

THE WOLF MAGAZINE



Published by:



PRODUCT OF WOMEN OWNERS OF LAW FIRMS (WOLF)

Editor's Note

Dear Reader,

This is the inaugural Women Owners of Law Firms (WOLF) Magazine 2024, a publication showcasing the female Ugandan advocates who have skillfully navigated private legal practice to reach greater heights by establishing and running successful law firms.

WOLF is a platform in Uganda which brings together female advocates who are partners in law firms and believe in each other's ability to build successful law firms. Together, the group recognizes, supports, mentors, and empowers female advocates to effectively run their law firms.

In this inaugural issue, we feature various articles highlighting the journeys of different female advocates who have formed the powerful law firms we see today. It also delves into groundbreaking court cases argued by female advocates that have significantly shaped Ugandan jurisprudence. Additionally, this issue sheds light on the journeys of top Ugandan judges who transitioned from private practice to the bench.

This publication was made possible through a partnership between WOLF and TA Brand, a leading branding and communications agency specializing in the legal sector. We would like to thank WOLF for trusting us with realizing this groundbreaking publication, which we believe is the very first of its kind in Uganda.

We extend my appreciation to the central figures behind this publication, particularly Senior Advocate Linda Alinda-Ikanza, who conceived the idea of creating this publication, along with Ruth Sebatindira SC.

We also appreciate Senior Advocate Paul Mukiibi, who contributed to researching and compiling the different court decisions argued by female advocates that have shaped jurisprudence—a type of research that has never been done by anyone in Uganda. Additionally, we appreciate Senior Advocate Phillip Karugaba, who provided valuable direction to the editor on tracing the roots of some of these cases.

Lastly, we would like to acknowledge the hard work of the central editorial team from TA Brand, led by Mr. Nicholas Murere and Ms. Denise Nasasira, along with Mr. Kamoga Luke.

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Founder's Welcome Note

Ruth
Sebatindira SC

Dear Reader,

We bring you the inaugural edition of the Women Owners of Law Firms (WOLF) magazine.

WOLF is a community of women advocates who either own law firms as founders/sole practitioners or as law firm partners. We are united by a shared belief in each other's potential to build and lead successful law firms. Our mission is to recognize, support, mentor and empower women advocates to thrive in running their law firms effectively and most importantly, profitably.

I founded WOLF with the vision that we would create a community where women in the business of law firms could find strength in solidarity, share resources and foster each other's growth in what was traditionally a male dominated profession. We have our work cut out and the journey ahead is rather bumpy because managing law firms as businesses is a long game and achieving profitability year on year is not easy. As long as we stay on the path to share and support each other, WOLF will only grow especially as more and more women founding partners, managing partners and partners embrace our community. It is a community where we share experiences, exchange business trends as we navigate the complexities of the legal profession and the business of law.

This magazine spotlights the remarkable journeys, milestones and achievements of women advocates across Uganda. It serves as a powerful testament to the impact women are making in private legal practice despite the barriers. We are excited in our endeavor because we see the light ahead. We see the future, a future where women will thrive in private practice.

I thank my friend Alinda Ikanza, who called me up and proposed the idea of a WOLF magazine and now we are here. It goes to show how much we need each other not only in sharing business trends but also ideation. Alinda's leadership and her collaboration with the talented team at TA Brand, led by Mr. Aziz Kitaka, has brought this publication to life.

You will find stories of courage, resilience and leadership as you turn these pages.

Enjoy!

Ruth Ssebatindira SC

Founder, Women Owners of Law Firms (WOLF)

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WOLF



A Wolf guards the rights of all clients with tenacity and empathy.



A Wolf paves the path for diversity and inclusion within the legal profession.



A Wolf fiercely protects the integrity of the legal system, upholding ethical standards and promoting fairness for all.



A Wolf nurtures a collaborative environment, fostering growth and mentorship opportunities for aspiring legal professionals.



A Wolf demonstrates excellence in legal strategy and advocacy, securing favorable outcomes for clients while breaking barriers in the industry.



A Wolf embraces innovation and adaptability, leveraging technology and progressive approaches to meet the evolving needs of clients and society.



A Wolf leaves a lasting legacy of empowerment, shaping the future of the legal profession

The Woman Who Does Law As a Business

Eva Kentaro Mugerwa



In a bustling legal sector where success is often measured by one's ability to navigate complexities and build enduring relationships, Eva stands out as a female lawyer of inspiration. As the founder and driving force behind Kentaro Mugerwa and Company Advocates, she has carved a path of remarkable achievement in Uganda's commercial legal sphere.

Established in 2016, Kentaro Mugerwa and Company Advocates began as a modest endeavor, with Eva as its sole practitioner. Yet, fueled by her indomitable spirit and entrepreneurial zeal, the firm has burgeoned into a formidable entity, boasting a team of 20 talented professionals. Specializing in corporate and commercial law, the firm's areas of expertise encompass a wide spectrum, including banking and finance, employment law, insolvency, land law practice, intellectual property, insurance, regulatory compliance, and beyond.

Eva's journey is one defined by audacity and vision, charting a course from humble beginnings in rented premises at Mukwano Courts building in Kampala, to the acquisition of a privately owned permanent office in Nakawa, Kampala. This physical manifestation of growth mirrors the firm's evolution under Eva's astute leadership, each milestone a testament to her strategic foresight and unwavering commitment to excellence.

At the heart of Eva's success lies a profound belief in running her legal practice as a business guided by principles of integrity and client-centricity. Central to this ethos is the notion of treating clients with the utmost care and attention. Like a businessman or woman in Kikuubo who softly speaks to a customer to buy a product, a lawyer should practice the law in such a way. Professional pride sometimes makes us lose out on opportunities that might pile up and push us forward.

“

Embracing a business-oriented and client-centric approach has been instrumental in propelling my legal practice forward.

For Eva, the key to building enduring relationships lies in personalized service, responsiveness, and a relentless dedication to meeting client needs—a philosophy that has earned the firm retainers from major commercial banks and financial institutions across Uganda and East Africa.

In an exclusive interview, Eva shares her philosophy on running a successful legal practice. She emphasizes treating clients with utmost care, likening them to newborn babies in need of constant attention and nurturing. For Eva, professionalism isn't just about expertise in law; it's about understanding the client's needs and providing personalized solutions.



"Legal practice should be looked at as a business, every aspect of the firm must be run with a business mindset." - says Eva.

Moreover, Eva acknowledges the invaluable support of her husband, whose unwavering encouragement has been a constant source of strength and inspiration.

From the early days of uncertainty to the rapid expansion of her firm, his encouragement has been her pillar of strength. Eva acknowledges her husband's role in her success, recognizing him as her staunchest supporter and confidant.

In celebrating Eva's success, we celebrate not just a lawyer, but a Woman Owner of a Law Firm (WOLF). Eva Kentaro is a true WOLF, lighting the path for others to follow in her footsteps.





SHOTS SCORES!

