraging of Information Communication Technology (ICT) for resolution of disputes development
2. Ensuring adequate information to the parties, third parties or authorized persons on:
 - i. conciliation, mediation or arbitration in settlement of disputes
 - ii. assistance of intermediary persons in settlement of disputes
 - iii. agreeing on a neutral person
 - iv. inviting the other party
 - v. mutual settlement of disputes
 - vi. negotiation in settlement of disputes without a third party
 - vii. meeting the time frame in which to issue a notice, making a response to the notice and lodging complaint(s)
 - viii. hearing and resolving simple, complex or emerging disputes
 - ix. scope and content of disputes, benefits of full disclosure
 - x. scope and content of training intermediary persons in settlement of disputes

b. Non-Formal resolution of disputes

The Policy statement is to ensure adequate information to parties or third parties on:

- i. giving, responding to notice and lodging complaint(s) of disputes
- ii. identifying, selecting and agreeing to a neutral person(s)
- iii. content, context and nature of the dispute necessary for tracing and inviting the other parties for the hearing
- iv. hearing and resolving a dispute
- v. mutual settlement of disputes
- vi. negotiation in settling disputes
- vii. conciliation and mediation in settling disputes
- viii. available scope and nature of disputes
- ix. using intermediary persons in settling disputes

c. Informal resolution of disputes

The Policy statement is to ensure adequate information to the parties or third parties on:

- i. mutual settlement of disputes on their own
- ii. negotiation in settlement of disputes
- iii. conciliation and mediation in settlement of disputes
- iv. available scope and nature of disputes
- v. using intermediary persons in settling disputes

5.2. Strategies/Actions

The strategies/actions under the different strategic objectives are as follows:

Strategic objective 1: To provide information on the benefits, outputs, outcomes, and impacts of each dispute resolution process to parties, third parties, and authorized persons.

Strategies/Actions

1. Enhance knowledge and skills of the parties on the methods and processes of agreeing on a neutral person(s)
2. Increase information to the parties on:
 - i. standards, requirements, and conditions of agreeing on a neutral person(s)
 - ii. available alternative qualified neutral person(s) and means of agreeing on a neutral person
3. Enhance knowledge and skills of the parties and third parties on the methods, processes and technologies of tracing and inviting the other parties for the hearing
4. Increase information to the parties on standards, requirements, and conditions of tracing and inviting the other party; and available alternative means of tracing and inviting the other party for the hearing
5. Enhance knowledge and skills of the parties on the methods, processes and technologies of tracing and inviting parties for hearing and resolving disputes
6. Increase information to the parties on:
 - i. available alternative third parties and means for hearing and resolving disputes
 - ii. alternative methods, processes and technologies of hearing and resolving disputes
 - iii. standards, requirements, and conditions for hearing and resolving disputes
 - iv. benefits, outputs, outcomes and impact for hearing and resolving disputes and consequences for not doing so
 - v. available alternative means of full disclosure for hearing and resolving disputes
7. Increase information to the parties on available alternative third parties for conciliation, mediation or arbitration in settlement of disputes
8. Enhance knowledge and skills of the parties on the methods, processes and technologies for or of:
 - i. conciliation, mediation or arbitration in settlement of disputes

- ii. tracing and inviting parties for conciliation, mediation or arbitration in settlement of disputes
9. Widen the scope of application of conciliation, mediation or arbitration in settlement of disputes
10. Improve sharing of information among parties on scope and content of disputes for conciliation, mediation or arbitration in settlement of disputes
11. Define standards, requirements and conditions for conciliation, mediation or arbitration in settlement of disputes
12. Increase information to the parties on the available alternatives of assistance of intermediary persons in settlement of disputes
13. Enhance knowledge and skills of third parties on the methods, processes and technologies for providing assistance in settlement of disputes
14. Define standards, requirements and conditions for assistance of intermediary persons in settlement of disputes
15. Define scope of offences, penalties, sanctions for non-compliance by ADR third parties
16. Define standards, requirements and conditions for or of training authorized persons in settlement of disputes; and national accreditation of authorized persons in settlement of disputes
17. Increase information to the authorized persons on standards, requirements and conditions for international accreditation of authorised persons in settlement of disputes; and available alternatives opportunities for training in settlement of disputes
18. Enhance knowledge and skills of the authorized persons on the methods, processes and technologies for settlement of disputes
19. Define scope and content of training authorized persons in settlement of disputes
20. Increase information to the parties on methods and processes of identifying and agreeing on a neutral person(s); and available alternative and experienced neutral person(s)
21. Enhance knowledge and skills of the neutral person(s) on the content, context and nature of the dispute
22. Increase information to the parties on:
 - i. alternative procedures and processes of hearing and resolving disputes
 - ii. standards and requirements for hearing and resolving disputes
23. Define standards and requirements of hearing and resolving disputes
24. Enhance knowledge and skills of the third parties on the methods, processes and technologies of hearing and resolving simple, complex or emerging disputes; and carrying out research, innovation and development for hearing and resolving

disputes

25. Define standards and requirements of third parties in hearing and resolving disputes
26. Increase information to the parties on available alternative conciliators, and mediators in settlement of disputes; and available alternative means of conciliation and mediation in settling disputes
27. Define standards and requirements for conciliation and mediation in settlement of disputes
28. Widen scope and nature of disputes for settlement; and engagement of the parties in settlement of disputes
29. Enhance standards and requirements for settlement of disputes
30. Increase information to the parties on available scope and nature of disputes
31. Enhance knowledge and skills of the intermediary persons on the procedures, processes and technologies in settlement of disputes
32. Define standards and requirements for the intermediary persons in settlement of disputes
33. Enhance knowledge and skills to the third parties on the methods, process and technologies of conciliation and mediation in settlement of disputes
34. Increase information to the parties on procedures and processes of conciliation and mediation in settlement of disputes
35. Define standards and requirements for conciliation and mediation in settlement of disputes
36. Increase information to the parties on available alternative intermediary persons in settlement of disputes; and means of using intermediary persons in settling disputes

Strategic objective 2: To ensure awareness of timelines and consequences related to lodging, inviting, and responding to disputes for all parties involved.