LILIAN KEENE-MUGERWA'S HUMBLE BEGINNINGS TO LEGAL POWERHOUSE

Lillian Keene-Mugerwa is one of the senior female lawyers who has journeyed humbly in the legal profession to achieve great success. Composed and modest, with a soothing voice, Keene is known for her astute and solid approach to handling matters. Her career path includes working in a bank, land reform advisory, founding a labor law activist NGO, and establishing her own law firm, Kleeve Associated Advocates, in 2017.

Keene is recognized as a lawyer who consistently excels in all her endeavors within the legal profession, always shooting and scoring in her career path.

Q&A

“
I had the idea
of forming my
own law firm
for nearly
twenty years
”

How did your journey in legal practice start?

My journey in legal practice began at Gayaza High School, where I completed my O and A levels. The headmistress, Miss Warren, recognized my strength in the arts and recommended that I pursue a career in law. This suggestion aligned with my father's work as a county judge.

After law school, I began practicing in 1992. My initial role was in the Legal Services division at Uganda Commercial Bank, but I found the work monotonous due to the uniformity of claims, which followed a summary procedure. I then spent ten years working on land tenure reform issues, where I advised land-controlling authorities, government bodies, and the public on land matters. This included environmental concerns and alternative dispute resolution.

Later, I founded the Platform for Labour Action, an NGO that offers legal aid to vulnerable and marginalized workers. After that, I also established my own law firm.

What inspired you to establish your own law firm?

For nearly twenty years, I had the idea of forming my own law firm. After providing legal aid to vulnerable groups through the Platform for Labour Action for over a decade, I realized there was another group in need of legal services that didn't meet the vulnerability criteria and these were the normal clients.

My practical experience with land matters, labor and employment, and my election to the global society of social entrepreneurs, as well as receiving the 2014 award for human rights lawyer of the year from the law society, enhanced my professional profile. With this diverse skill set, the need to establish a law firm became evident. It was time to transition from social entrepreneurship to legal entrepreneurship.

What strategies have you employed to help your firm grow?

The firm provides expertise at national, regional, and international levels, making us uniquely positioned to offer not only legal expertise but also technical assistance services within the framework of international projects.

What is the current status of your firm in terms of size, reputation, and success?

While it can be challenging to describe our own success, one metric we can look at is our ability to retain clients and receive referrals. We have successfully retained our clients who seek our services and have also benefited from referrals.

Can you share any impactful cases or projects your firm has been involved in?

We have resolved labor disputes between employers and employees around issues of severance pay and lawful termination, including educating government representatives on the context of severance pay.

Some of our successful projects, although not under the current firm, were for the public good. For example, strategic litigation on the minimum wage rejuvenated discussions and led to a private members' bill on the minimum wage and the need for reform, though this is ongoing.

Further, I participated in the celebrated Temangalo case of **Platform for Labour Action and Anti-Corruption Coalition of Uganda vs. NSSF (Civil Suit No. 223 of 2008)**, in which the plaintiffs argued that the purchase of land at Temangalo by NSSF did not demonstrate transparency or fairness since PPDA rules were not followed. While the final decision did not favor the plaintiffs, the court made important pronouncements, including the requirement for an open bidding process in the future to ensure transparency and accountability of public funds, as well as recognizing flaws in the procurement process, despite NSSF following internal procedures.





A DUO SINCE 2017

Rita & Rachel make strides in private legal practice at N&N Advocates

In 2017, Rita Namakiika Nangono and Rachel Nsiyona Kyobe founded a private legal practice. They established a law firm known as Namakiika & Nsiyona Advocates. Over the years, the firm grew steadily, reflecting the saying, 'Time flies when you're following your passion.'

In 2022, the firm rebranded to N&N Advocates, which reflects the initial "N" from both Namakiika and Nsiyona's names.

Rita and Rachel have successfully run a humble practice in their law firm, specializing in areas such as Banking, Insurance, Employment, Intellectual Property, Mergers and Acquisitions, Real Estate, Litigation, Mediation & Arbitration, and Legislative drafting services. They have thrived on the values of excellence and professionalism, which have helped them maintain the esteemed reputation of their law firm to date.

Both first started their legal professional journeys as in-house counsel in different corporate organizations. Eventually, they decided to team up and dive into the deep waters of private legal practice. Rita and Rachel acknowledge that they were embarking on a challenging journey, transitioning from a comfortable corporate environment to a potentially rocky and thorny private practice. Nevertheless, they persevered together through the obstacles they faced, reaching a point where they believed they were earning a respected place in private legal practice.

**When
queens
collaborate,
the world
flourishes.**

Rachel and Rita share a unique professional bond, supporting each other throughout their careers. Both have excelled in various significant roles while also managing their law firm. In 2021, Rita was appointed Chairperson of the Insurance Appeals Tribunal, a demanding position. Despite the added responsibility, Rita continued her involvement in the firm, thanks to Rachel, who stepped up to fill the gap during Rita's absence. This supportive dynamic between them has played a crucial role in their growth.



Rita Namakiika-Nangono

Career highlights:

- Comprehensive legal advice in the formation of a Joint Venture between a local company and a foreign owned real estate company in the value of approx. USD 40 million.
- Comprehensive legal advice in the formation of Special Purpose Joint Venture Company in the value of approx. USD 12million.
- Comprehensive legal advice in the process of acquisition and merger of a local company by a foreign owned company in the value of approx. USD 6million.



Rachel Nsiyona-Kyobe

Career highlights:

- Technical Member, Team of Experts drafting Regulations to give effect to the Lotteries and Gaming Act, January to June, 2016
- Technical Member, Team of Drafts persons preparing the EAC Common Market Protocol, 2008 to 2010
- Member, Team that reviewed, reformed and made amendments to more than 17 commercial laws.
- Member, Uganda Constitutional Amendment Drafting Team, 2004 -2005;

Getting More Done

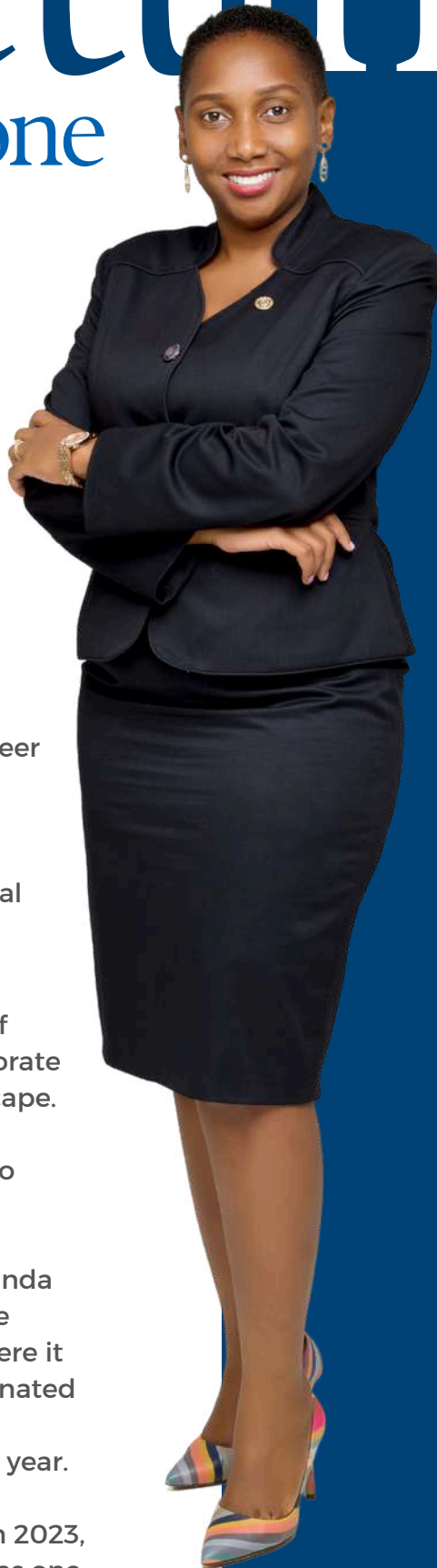
Claire Amanyia
Rukundo-Kakeeto
leading one of the
Top Commercial
Law firms in
Uganda