Strategies/Actions

1. Enhance knowledge and skills of the parties on the methods, processes and technologies of interpreting information for giving notice, making a response to the notice and lodging complaint(s)
2. Increase information to the parties on:
 - i. available alternative means of giving notice, making a response to the notice and lodging complaint(s)
 - ii. available alternative sources of information in giving notice, making a response to the notice and lodging complaint(s)

- iii. methods, processes and technologies for the use of ICT in giving notice, making a response to the notice and lodging complaint(s)
- iv. benefits, outputs, outcomes and impact of giving notice, making a response to the notice and lodging complaint(s) and consequences for not doing so
- v. scope and content of giving notice, making a response to the notice and lodging complaint(s)
- vi. standards, requirements and conditions for giving notice, making a response to the notice and lodging complaint(s)
3. Enhance knowledge and skills of the parties on the methods, processes and technologies in tracing, giving, responding to notice and lodging complaint(s) of disputes
4. Define standards and requirements for giving, responding to notice and lodging complaint(s) of the disputes
5. Increase information to the parties on:
 - i. the benefits, outputs, outcomes and impact of using ICTs in tracing, giving, responding to notice and lodging complaint(s) of the disputes
 - ii. processes and procedures of tracing, giving, responding to the notice and lodging complaint(s) of the disputes
 - iii. available alternative means of giving, responding to notice and lodging complaint(s) of disputes

Strategic objective 3: To educate on the methods and processes of various dispute resolution techniques, including conciliation, mediation, arbitration, and negotiation.

Strategies/Actions

1. Enhance knowledge and skills of the third parties or judicial officers on the methods, processes and technologies of:
 - i. carrying out research, innovation and development for hearing and resolving disputes
 - ii. supervision, inspection, monitoring and evaluation of the operations of court annexed mediators for hearing and resolving disputes.
2. Increase information to the third parties on:
 - i. the benefits, outputs, outcomes and impact for hearing and resolving disputes
 - ii. available alternative means of hearing and resolving simple, complex or emerging disputes
3. Define requirements, standards and conditions of third parties in hearing and resolving disputes

Strategic objective 4: To promote understanding of mutual settlements and the role of intermediaries in effective dispute resolution.

Strategies/Actions

1. Enhance knowledge and skills of the third parties on the methods, processes and technologies in or of:

- i. carrying out research, innovation and development for mutual settlement of simple, complex and emerging disputes
 - ii. tracing and inviting parties for mutual settlement of disputes
 - iii. mutual settlement of simple, complex or emerging disputes
2. Enhance knowledge and skills of the parties on the methods, processes and technologies for or of:
 - i. negotiation in settlement of disputes without a third party
 - ii. tracing and inviting parties for negotiation in settlement of disputes without third parties
3. Define standards, requirements and conditions for negotiation in settlement of disputes with or without involving a third party
4. Improve sharing of information among parties on the content, context and nature of mutual settlement of disputes
5. Define standards and requirements for parties settling their own disputes
6. Increase information to the parties on available alternative means of negotiation in settling disputes
7. Enhance knowledge and skills of the parties on process of mutual settlement of disputes on their own or with the assistance of an intermediary person
8. Define standards, requirements and conditions for mutual settlement of disputes on their own or with the assistance of an intermediary person
9. Increase information to the parties on available alternative means of mutual settlement of disputes on their own or with the assistance of an intermediary person

Strategic objective 5: To define the scope and content of training for intermediary persons involved in dispute settlement to ensure comprehensive understanding and skill development.

Strategies/Actions

1. Define standards, requirements and conditions for or of training third parties in settlement of disputes; and national accreditation of third parties in settlement of disputes
2. Increase information to the third parties on the benefits, outputs, outcomes and impact of Intermediary persons in settlement of disputes and consequences for not doing so; and available alternatives of training intermediary persons in settlement of disputes

5.3. Policy Outcomes

Policy outcomes are the expected changes arising from efficient, accessible and flexible mechanisms of formal, non-formal and informal resolution of disputes.

They include:

1. Reduced rate of unresolved disputes' contribution to the reduced high rate of: ²

² Baseline survey will be conducted to collect the baseline data on family breakdown, loss of property, collapse of business, locked up financial resources and failure of development projects

- i. Congestion in prisons from 20,996 to 15,000;
 - ii. Crimes from 501 to 2503;
 - iii. Unemployment from 12.3% to 7% 4;
 - iv. Family breakdown;
 - v. Civil strife;
 - vi. Death Rate from 5 to 44
 - vii. Loss of property;
 - viii. Collapse of businesses;
 - ix. Mental health cases from 12% to 6%4;
 - x. Locked up financial resources in judicial system;
 - xi. Failure of development projects; and
 - xii. Slowdown and or stalling of development projects
2. Increased rate of:
- i. Foreign direct investments and
 - ii. Domestic direct investments.

5.4. Positive impacts and their distribution

Positive impacts and their distribution are the expected affirmative changes and the stakeholders who will bear the changes. These arise from efficient, accessible and flexible mechanisms of formal, non-formal and informal resolution of disputes and include:

a. Formal resolution of disputes

- i. improved well-being of the parties and communities
- ii. improved production and productivity of parties and communities;
- iii. reduced mental disorders among parties and third parties; and
- iv. increased life expectancy of members of the public.

b. Non-formal resolution of disputes

- i. improved production and productivity of parties, family members and communities,
- ii. improved well-being of parties, third parties, family members and communities,
- iii. increased life expectancy of parties and
- iv. reduced mental disorders among parties, family members and communities.

c. Informal resolution of disputes

- i. Improved production, productivity and well-being of parties, family members and communities;
- ii. Increased life expectancy of members of the public; and
- iii. Reduced mental disorders among parties, family members and communities.