In 2012, Claire laid the cornerstone of her legal career by founding **CR. Amanyia Advocates & Solicitors**, a comprehensive law firm offering a wide range of legal services.

Over the years, the firm has ascended to the forefront of Uganda's competitive corporate and commercial law landscape.

Its unwavering dedication to excellence has garnered recognition from esteemed institutions such as the Uganda Law Society Awards and the Women in Law Awards, where it has consistently been nominated as the best Corporate and Commercial law firm of the year.

In a significant milestone, in 2023, the firm was distinguished as one of Uganda's notable law firms by the esteemed IFLR1000.



Who is Claire?

Claire is a Corporate and Commercial lawyer with over 18 years professional experience backed by a strong academic background.

She is a legal advisor and provider of various legal services to many leading multinational and local companies including banks (Centenary Bank, Equity Bank, Bank of Africa & Cairo Bank) and insurance, construction and property development companies Britam Insurance Company, Youngjin Construction Inc, Comfort Homes Limited, African Marine And General Engineering Limited, Kigezi Steel Company, Ac Yafeng Construction Company, Johnass International College.

She has also represented many prominent and leading individuals in Uganda including the former Executive Director of KCCA Jennifer Musisi who gave her first case when she opened her law firm.

Key highlights of CR. Amanyadvocates & Solicitors;

Debt Collection Highlights:

- Currently advises Centenary Rural Development Bank Limited on documentation for their loan facilities and in the perfection and registration of securities specifically regarding securities in movable property.
- Currently assists Equity Bank Uganda Limited with the perfection of securities and provides legal representation and advice on debt recovery from defaulting clients. The firm has successfully recovered USD 200,000 on behalf of Equity Bank from loan defaulters.
- Advises Cairo Bank Uganda Limited on debt recovery from defaulting clients, documentation for their loan facilities, and changes in relevant processes involved in the perfection of securities. The firm has successfully recovered USD 300,000 from loan defaulters.

Litigation & Dispute Resolution Highlights:

- Acted for AC Yafeng Construction Company Limited, providing representation in an arbitration matter, which was decided in favor of our client, who received an award of USD 800,000.
- Acted for Somochem (U) Limited in numerous suits for the recovery of various sums of money, including a suit for the recovery of USD 450,000, and have successfully recovered a sum of USD 200,000.

Corporate & Commercial Highlights:

- Acted for Britam Insurance Company (Uganda) Ltd, advising and assisting with statutory compliance issues, and also supporting it in issuing a legal opinion on establishing a life assurance company in Uganda.
- Acted for Impala Feeds Limited, a subsidiary of Feedlance Ukraine, advising on Joint Venture Agreement, management and reporting on the utilization of funds obtained under a grant from the Netherlands Government and Corporate Financing for purposes of raising capital for company activities.
- Acted for the Higher Education Students' Financing Board, a statutory body governing the disbursement of student loans to Ugandan citizens, on the Induction of new board; drafting and preparation of the Board Charter; and provision of legal advisory services.

Transport & Infrastructure Highlights:

- Acted for and advised Young Jin Construction Inc. in the preparation, negotiation, and enforcement of construction contracts with potential clients in Uganda.
- Currently advises Lori Systems Uganda Limited, a transportation company, on reviewing and enforcing their transportation contracts with clients, ensuring that their interests are secured.

Energy & Mining Highlights:

- Acted for White Nile Consults Limited, an oil and petroleum waste management company, advising on registration with the Petroleum Authority of Uganda and obtaining a certificate of Approval of Environmental and Social Impact Assessment from the National Environment Management Authority.

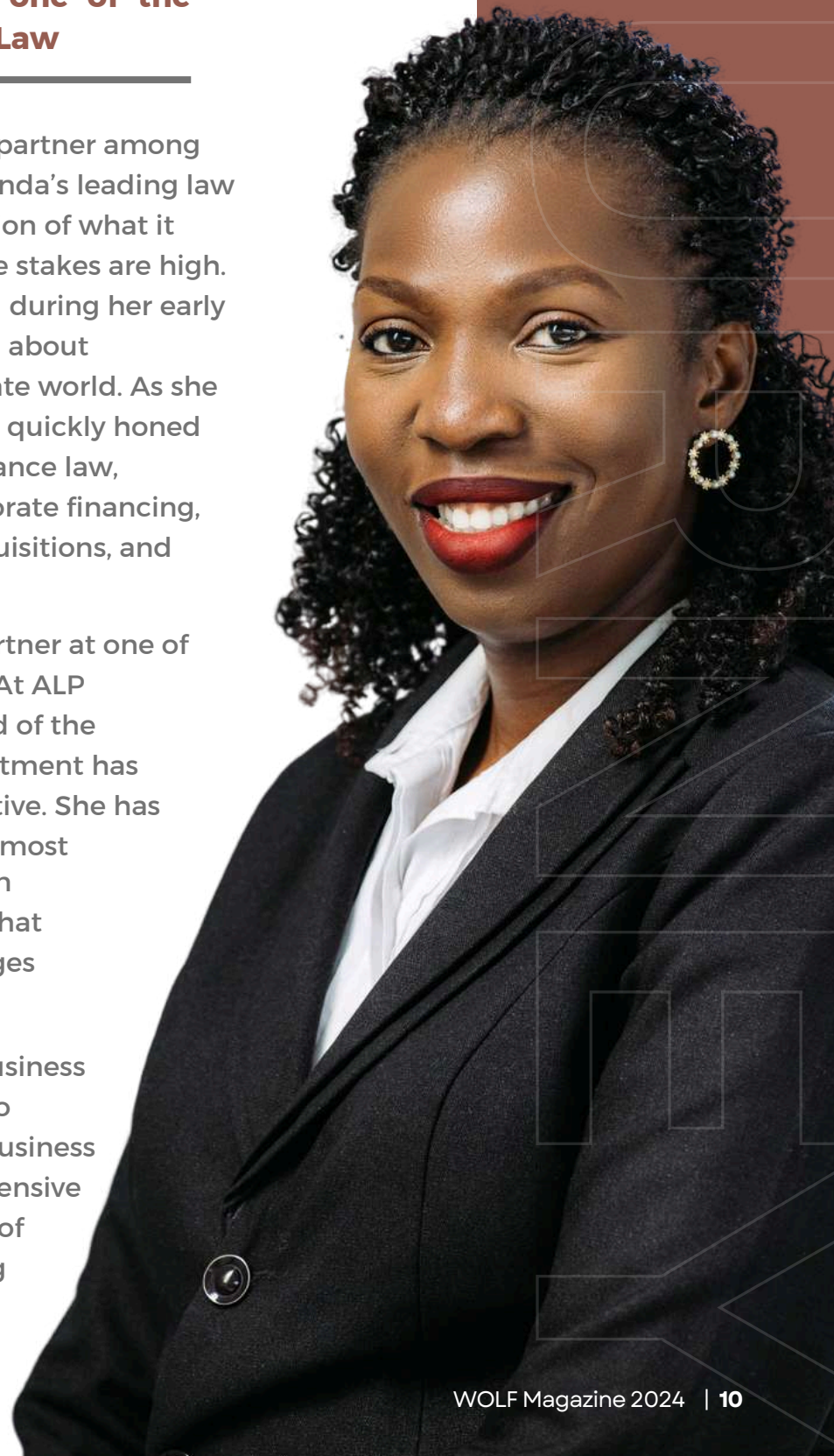
The JOURNEY BEHIND the JOURNEY

How Irene Namuli Became one of the Leading Voices in Corporate Law

For Irene Namuli, the sole female partner among four at ALP Advocates, one of Uganda's leading law firms, her journey is a demonstration of what it means to rise in a world where the stakes are high. Irene's passion for law was ignited during her early years, inspired by a desire to bring about meaningful change in the corporate world. As she embarked on her legal career, she quickly honed her expertise in corporate and finance law, specializing in areas such as corporate financing, capital markets, mergers and acquisitions, and regulatory compliance.

This made her be invited to be partner at one of the premier law firms in Uganda. At ALP Advocates, Irene's role as the Head of the Corporate and Commercial Department has been nothing short of transformative. She has been at the forefront of the firm's most significant projects with a focus on delivering homegrown solutions that resonate with the unique challenges faced by businesses in Africa.

She launched a TV show titled "Business & the Law Unlocked," a platform to demystify legal complexities for business owners. The show offers comprehensive guidance from the fundamentals of business registration to navigating intricate litigation processes.



From Private Practice *to* Judicial Authority

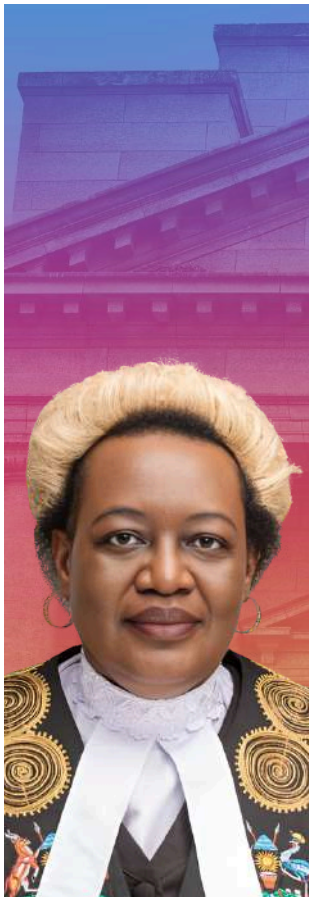


Becoming a judge is not just a career path; it's a journey fueled by passion, dedication, and unwavering commitment to justice. It's a path that demands resilience, integrity, and an unyielding belief in the rule of law.

The transition from private practice to the judiciary represents a significant career shift for—one that embodies a powerful commitment to public service, the pursuit of justice, and the advancement of the rule of law. Making the decision to leave behind the dynamics of private practice and assume the responsibilities of a judge reflects a deeply held aspiration to contribute to the legal system in a more profound and impactful manner.

This article highlights the exemplary journey of powerful women advocates who transitioned from private legal practice to the position of judges, where their performance has been widely acknowledged as exceptionally commendable. By assuming judicial roles, these women have not only shattered barriers and overcome glass ceilings within the legal profession but also emerged as influential role models and inspirations for future generations of female lawyers. Their presence on the bench not only fosters diversity and representation within the judiciary but also elevates the caliber of justice dispensed to society as a whole.

“
Justice in
Her Hands
”



Hon. Lady Justice Irene Mulyagonja Kakooza

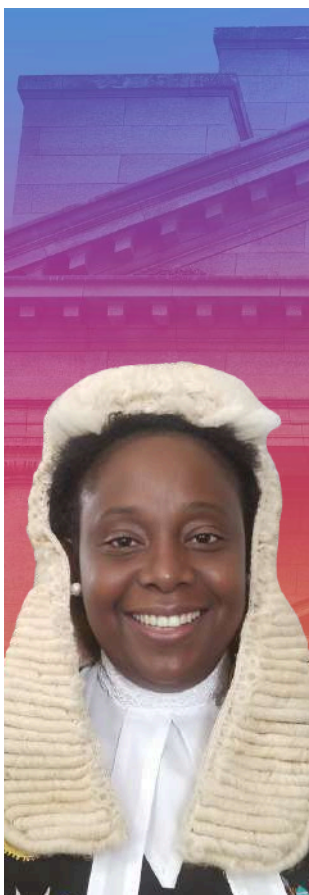
Court of Appeal

Before joining the bench, Lady Justice Mulyagonja worked with two large law firms in Kampala, including Muliira and Company Advocates, where she met her husband. When she left that firm in 1996, she and another female colleague, Eva Luswata Kawuma, formed **Kakooza and Kawuma Advocates**, an all-female law partnership.

In 2008, at the age of 45, Mulyagonja was appointed to the High Court of Uganda. She was initially assigned to the Jinja circuit for the first two and a half years.

Later, she was reassigned to the commercial division of the high court, rising to the position of deputy head of the Commercial Division of the High Court by the time she was appointed as Inspector General of Government in 2012.

In October 2019, she was named to sit on the Uganda Court of Appeal.