3 Uganda Police Force Annual Crime Report 2023

4 National-Population-and-Housing-Census-2024-Final-Report- Volume-1

6.0. LINKAGES TO EXISTING LEGISLATIONS, POLICIES, PROTOCOLS, REGULATIONS, STRATEGIES, AND CROSS-CUTTING ISSUES

This Policy will be complemented by existing legal and Policy frameworks, which include:

6.1. International Policy and legal frameworks

The UNCITRAL Arbitration Rules 1976, provide a comprehensive set of procedural rules upon which parties may agree for the conduct of arbitral proceedings arising out of their commercial relationship and are widely used in ad hoc arbitrations as well as administered arbitrations.

The UNCITRAL Conciliation Rules 1976, provide a comprehensive set of procedural rules upon which parties may agree for the conduct of conciliation proceedings arising out of their commercial relationship.

The UNCITRAL Model Law on International Commercial Arbitration 1985 as amended is applicable to international commercial arbitration. The model law is designed to assist states in reforming and modernizing their laws on arbitral processes so as to take account the particular features and needs of international commercial arbitration. Additionally, the New York Convention of 1958, provides for international regime for the enforcement of foreign arbitral awards.

These will be applied by parties in resolution of commercial disputes.

The Convention on the Settlement of Investment Disputes between States and Nationals of Other States, 1966 (the “ICSID Convention”), provides a forum for conciliation of disputes between Member States and foreign investors qualifying as nationals of other Member States.

The Charter of the United Nations, the Universal Declaration of Human Rights (UDHR) 1948, the International Covenant on Economic, Social, and Cultural Rights (ICESCR) 1976, the International Covenant on Civil and Political Rights (ICCPR) 1976, the United Nations Convention on the Rights of the Child (CRC) 1989, United Nations Convention on Elimination of All forms of Discrimination Against Women (CEDAW) 1981, United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) 2006, and United Nations Convention on the Rights of Migrant Workers and their Families (CRMWF) 2003 all provide for a right to access to justice, and in pursuit of the same, with mechanisms for resolution of disputes.

6.2. Continental Policy and legal frameworks

Africa Continental Free Trade Area (AfCFTA) Agreement 2019, which lays down different protocols on trade in goods and services, dispute settlement, investment,

intellectual property rights and competition Policy, digital trade, women and youth in trade.

African Charter on Human and Peoples' Rights (Banjul Charter) (ACHPR) 1986; African Charter on the Rights and Welfare of the Child (ACRWC) 1999; Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) 2005; Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa 2024.

All the above provide for a right to access to justice, and in pursuit of the same, with mechanisms for resolution of disputes.

6.3. Regional Policy and legal frameworks

East African Community (EAC) Treaty 2000; Treaty establishing Common Market for Eastern and Southern Africa (COMESA) 1994; International Conference for Great Lakes Region (ICGLR) 2008; Agreement for establishing the Inter-Governmental Authority for Development (IGAD) 1996 and the COMESA-EAC-SADC Tripartite Free trade Area (TFTA) Agreement 2024

All the above provide for resolution of disputes.

6.4. National Policy and legal frameworks

The Constitution of the Republic of Uganda 1995, article 126 provides that judicial power is derived from the people and the administration of justice shall be in conformity with the law, values, norms and aspiration of the people. It further emphasizes that in adjudicating cases of both a civil and criminal nature, the courts shall, subject to the law, promote reconciliation between parties.⁵In addition, Chapter 4 provides a comprehensive Bill of Rights that are recognized and enforceable by parties in resolution of disputes case a dispute arises including the right to a fair trial.

Uganda Vision, 2040 lays down the aspirations and targets of the country and one of the aspirations is to have a morally upright God-fearing society with values of fairness, justice, respect, truth, responsibility and patriotism.

The National Development Plan III, 2020/21-2024/25 recognizes the necessity for access to justice for all through different efficient mechanisms, including resolution of disputes.

Arbitration and Conciliation Act Cap 5, Judicature Act, Cap 16, Investment Code Act, Cap 74, Employment Act, Cap 226, Labour Disputes (Arbitration and Settlement) Act, Cap 227, Institution of Traditional and Cultural Leaders Act, Cap 242, the Land Act, Cap 236 and the Magistrates Courts Act, Cap 19, Judicature (Mediation) Rules, 2013, the Civil Procedure Act, Cap 282 and Civil Procedure Rules SI 71-1 and the Tax Procedures Code (ADR Procedure) Regulations, 2023.

⁵ Article 126(2) (d) of the Constitution of Uganda, 1995.

The above highlighted legal regime provide mechanisms, processes, procedures and roles of parties in resolution of disputes under different thematic areas.

6.5. Cross Cutting Issues e.g. (Climate change, Environment Management, gender and equity, HIV/AIDS, minority indigenous persons)

Cross cutting issues are matters that are considered at all levels. In resolution of disputes, the cross cutting issues include:

1. Gender and Equity: parties and third parties shall offer equal opportunities and ensure the participation of women and other vulnerable or marginalized groups e.g People With Disabilities, in dispute resolution interventions.
2. Climate change: parties and third parties shall ensure that the resolutions do not contribute to adverse effects on climate and weather.
3. Environment Management: parties and third parties shall ensure that the resolutions do not compromise the current and future use of the environment and natural resources.
4. HIV/AIDS: parties and third parties shall not be discriminated against, on the basis of their HIV status in dispute resolution.
5. Minority Indigenous Persons: participation and opinions of minority indigenous persons shall be taken into consideration in resolution of disputes.

7.0. IMPLEMENTATION FRAMEWORK AND STRATEGIES FOR PARTNERSHIP FOR COMPLIANCE

7.1. Coordination and Leadership Framework

This sub section spells out who shows direction and links the stakeholders at different levels in the implementation of the Policy.

At national level, the Ministry responsible for justice will be responsible for linking stakeholders and taking leadership on matters of formal and non-formal resolution of disputes.

At city, District, Municipality, Town Council, Subcounty and Parish Levels, the Technical Heads of the Local Governments and Administrative Units shall be responsible for linking stakeholders and taking leadership on matters of formal, non-formal and informal resolution of disputes.