Hon. Lady Justice Eva Luswata Kawuma

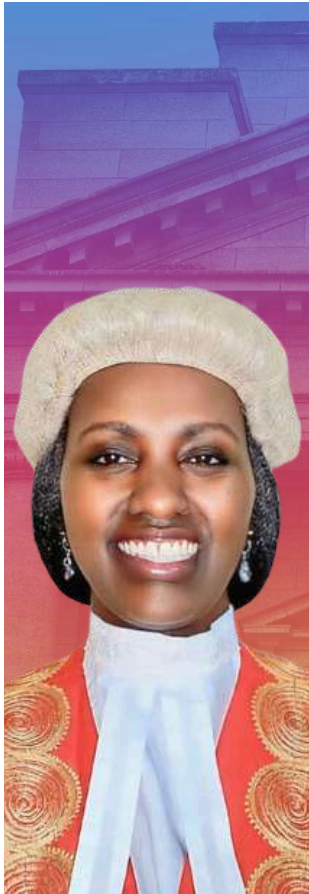
Court of Appeal

Lady Justice Eva Luswata Kawuma, together with Hon. Lady Justice Irene Mulyagonja, co-founded **Kakooza and Kawuma Advocates**, a notable all-female law partnership.

After a prolific 20-year career in private legal practice, Justice Kawuma decided to transition to the judiciary in 2013, assuming the role of a High Court judge.

Currently, she serves as a respected judge at the Court of Appeal, where her notable contributions have significantly influenced the development of Ugandan legal jurisprudence. Throughout her tenure, Justice Kawuma has delivered several landmark decisions that have shaped the legal landscape of the nation.

Beyond her judicial duties, Justice Eva holds the position of Chair of the Advisory Board of the Law Development Center (LDC), where she actively oversees pro bono legal education efforts, furthering access to justice and legal knowledge across Uganda.



Hon. Lady Justice Jeanne Rwakakooko

High Court

Prior to joining the bench, Lady Justice Jeanne Rwakakooko was a practicing Advocate with 20 years of experience in various firms and institutions.

She began her legal journey as an Associate Advocate at Bitangaro & Co. Advocates. Later, she served as the Legal Manager at Uganda Telecom Limited for over 6 years. Subsequently, she established her own law firm – **Rwakakooko & Partners**, where she served as Managing Partner. She then became Managing Partner at Ortus Advocates, which later merged with Rwakakooko & Partners. From there, she transitioned to the judiciary.

In 2019, she was appointed as a Judge of the High Court of Uganda. Initially, she served as the resident Judge at the Jinja High Court Circuit. Later, she became a Judge in the Commercial Division of the High Court, and presently, she serves as a Judge in the Family Division of the High Court.



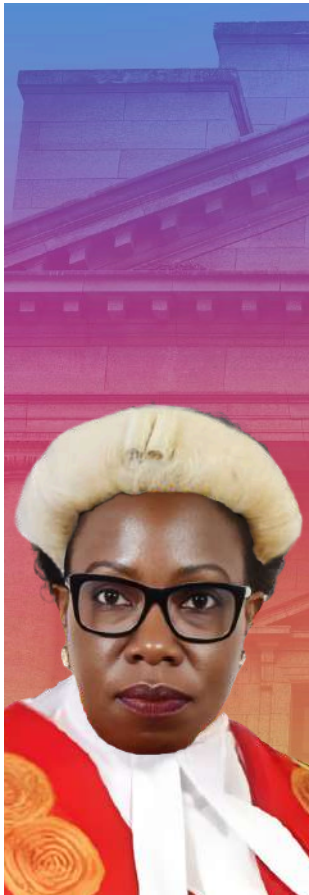
Hon. Lady Justice Victoria Nakintu N. Katamba

High Court

Lady Justice Victoria began her legal career as an Associate between 1996 and 2004, working with three top Ugandan law firms (Ayigihugu & Co. Advocates, Karuhanga & Advocates, and Kampala Associated Advocates), where she built a strong foundation and acquired best practices for legal practice.

In 2004, Lady Justice Victoria embarked on her own journey by establishing her law firm called **Nkwanga & Partners**, which she successfully managed until 2019 when she decided to transition to the bench. During her time in private legal practice, her law firm achieved a remarkable 98% success rate for inter-country and domestic adoptions, positioning the firm as a recognized authority in family law practice. She represented over 200 families in prosecuting inter-country adoptions in Ugandan Courts.

In 2019, she was appointed as the Senior Resident Judge of Masaka High Court Circuit and is commended for employing the "first in, first out" approach, prioritizing cases that have overstayed in court. She has also adopted a proactive approach to case management to expedite case resolution. As a result, this approach has significantly reduced the case backlog at the Masaka High Court Circuit by over 80%.



Hon. Lady Justice Harriet Grace Magala

High Court

Before joining the bench, she was an advocate in private practice for 19 years. She was a Partner in the law firm of Kituuma-Magala & Company Advocates, a firm that she co-owned with her father, Grace Kituuma Magala, also a lawyer until 2016 when she joined another law firm.

In her private practice, she was also a celebrated court-accredited mediator attached to the High Court Commercial Division for a period of eight years. She was initially selected Attorney Harriet Magala to mediate between the Bank of Uganda and Sudhir Ruparelia in the matter of Crane Bank, which was seized by the Bank of Uganda and sold to DFCU Bank in January 2017.

In 2017, Lady Justice Grace Magala started her own law firm called GraHaM Advocates where she practiced until 2022 when she joined the Bench.

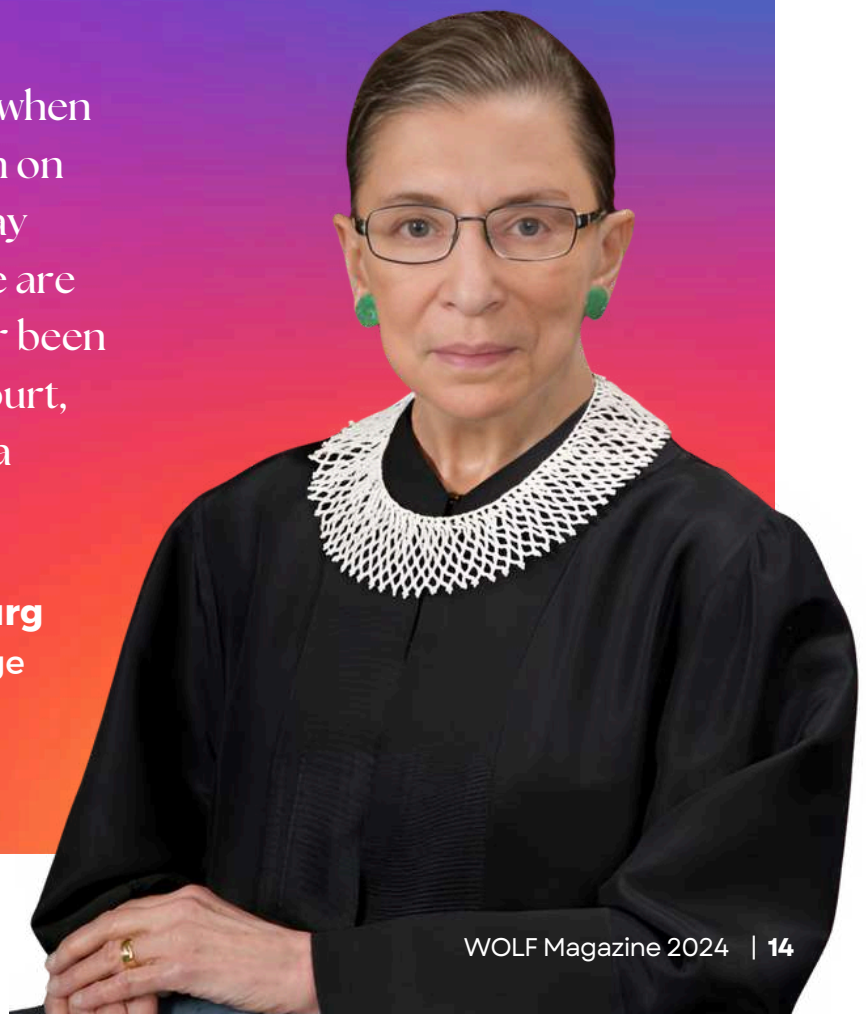
In 2022, she was appointed a Judge of the High Court Commercial Division by the President of Uganda.