7.2. Information, Education, Communication and Dissemination Strategies

At National level, the Ministry responsible for justice in consultation with key justice stakeholders shall be responsible for informing, educating, communicating and disseminating data and information on resolution of disputes to the various stakeholders.

The materials to be used may include; books, newspapers, gazette, brochures, leaflets, pamphlets, posters, podcasts, pocket guides, user guides, circulars, billboards, manuals, booklets, popular versions, infographics and handouts.

The methods to be used may include online and offline platforms. The online platforms comprises websites, emails, social and mainstream media. Offline platforms include conferences, workshops, barazas, seminars, meetings.

At city, district, municipality, town council and subcounty levels, the heads of the administrative units in consultation with key justice stakeholders shall be responsible for informing, educating, communicating and disseminating data and information on formal, non-formal and informal resolution of disputes to the various stakeholders at district and lower local government levels.

The materials to be used may include; newspapers, the Gazette, brochures, leaflets, pamphlets, posters, podcasts, user guides, billboards, manuals, booklets, popular versions, infographics and handouts.

The methods for providing informing, educating, communicating and disseminating information and data to stakeholders may include online and offline platforms. The online platforms comprises websites, emails, social and mainstream media. Offline platforms include conferences, workshops, barazas, seminars, meetings.

7.3. Feedback Mechanisms

At National level, the Ministry responsible for justice in consultation with key justice stakeholders shall be responsible for collecting data and information and providing feedback on resolution of disputes to the various stakeholders.

The data and information for feedback may be collected through surveys, studies, MEAL, suggestion boxes, hotlines, emails, websites, and physical visits.

The materials to be used for feedback may include: newspapers, the Gazette, leaflets, posters, billboards, letters, circulars, press releases, press briefings, infographics and handouts.

The methods for providing feedback to stakeholders may include online and offline platforms. The online platforms comprise websites, emails, social and mainstream media. Offline platforms include conferences, workshops, barazas, seminars, meetings.

At city, district, municipality, town council and sub county levels, the heads of the administrative units in consultation with various stakeholders shall be responsible for collecting data and information and providing feedback on resolution of disputes at district and lower local government levels.

The data and information for feedback may be collected through surveys, studies, MEAL, suggestion boxes, hotlines, emails, websites, and physical visits.

The materials for providing feedback may include; newspapers, the Gazette, leaflets, posters, billboards, infographics and handouts.

The methods for providing feedback may include online and offline platforms. The online platforms comprise websites, emails, social and mainstream media. Offline platforms include conferences, workshops, barazas, seminars, meetings.

7.4. Implementation Stages and Drivers

This sub section on implementation stages and drivers presents the key processes to be undertaken and factors that shall support, influence or facilitate the processes to be undertaken respectively.

Under **formal resolution of disputes**, the processes to be undertaken include:

- a. Needs Assessment** to identify gaps and required actions to address the gaps.
- b. Stakeholder Mapping** to identify key stakeholders who would be affected or involved.
- c. Resource Identification** to determine the resources for implementation.
- d. Training and Education** including developing training programs to raise awareness and build skills.
- e. Conducting Public Awareness Campaigns** to familiarize stakeholders with the mechanisms.

- f. Developing standards, requirements and conditions for or of training authorized persons on the mechanisms
- g. MEAL which will include: data collection on outcomes to evaluate effectiveness and developing feedback mechanisms
- h. Institutionalization and resource mobilization to ensure sustainability for implementation.

The drivers for formal resolution of disputes include: strong leadership, effective communication and collaboration between the stakeholders, adequate resources (financial, human and logistical), institutional capacity, community engagement (community responsiveness) and technological advancement.

Under **non-formal resolution of disputes**, the processes to be undertaken include:

- a. Identifying the information needs of parties and the channels for dissemination
- b. Developing the scope of disputes to be resolved through the mechanism
- c. Developing guidelines for lodging complaints, appointment of third parties, hearing procedures
- d. Sensitising the parties, stakeholders on the use of the mechanism and its benefits
- e. Capacity building of the third parties on conducting the mechanism

The drivers for the identified processes include: existence of experienced human resource, finances and tools, guidelines and standards for the mechanism and utilising different communication mediums such as TV, radios, phones, internet

Under **informal resolution of disputes**, the processes to be undertaken include:

- a. **Information needs assessment of parties** to use in developing materials for sensitisation and training the parties, and designing guidelines.
- b. **Developing guidelines** to provide for jurisdiction in disputes, procedures, operations, record keeping, values and principles to uphold the code of conduct.
- c. **Undertaking capacity building** including training on basic record keeping, provision of registers and establishing systems for record management, procedures and guidelines for informal dispute resolution.
- d. **Sensitisation** on the guidelines for informal dispute resolution for third parties, communities and elders through barazas, churches, mosques, market days, community gatherings, cultural collective ceremonies.

The factors that support, influence or facilitate the processes identified above include: stakeholders' commitment to participate, simplified guidelines for use in informal dispute resolution and knowledge and skills for identification, accessing and justification of financial, material resources for use in informal dispute resolution.

7.5. Resource mobilisation mechanisms

The implementation of the Policy shall be carried out by a number of stakeholders with clear roles and responsibilities. Each stakeholder shall be responsible for planning, mobilizing, utilizing, accounting and reporting for resources for interventions under their areas of jurisdiction.

The resources may be financial, technical or material and may be mobilized from Government of Uganda, Private Sector, Civil Society Organisations or any other stakeholders to support the implementation of the Policy.

In the process of resolving disputes between parties, some of the expenses may be met in kind or financially by the parties, third parties or any other stakeholders.