When i'm sometimes asked 'when will there be enough [women on the supreme court]?' and i say 'when there are nine,' people are shocked. But there have ever been nine men on the supreme court, and nobody has ever raised a question about that.

-Justice Ruth Bader Ginsburg

American Supreme Court Judge
Born in 1933
Died in 2020



THE POWER PLAYER

Aisha Naiga's
Influence in Energy
Legal Practice



They say a flower with a strong stem blooms brightly and firmly even amidst thorns.

This metaphor aptly describes Advocate Aisha Naiga's stature in the energy legal practice sector in Uganda.

A woman of authority, astuteness, and calm demeanor, Aisha has consistently demonstrated professionalism in her approach to energy law legal practice, both within Uganda and beyond. Her track record is peppered with numerous energy deals on which she has provided expert advice.

Currently serving as the Managing Partner of ABMAK Associates, a corporate and commercial law firm, Aisha stands out as a formidable figure in the energy and infrastructure legal landscape of Uganda. Despite being in a firm predominantly led by male partners, Aisha's expertise and leadership shines through, making her the managing partner among four male counterparts.

Her academic credentials speak volumes about her dedication and commitment to her field. Holding a Master of Laws in International Commercial Law from the University of Kent (UK), an LLB (Hons) from the University of Dar es Salaam, Tanzania, and a Postgraduate Diploma in Legal Practice from the Law Development Centre, Kampala where she won the Attorney General's Award. Aisha has equipped herself with the necessary knowledge and skills to excel in her profession.

Her accomplishments have not gone unnoticed, as evidenced by her recognition in reputable legal guides like the IFLR 1000 Financial and Corporate Guide and Chambers Global Guide, where she is acknowledged as a standout figure in general business law in Uganda.

Aisha's involvement in key power projects



- Achwa 1 Hydropower Projects 42MW
- Achwa 2 Hydro Power Projects 41MW
- Kikagati Hydro Power Project 15.57MW
- Bugoye Hydropower Project 13MW
- Muvumbe Hydropower Project 5.6 MW
- Senok Wind Power Project 20MW
- Bagasse Fired Co-Generation Plant by the Sugar Corporation of Uganda Limited 23MW

Beyond her professional endeavors, Aisha is deeply committed to promoting gender diversity and professional development for women in the energy sector. As a member of the Women in Energy and Extractives Network (WEEN), she actively engages in mentoring young girls aspiring for careers in energy, oil, gas, and minerals. Through her efforts, she aims to dismantle the social barriers that hinder women from entering male-dominated sectors.

In addition to her advocacy for gender equality, Aisha serves as a Trustee of the Duke of Edinburgh International Award in Uganda, a non-formal education and learning framework supporting young people to live their purpose, place, and passion in the world. Recently, she played a pivotal role in facilitating a significant memorandum of understanding between the Duke of Edinburgh International Award and the Kingdom of Buganda.

This memorandum seeks to bolster youth development initiatives by focusing on skill-building and empowering young people, a cause close to Aisha's heart.



Aisha together with HRH Prince Edward, Duke of Edinburgh, Owek. Charles Peter Mayiga the Katikkiro of the Kingdom of Buganda and other top officials during the signing of a memorandum of understanding between the Duke of Edinburgh International Award and the Kingdom of Buganda.



Aisha with fellow trustees of the Duke of Edinburgh International Award, Uganda at the meeting where President Museveni accepted to be the Patron of the Award.

HOPE BEGINS TODAY



A

PHEONA WALL SC JOURNEY FROM IN-HOUSE COUNSEL TO PRIVATE LEGAL PRACTICE

In the dynamic and challenging world of legal practice, maintaining integrity, accessibility, and a willingness to learn are paramount. Pheona Nabasa Wall SC, former President of the Uganda Law Society (ULS) and founder of Nabasa and Co. Advocates, epitomizes these values in her approach to running her law firm.

With a foundation built on the principles of being Faithful, Available, and Teachable (F.A.T), Pheona has not only navigated the hurdles of private legal practice but has also led her firm to remarkable growth and success in just a few years.

Pheona's journey into private legal practice was not without its challenges. Transitioning from her role

as Head Legal of the National Water and Sewerage Corporation to establishing her own commercial law firm posed a significant shift in dynamics. However, armed with her experience and the guiding principles of F.A.T, she embraced the challenge head-on.

Faithfulness

Faithfulness in legal practice encompasses honesty, reliability, and loyalty to clients and colleagues alike.

Clients need a lawyer they can rely on to advocate for their best interests with integrity and transparency, regardless of the challenges that may arise.

Being Available

Accessibility is another cornerstone of Pheona's approach to legal practice. Recognizing the importance of being present and responsive to her clients' needs, she ensures that her firm maintains an open line of communication at all times. Whether it's a pressing legal issue or a simple inquiry, Pheona and her team are readily available to provide guidance and support.

Being Teachable

The willingness to learn and adapt is perhaps one of Pheona's most valuable attributes. Despite her extensive experience in the legal field, she remains humble and open to new ideas and perspectives. This teachable spirit not only allows her and her team of lawyers to stay ahead of the curve in an ever-evolving legal landscape but also enables her to mentor and empower the next generation of legal professionals.

Pheona's professional spotlight:

Pheona Wall, S.C., is a Chartered Arbitrator and Insolvency Practitioner with vast practice experience, having headed legal teams in corporate practice, civil society, academia, and public service. She is a governance and institutional development expert with over 17 years of experience in the water, telecom, and legal sectors. Currently, she serves as the CEO of the League of East African Directors and is passionate about regional trade, also holding a directorial position at the East African Business Council.

Formerly, she served as the President of the Uganda Law Society, credited for leading the society through the COVID-19 pandemic and procuring and constructing the ULS House. Presently, she is the General Secretary of the Pan African Lawyers Union and a Council Member of the Commonwealth Lawyers' Association. She holds the distinction of being the first female African Bar President to represent Africa at the IBA Presidents Forum for two consecutive years.

Additionally, Pheona has served as a Council Member of Uganda's first Judiciary Council and sat on the boards of ICAMEK and CADER Arbitration Center. She also serves as a Director of the Africa Private Sector Summit.