8.0. ROLES AND RESPONSIBILITIES OF KEY STAKEHOLDERS

Clear roles and responsibilities are essential for effective and efficient resolution of disputes at all levels. This section outlines key stakeholders and their roles and responsibilities as follows:

1. The Ministry responsible for justice

The Ministry's key roles and responsibilities include:

- a. Conducting formal and non-formal resolution of disputes
- b. Initiating national programmes and projects on formal, non-formal and informal resolution of disputes
- c. Establishing, managing and maintaining a centralized database on matters of formal, non-formal and informal resolution of disputes
- d. Establishing, managing and maintaining data and information sharing protocols on formal, non-formal and informal resolution of disputes
- e. Collecting, analyzing, storing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- f. Building the capacity of stakeholders on formal, non-formal and informal resolution of disputes
- g. Producing, simplifying, translating into local languages and disseminating Information, Education and Communication (IEC) materials on formal, non-formal and informal resolution of disputes to stakeholders
- h. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes
- i. Conducting monitoring, evaluation, accountability and learning (MEAL) on formal, non-formal and informal resolution of disputes
- j. Carrying out Research, Innovation and Development (RID) on formal, non-formal and informal resolution of disputes
- k. Setting standards, licensing, disciplining and monitoring third parties in formal and non-formal resolution of disputes

2. Judiciary

The key roles and responsibilities shall include:

- a. Conducting formal and non-formal resolution of disputes
- b. Issuing operational permits, disciplining and monitoring third parties in formal resolution of disputes
- c. Developing and updating a code of conduct for third parties in formal resolution of disputes and monitoring its compliance

- d. Setting and updating standards, monitoring compliance to standards and disciplining third parties in formal resolution of disputes
- e. Developing and updating IEC materials on formal, non-formal and informal resolution of disputes, simplifying, translating into local languages and disseminating to various stakeholders
- f. Developing and updating training curriculum on formal resolution of disputes in consultation with the national institution responsible for curriculum development and monitoring its compliance by third parties
- g. Capacity building of stakeholders on formal and non-formal resolution of disputes

3. Ministry responsible for Labour, Gender and Equity

The Ministry's key roles and responsibilities include;

- a. Conducting formal, non-formal and informal resolution of disputes
- b. Developing and updating a code of conduct for third parties on formal, non-formal and informal resolution of disputes and monitoring its compliance
- c. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- d. Developing and updating IEC materials on formal, non-formal and informal resolution of disputes, simplifying, translating into local languages and disseminating to various stakeholders
- e. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes

4. Ministry responsible for Information Communications Technology

The Ministry's key roles and responsibilities include;

- a. Conducting formal, non-formal and informal resolution of disputes
- b. Promoting the use of ICT in formal, non-formal and informal resolution of disputes
- c. Developing, managing and maintaining online platforms for formal, non-formal and informal resolution of disputes
- d. Conducting monitoring, evaluation, accountability and learning (MEAL) on application of ICT systems in formal, non-formal and informal resolution of disputes

5. Ministry responsible for Local Government

The Ministry's key roles and responsibilities include;

- a. Conducting formal and non-formal resolution of disputes
- b. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes

- c. Developing and updating IEC materials on formal, non-formal and informal resolution of disputes, simplifying, translating into local languages and disseminating to various stakeholders
- d. Establishing, managing and maintaining a centralized database on matters of formal, non-formal and informal resolution of disputes
- e. Establishing, managing and maintaining data and information sharing protocols on formal, non-formal and informal resolution of disputes
- f. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- g. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- h. Producing, simplifying, translating into local languages and disseminating Information Education and Communication (IEC) materials on formal, non-formal and informal resolution of disputes to stakeholders
- i. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes
- j. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- k. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes

6. Other Ministries Departments and Agencies

The other ministries, departments and agencies will have specific roles and responsibilities in their respective jurisdiction that include:

- a. Conducting formal, non-formal and informal resolution of disputes
- b. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- c. Developing and updating IEC materials on formal, non-formal and informal resolution of disputes, simplifying, translating into local languages and disseminating to various stakeholders
- d. Establishing, managing and maintaining a centralized database on matters of formal, non-formal and informal resolution of disputes
- e. Establishing, managing and maintaining data and information sharing protocols on formal, non-formal and informal resolution of disputes
- f. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- g. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- h. Producing, simplifying, translating into local languages and disseminating Information Education and Communication (IEC) materials on formal, non-formal and informal resolution of disputes to stakeholders

- i. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes
- j. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- k. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes

7. Local Governments

The key roles and responsibilities of Local Governments include;

- a. Conducting formal, non-formal and informal resolution of disputes
- b. Initiating district, city, municipality, sub county and administrative units programmes and projects on formal, non-formal and informal resolution of disputes
- c. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- d. Simplifying, translating into local languages and disseminating IEC materials on formal, non-formal and informal resolution of disputes to the public
- e. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- f. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes
- g. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- h. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes

8. Traditional and Cultural Institutions

The key roles and responsibilities include;

- a. Conducting formal, non-formal and informal resolution of disputes
- b. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- c. Simplifying, translating into local languages and disseminating IEC materials on formal, non-formal and informal resolution of disputes to the public
- d. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- e. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes
- f. Conducting monitoring, evaluation, accountability and learning (MEAL) on matters of formal, non-formal and informal resolution of disputes
- g. Carrying out public awareness on matters of formal, non-formal and informal

resolution of disputes

- h. Lobbying and advocating for formal, non-formal and informal resolution of disputes

9. Private Sector, Civil Society Organisations and Faith Based Organisations

The key roles and responsibilities include;

- a. Conducting formal, non-formal and informal resolution of disputes
- b. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- c. Simplifying, translating into local languages and disseminating IEC materials on formal, non-formal and informal resolution of disputes to the public
- d. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- e. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes
- f. Conducting monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- g. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes
- h. Lobbying and advocating for formal, non-formal and informal resolution of disputes

10. Academia and Research Institutions

The key roles and responsibilities include;

- a. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- b. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- c. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes
- d. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- e. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes
- f. Lobbying and advocating for formal, non-formal and informal resolution of disputes

11. Third parties

The key roles and responsibilities include;

- a. Conducting formal, non-formal and informal resolution of disputes

- b. Collecting, storing, analyzing and disseminating data and information on formal, non-formal and informal resolution of disputes to relevant stakeholders
- c. Capacity building of stakeholders on formal, non-formal and informal resolution of disputes
- d. Carrying out Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes
- e. Undertaking monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- f. Carrying out public awareness on matters of formal, non-formal and informal resolution of disputes