As an executive leadership coach, she trains boards in governance, CEOs through the CEO Summit, and young leaders via the Fidelis Leadership Institute, which she founded in 2019. The FLI has partnered with the COMESA Competition Commission to offer courses in competition law in East Africa.

With thorough knowledge and hands-on experience in institutional development, change management, public relations, energy, oil and gas, and company secretarial practice, Pheona established Nabasa and Co Advocates, a young, innovative firm with a solid corporate legal background.

The firm, known for its well-developed understanding of both commercial and operational drivers of business, has a team of result-driven, ethical lawyers. Nabasa and Co Advocates are regularly retained by both local and foreign investors and have played an advisory role in twelve joint ventures on the Tilenga Project.

Jackline Natukunda's Stellar Legal Career

RISING STAR



In Uganda's Dispute Resolution Practice

Jackline Natukunda has at a young age, already built a name for herself by handling complex commercial cases that have not only brought victory to her clients but also shaped the fabric of Ugandan law. Jackline's journey began at Makerere University, where she earned her law degree before sharpening her legal skills with a postgraduate diploma at the Law Development Centre. Her career took off with remarkable speed, and it wasn't long before she found herself standing in courtrooms alongside some of the country's top litigators, including Mr. Joseph Kyazze. Together, they've argued and won cases that many thought were unwinnable. Her litigation work has been nothing short of groundbreaking. These are not just routine cases—they are the kinds of battles that influence legal precedents and drive policy changes, making her contributions significant on a national scale.

KEY JURISPRUDENTIAL CASES ARGUED BY JACKLINE;

Meera Investments Limited v. DFCU Bank Limited and Another (Civil Suit 948 of 2017)

This landmark case remains a pivotal moment in Uganda's land and banking law jurisprudence. Jackline, serving as co-counsel, represented Meera Investments Limited in a suit challenging the illegal and fraudulent transfer and takeover of 48 properties/branches of the former Crane Bank Ltd.

The case was fiercely contested, with both parties presenting robust arguments. Ultimately, the court ruled in favor of Meera Investments Limited, declaring them the rightful owner of the properties in question and identifying DFCU Bank Limited as a trespasser on these properties.

“ Recognizing her exceptional talent and rapid rise, Magna Advocates made Jackline an Associate Partner, a position she holds to date. ”

This decision reinforced the sanctity of property rights and underscored the legal protections against fraudulent transfers in the banking sector.

Crane Management Services Limited v. DFCU Bank Limited (Civil Suit No. 0109 of 2018)

This case stands as a significant precedent in Uganda's banking sector. Jackline, alongside Mr. Joseph Kyazze, represented Crane Management Services Limited in their claim to recover USD 385,728.54 DFCU Bank -

representing rental arrears and interest. The court, persuaded by the powerful arguments advanced by Jackline and Kyazze, found that DFCU Bank had occupied and utilized the disputed properties from January 26, 2017, until late April-May 2017.

The court held that, upon executing the Purchase and Assumption Agreement, DFCU Bank acquired rights under the existing tenancies, along with the corresponding obligations and liabilities.

Excellent Assorted Manufactures Limited and Another v. DFCU Bank Limited and Others Civil Suit 338 of 2017 [2023]

This case has been hailed as a groundbreaking decision with far-reaching implications, frequently cited with approval in subsequent cases.

Jackline, again collaborating with Counsel Joseph Kyazze, represented the plaintiffs, successfully influencing the court's pronouncements on several key legal principles.

The court addressed the nature of the bank-customer relationship, the bank's duty to maintain accurate records, the interpretation of contractual instruments, and the application of the contra proferentem rule.

Additionally, the court considered the Bank of Uganda Consumer Protection Guidelines, establishing that, in the absence of superior legal instruments, guidelines issued by regulatory bodies hold persuasive authority and can provide valuable guidance to the court.

In addition to her litigation practice, Jackline has guided her clients through diverse dispute resolution and negotiation strategies as seen below;

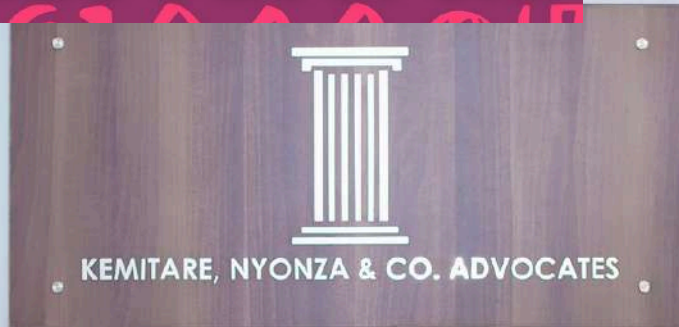
- She advised and closed on a compensation for Kingdom Kampala Ltd for land required for the construction of the Kampala Flyover Construction and Road Upgrading Project (KFCRUP)
- Negotiated and closed compensation of 28b Uganda shillings transaction for clients whose land was acquired by Uganda Electricity Transmission Company Limited for the construction of the Namave - Luzira Transmission
- Advised and closed on a transaction for the sale of land in worth, 4.4b Uganda shillings to National Water & Sewerage Corporation for the establishment of the sewage Treatment Plant on behalf of the government of Uganda.
- She also concluded a compensation for land used for Lake Victoria II protection project to expand the sewerage collection of Kampala.

”

With her remarkable accomplishments, Jackline has emerged as a rising star and one of the most sought-after advocates today.

”

Fortune Favors...



...the Bold

Advocates Sharon Kemitare and Carol Nyonza make strides in private legal practice

As the ancient proverb suggests, 'Iron sharpens iron,' so too do Advocates Sharon Kemitare and Carol Nyonza.

Their journey began in 2019 when they co-founded Kemitare, Nyonza & Co. Advocates – a pioneering legal firm owned entirely by women. With a combined experience of 30 years, they specialize in the intricate field of land conveyancing, positioning themselves as leaders in Real Estate law.

Fueled by their shared passion for excellence and unwavering dedication to client satisfaction, their firm has flourished, setting new standards of success in the legal profession.



Kemitare and Nyonza strike a chord of empowerment, resonating with the echoes of progress and excellence.



About Kemitare, Nyonza & Co. Advocates:

AREAS OF PRACTICE:

A Land Conveyancing & Securities Registration

The firm's core practice is land conveyancing and it handles various transactions such as conversions of tenure, registration of all land related matters, conducting due diligences, transfers of land, conveyances of untitled land i.e. bibanja, effecting amendment(s) of the register of titles, title processing, lease renewals and extensions, subdivisions etc.

With developing experience, the firm has acquired a well-rounded understanding of securities' registration and are familiar with all aspects of the mortgage registration process, regulatory requirements and practices associated with secured lending. The firm provides this service to 3 (three) leading financial institutions i.e. Equity Bank Uganda Limited, Housing Finance Bank Limited and Ecobank Uganda Limited. The firm has recently been prequalified for the provision of legal advisory, conveyancing and registration, commercial & due diligence services to UAP Old Mutual Uganda.