12. Local Communities

The key roles and responsibilities include;

- a. Early detecting and reporting disputes for formal, non-formal and informal resolution
- b. Participating or engaging in matters of formal, non-formal and informal resolution of disputes
- c. Mobilising members of the local communities to participate in matters of formal, non-formal and informal resolution of disputes
- d. Collecting, disseminating or sharing data and information at local community level on formal, non-formal and informal resolution of disputes to relevant stakeholders
- e. Participating or engaging in capacity building on formal, non-formal and informal resolution of disputes
- f. Participating or engaging in Research, Innovation and Development (RID) of formal, non-formal and informal resolution of disputes
- g. Participating or engaging in monitoring, evaluation, accountability and learning (MEAL) of formal, non-formal and informal resolution of disputes
- h. Participating or engaging in public awareness on matters of formal, non-formal and informal resolution of disputes
- i. Practicing cultural norms and practices that are in conformity with the law
- j. Lobbying and advocating for formal, non-formal and informal resolution of disputes

13. Parties, families and households

The key roles and responsibilities include;

- a. Early detecting and reporting disputes for formal, non-formal and informal resolution
- b. Participating or engaging in matters of formal, non-formal and informal resolution of disputes
- c. Mobilising members of the family/households to participate in matters of

- formal, non-formal and informal resolution of disputes
- d. Collecting, disseminating or sharing data and information at family/household level on formal, non-formal and informal resolution of disputes to relevant stakeholders
 - e. Participating or engaging in capacity building on matters of formal, non-formal and informal resolution of disputes
 - f. Participating or engaging in Research, Innovation and Development (RID) on matters of formal, non-formal and informal resolution of disputes
 - g. Participating or engaging in monitoring, evaluation, accountability and learning (MEAL) on matters of formal, non-formal and informal resolution of disputes
 - h. Participating or engaging in public awareness on matters of formal, non-formal and informal resolution of disputes
 - i. Practicing cultural norms and practices that are in conformity with the law
 - j. Lobbying and advocating for formal, non-formal and informal resolution of disputes

9.0. MONITORING, EVALUATION, ACCOUNTABILITY AND LEARNING FRAMEWORK

The MEAL shall focus on tracking and assessing changes in the problem, realization of strategic objectives, implementation of the actions/strategies, and achievement of outcomes, impacts and their distribution. The tracking and assessing shall be in terms of efficiency, effectiveness and relevance. The performance of the stakeholders towards the desired changes and achievements shall also be tracked and assessed.

The various stakeholders shall be responsible for MEAL under their respective areas of jurisdiction, while the Ministry responsible for justice shall be responsible for the overall MEAL.

There shall be quarterly MEAL, bi-annual and annual reviews undertaken in a participatory and collaborative manner with all the key stakeholders.

The MEAL reports shall be shared with all the key stakeholders to inform improvements towards the desired changes in the problem, realization of objectives, achievement of outcomes, impacts and their distribution. The reports shall also inform changes in the content of the Policy to enable realization of the desired changes in the problem, realization of objectives, achievement of outcomes, impacts and their distribution.

10.0. CONCLUSION

The development and implementation of the National Alternative Dispute Resolution (ADR) Policy confirms Uganda's commitment to enhancing access to justice through innovative, efficient, and inclusive dispute resolution mechanisms. By promoting formal, non-formal, and informal ADR approaches such as mediation, arbitration, and conciliation, the Policy addresses longstanding challenges in Uganda's justice system, including the high costs, inefficiency, and inaccessibility of litigation.

This Policy is crucial for advancing national legal and justice sector reforms by providing a structured framework that guides the judiciary, legal practitioners, civil society, and other stakeholders in integrating ADR into their practices. It seeks to foster reconciliation, preserve relationships, and promote social harmony, ultimately contributing to sustainable socio-economic growth.

The ADR Policy 2024 also clarifies the scope, roles, and responsibilities of stakeholders, such as the Ministry of Justice and Constitutional Affairs, the Judiciary, and other sector ministries, in the implementation of ADR across Uganda. By aligning with constitutional provisions, international human rights instruments, and key national development strategies such as the National Development Plan III and Uganda Vision 2040, the Policy lays the groundwork for a future where ADR is mainstreamed, fostering peaceful coexistence and equitable access to justice.

Through comprehensive training, awareness creation, and collaboration with both state and non-state actors, including civil society and the private sector, the Policy addresses gaps in the current ADR system and ensures more effective resolution of disputes. Ultimately, it aims to build a justice system that is responsive to the needs of all Ugandans, strengthening the rule of law and supporting Uganda's broader development agenda.

11.0. ANNEXES

11.1 Summarized Policy Implementation Action Plan

Objective		Activity		Indicator		Outputs		Indicator Targets Annual Budget Estimates (Millions)						MDA Responsible		
								Baseline	Target	2025	2026	2027	2028	2029	Total (UGX)	
1. To provide information on the benefits, outputs, outcomes, and impacts of each dispute resolution process.	Undertake consultative meeting with key stakeholders to Develop and design ADR information materials for effective implementation of dispute resolution mechanisms	Number of Consultative meetings held	ADR Information Materials in Place	0	1	50.000	50.000	-	-	-	-	-	-	-	100.000	MoJCA
	undertake the dissemination of ADR information materials	Number of ADR information materials disseminated	Report	-	1500	250.000	250.000								500.000	MoJCA
	Conduct Regional outreach Workshops to build the capacity of the parties and third parties on dispute resolution processes.	Number of Regional outreaches conducted	Report	-	15	54.960	54.960	54.960	54.960	54.960					274.800	MoJCA
2. To ensure awareness of timelines and consequences related to lodging, inviting, and responding to disputes.	Undertake consultative meeting with key stakeholders to Develop and design digital platform to promote the use of ADR mechanisms in dispute resolutions	Number of Consultative meetings held	ADR online Information system in place	0	1	50.000	50.000	-						-	100.000	MoJCA
	Undertake development of guidelines, standards, requirements and conditions for conciliation, mediation or arbitration in settlement of disputes	Number of Consultative meetings held to develop guidelines	Approved Guideline in place	-	1	50.000	50.000								100.000	MoJCA
3. To educate on methods and processes of dispute resolution techniques (conciliation, mediation, arbitration, negotiation).	Establish clear standards, requirements, and conditions for giving, responding to notices, and lodging complaints related to disputes. Ensure that these are widely communicated and adopted.	Number of Standardized and published procedures for notice and complaint handling in place	Standardized and published procedures for notice and complaint handling in place	0	1	-	-						200.000		200.000	MoJCA

Objective	Activity	Indicator	Outputs	Indicator Targets Annual Budget Estimates (Millions)							MDA Responsible	
				Baseline		Annual Budget Estimates (Millions)						Total (UGX)
				Target	2025	2026	2027	2028	2029			
	Conduct campaigns to educate parties on the benefits, outputs, outcomes, and impacts of engaging in proper notice and complaint processes, including the consequences of non-compliance.	Number of ADR Training sessions conducted	Reports	-	1					134.900	134.900	MoJCA
	Conduct regional training of parties and third parties on the legal and procedural requirements for dispute resolution, emphasizing the importance of adhering to timeframes and the potential penalties for delays.	Number of regional training sessions held	Reports	0	390	54.960	54.960	54.960	54.960	54.960	274.800	MoJCA
	Training of the Attorneys in Alternative Dispute Resolution and facilitating Alternative Dispute Resolution for some of the backlog cases.	Number of Attorneys trained	Training report	0	120	168.000	168.000	168.000	168.000	336.000	840.000	MoJCA
	Undertake stakeholder's consultative meeting to develop comprehensive ADR training modules.	Number of Consultative meetings held	ADR Training Modules in place	-	1	134.900					134.900	MoJCA
	Conduct training of intermediaries (mediators and conciliators) on their roles and responsibilities in guiding parties towards mutual settlements of disputes.	Number of mediators and conciliators trained	Training report	-	140	-	200.000				200.000	MoJCA
4. To promote understanding of mutual settlements and the role of intermediaries in effective dispute resolution.	Capacity building of parties to independently negotiate and settle disputes	Number of parties trained	Training report	-	140	-		200.000			200.000	MoJCA

Objective	Activity	Indicator	Outputs	Indicator Targets Annual Budget Estimates (Millions)						MDA Responsible			
				Baseline	Target	2025	2026	2027	2028		2029	Total (UGX)	
5. To define the scope and content of training for intermediary persons involved in dispute settlement to ensure comprehensive understanding and skill development.	Develop and Promote Standards for Mutual and Independent Settlement of Disputes	Number of Standards and guidelines for Mutual and Independent Settlement of Disputes developed and Published	Developed standards and guidelines in place	-	1	134.000					134.000	MoJCA	
	Train third parties in advanced methods, processes, and technologies for conducting research and fostering innovation to address simple, complex, and emerging disputes.	Number of Third Parties trained	Training report		50				134.000		134.000	MoJCA	
	Develop a comprehensive training curriculum for intermediaries, including foundational knowledge of dispute resolution processes, ethics, and communication skills.	Number of Training Curriculum for intermediaries developed	Approved Training Curriculum for intermediaries in place	-	1			100.000				100.000	MoJCA
	Develop and Implement Standards for Training and Accreditation of Third Parties in Dispute Settlement	Number of established national accreditation framework and guidelines for Certification of trained and accredited third parties.	Established national accreditation framework and guidelines in place	1	-	-		100.000	-			100.000	MoJCA
	Conduct Awareness Campaigns on the Role and Training Opportunities for Intermediary Persons in Dispute Settlement	Number of Awareness campaigns conducted	Training report	-	4	-		77.450	77.450		154.900	MoJCA	
Grand Total						778.820	877.920	755.370	689.370	580.820	3,682.300		

11.2 Policy Information, Education, Communication and Dissemination Plan

COMPONENT	DETAILS
Objective	<ol style="list-style-type: none"> 1. To Increase knowledge of ADR mechanisms among stakeholders. 2. To promote ADR adoption for resolving disputes. 3. To develop skills for implementing ADR effectively. 4. To ensure long-term utilization through continuous engagement.
Target Audience	Legal professionals (judges, lawyers, mediators), government agencies, CSOs, private sector entities, General public, community leaders, cultural institutions, and educational institutions (universities and schools).
Key Messages	<p>ADR is cost-effective, time-saving, and relationship-preserving.</p> <p>ADR mechanisms reduce the burden on formal judicial systems.</p> <p>ADR ensures accessible and inclusive justice, especially for marginalized groups.</p>
Communication Channels	<p>Mass Media: Radio shows, TV programs, and press releases in print and online outlets.</p> <p>Print Materials: Flyers, brochures, posters (localized for language and culture), ADR manuals for stakeholders.</p> <p>Community Engagement at Local Government: District/Town hall meetings, cultural leader dialogues, barazas.</p> <p>Digital Platforms: Dedicated ADR website, social media campaigns, e-learning modules.</p> <p>Capacity Building: Workshops, seminars, training-of-trainers (ToT) for mediators and community facilitators.</p>
Implementation Steps	<p>Baseline Assessment: Identify stakeholder knowledge gaps and needs.</p> <p>Develop IEC Materials: Tailor content to audience needs in various formats.</p> <p>Stakeholder Engagement: Collaborate with CSOs, cultural leaders, and local governments.</p> <p>Roll-Out Campaigns: Execute mass media and community-based outreach initiatives.</p> <p>Feedback Mechanism: Collect input through surveys and meetings for continual improvement.</p>
Monitoring & Evaluation	<p>Target Indicators: Number of sessions held, stakeholder knowledge improvement (via pre-/post-assessments) and ADR adoption rates in case resolutions.</p> <p>Tools: Surveys, interviews, focus group discussions, and progress reports.</p> <p>Timeline: Quarterly and annual evaluations to track impact.</p>
Budget Estimate	Ugx 0.5Bn for IEC material development, training workshops, community outreach, media campaigns, and M&E activities.
Partnerships	<p>Lead Agency: Ministry of Justice and Constitutional Affairs.</p> <p>Collaborators: Uganda Law Society, Judiciary, Ministry of Internal Affairs, cultural leaders, international development partners, media houses, and communication experts.</p>

11.3 Policy Monitoring Evaluation, Accountability and Learning Plan

This MEAL Plan is designed to track the implementation, assess the impact, ensure accountability, and facilitate learning for the activities and objectives outlined for the Alternative Dispute Resolution (ADR) policy.

COMPONENT	DETAILS
Purpose of the MEAL Plan	To ensure effective tracking, measurement, accountability, and learning to achieve the objectives of the ADR Policy and enhance dispute resolution mechanisms.
Objectives	<ol style="list-style-type: none"> 1. Monitor the benefits, outputs, outcomes, and impacts of dispute resolution processes. 2. Ensure timely and effective dissemination of ADR materials. 1. Build capacity and awareness among stakeholders. 2. Foster learning and innovation in dispute resolution processes.
Key Questions	<p>What are the outputs, outcomes, and impacts of ADR initiatives?</p> <p>Are the timelines and guidelines being effectively followed?</p> <p>How effective are the ADR training modules and materials?</p> <p>How well are stakeholders adopting ADR processes?</p>
Monitoring Indicators	<p>Objective 1:</p> <p>Number of ADR information materials developed and disseminated.</p> <p>Stakeholder satisfaction with ADR Mechanism (survey-based).</p>
	<p>Objective 2:</p> <p>Number of guidelines and standards developed.</p> <p>Percentage of stakeholders adhering to ADR timelines.</p>
	<p>Objective 3:</p> <p>Number of training sessions conducted for intermediaries and parties.</p> <p>Participant knowledge improvement (pre- and post-training assessments).</p>
	<p>Objective 4:</p> <p>Number of standards and innovations promoted for mutual settlements.</p>
	<p>Objective 5:</p> <p>Number of training modules developed.</p> <p>Accreditation rate of trained intermediaries.</p>
Evaluation Plan	<p>Evaluation Frequency: Mid-term and end-line evaluations.</p> <p>Evaluation Methods: Surveys, focus groups, interviews, and desk reviews of ADR reports.</p> <p>Key Focus Areas:</p> <p>Effectiveness of ADR dissemination strategies.</p> <p>Stakeholder adoption of ADR processes and guidelines.</p> <p>Success stories and areas for improvement.</p>

COMPONENT	DETAILS
Accountability Framework	Roles and Responsibilities: MoJCA: Overall coordination and oversight. Stakeholders: Provide input and feedback during consultations. Implementing Partners: Deliver trainings, campaigns, and materials. Feedback Mechanisms: Regular stakeholder meetings. Suggestion boxes and online feedback forms for stakeholders.
Learning Approach	Learning Questions: 1. What are the most effective strategies for building ADR capacity? 2. How can innovations and technologies enhance ADR adoption? Learning Platforms: 1. Annual stakeholder review forums. 2. Documentation of best practices and lessons learned in ADR processes.
Data Collection Methods	Quantitative: Surveys, training attendance sheets, performance metrics (e.g., cases resolved through ADR). Qualitative: Interviews, focus groups, feedback forms.
Reporting and Dissemination	Reporting Frequency: Quarterly reports and annual reviews. Dissemination Channels: ADR website, newsletters, stakeholder workshops, and public awareness campaigns.
Budget Allocation	Ugx 0.4Bn for Development of data collection tools, Training for M&E teams, Conducting evaluations (mid-term, end-line) and Learning forums and dissemination of findings.

Activity-Based MEAL Plan

Policy Objective	Activities	Monitoring Indicators	Responsible Entity	Timeline
1. To provide information on the benefits, outputs, outcomes, and impacts of each dispute resolution process.	1. Consult stakeholders to design ADR information materials. 2. Disseminate ADR materials. 3. Conduct regional outreaches 4. Develop a digital platform for ADR.	1. Number of materials designed and disseminated. 2. Digital platform user engagement metrics.	MoJCA, CSOs, Implementing Partners	Year 1-2
2. To ensure awareness of timelines and consequences related to disputes.	1. Develop ADR guidelines and standards. 2. Communicate standards widely. 3. Conduct campaigns on ADR timelines and compliance.	1. Guidelines and standards developed. 2. Number of campaigns conducted. 3. Training attendance and knowledge gain rates.		

	<ol style="list-style-type: none"> Regional training on legal and procedural requirements. Train attorneys on ADR mechanisms for backlog cases. 	<ol style="list-style-type: none"> Number of backlog cases resolved using ADR. 	MoJCA, Legal Experts	Ongoing
3. To educate on methods and processes of dispute resolution techniques.	<ol style="list-style-type: none"> Develop and disseminate ADR training modules. Train mediators and conciliators on ADR mechanism. 	<ol style="list-style-type: none"> Number of modules developed and disseminated. Mediator training sessions conducted. Improvement in mediator knowledge and skills. 	MoJCA, ULS, UHRC, Judiciary	Year 1-3
4. To promote understanding of mutual settlements and the role of intermediaries.	<ol style="list-style-type: none"> Build capacity of parties to negotiate disputes. Develop and promote standards for mutual settlements. Train third parties on advanced dispute resolution techniques. 	<ol style="list-style-type: none"> Number of capacity-building workshops. Standards developed and disseminated. Number of third parties trained. 	MoJCA, ULS, Judiciary, CSOs, Cultural Leaders	Year 2-3
5. To define the scope and content of training for intermediaries.	<ol style="list-style-type: none"> Develop training curriculum for intermediaries. Implement standards for intermediary training and accreditation. Conduct awareness campaigns on intermediary roles. 	<ol style="list-style-type: none"> Curriculum developed. Number of intermediaries accredited. 	MoJCA Academia, ULS	Year1-3



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