Family Matters

Sharon heads this practice area of the firm and handles various matters such as: Probate and Estate Administration, Preparation of Wills, procurement of probate and letters of administration for estates and provides storage facilities for wills and other testamentary dispositions. The firm provides advice and support for registration of marriages including securing the necessary approvals for Civil marriages and advising on all procedural aspects to ensure valid registration.

Corporate & Commercial law

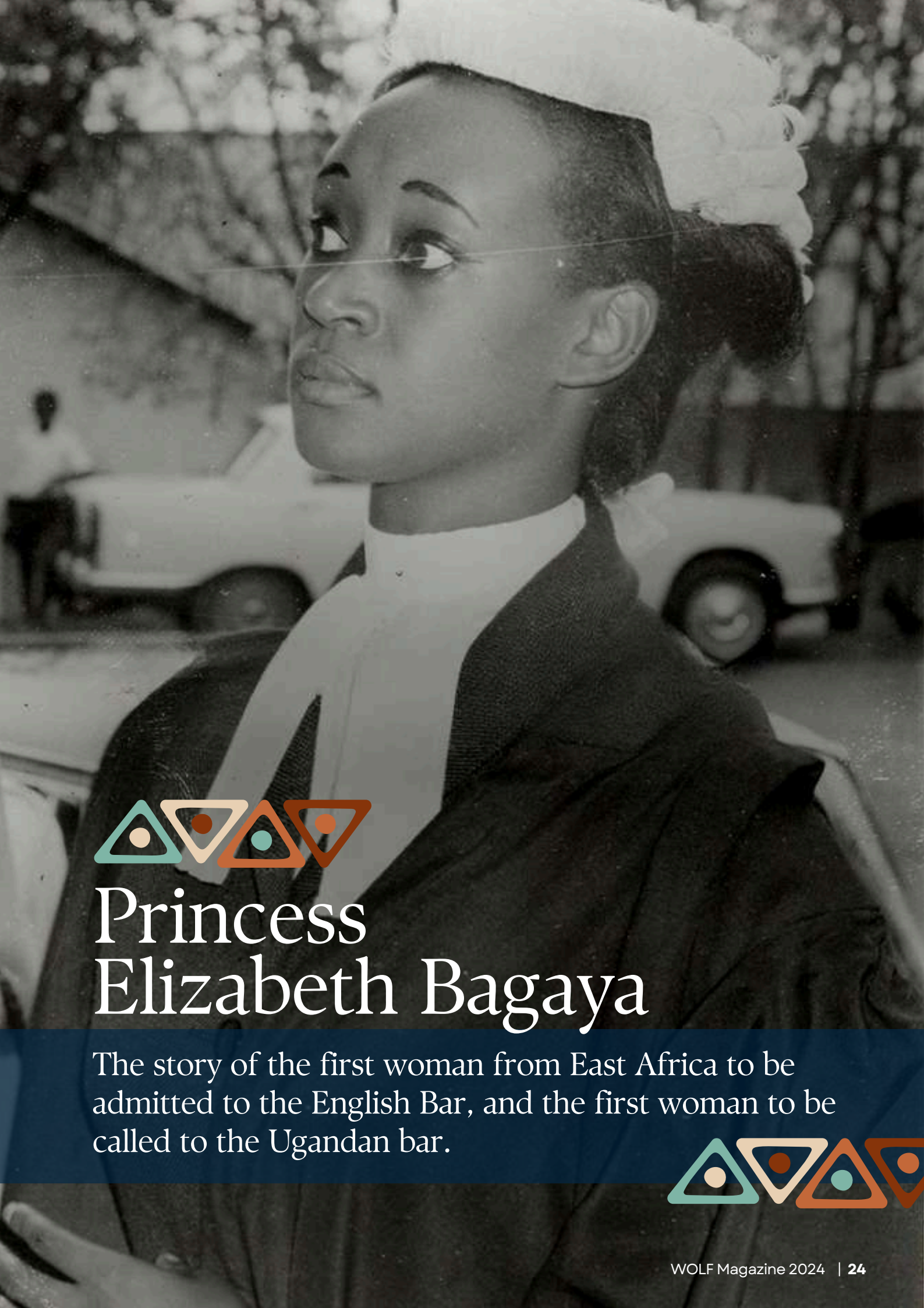
The firm provides corporate and commercial services to local and international businesses in matters such as share sales and shareholder arrangements; ensuring statutory and regulatory compliance and filing of all statutory returns for corporate entities; due diligence checks in all potential undertakings for their clients. We also handle incorporation and registration of various legal entities.

At the core of their legal practice, Kemitare and Nyonza provide timely delivery without compromising the standard of their services. The understanding of modern legal problems and solving them has kept them as an outstanding Legal Services provider in the Country.

They consistently prioritize their clients' needs, take up their legal burdens, keep them updated regarding the progress of their matters which strengthens their client-advocate relationship thus enhancing satisfactory delivery.



WOMAN LIKE ME



Princess Elizabeth Bagaya

The story of the first woman from East Africa to be admitted to the English Bar, and the first woman to be called to the Ugandan bar.





Princess Elizabeth Bagaya of Toro is renowned in the field of law for several significant achievements. She holds the distinction of being the first woman from East Africa to gain admission to the English Bar, as well as being the pioneer woman called to the Ugandan bar. These milestones are particularly noteworthy considering the prevalent male dominance in the legal profession. Despite her royal background, Princess Bagaya's entry into this field inspired numerous women to pursue similar paths in the subsequent years.



Princess Elizabeth Bagaya of Toro embodies a narrative rich in diversity and resilience, woven through academia, law, fashion, and diplomacy, each thread a testament to her indomitable spirit and unwavering commitment to her homeland.

Educated initially at Kyebambe Girls School and Gayaza High School in Uganda, Bagaya embarked on a transformative path when she ventured to England, becoming the sole Black student at Sherborne School for Girls. Subsequently, she broke further barriers by attending the University of Cambridge's Girton College, graduating in 1962 with a law degree, and later qualifying as a barrister-at-law at London's Gray's Inn, marking her as the **first East African woman admitted to the English Bar**.



When she returned to Uganda, she started off legal practice at Kazzora and Co. Advocates in Kampala. She completed a six-month internship at the firm. In 1966, she etched her name in history as **the first woman to be called to the Ugandan bar**.

In that pivotal year, Uganda was roiled by political upheaval as President Milton Obote violently eradicated the country's traditional monarchies, placing Princess Elizabeth Bagaya in grave danger.

However, fate intervened when, in 1967, she received an exclusive invitation from Princess Margaret and Lord Snowdon to grace a Commonwealth fashion extravaganza at Marlborough House in London.

Stepping onto the runway clad in exquisite attire from the Uganda Collection by Phillipa Todd, Princess Bagaya captivated the audience and kickstarted her remarkable journey in the world of modeling.

Seizing the spotlight, Bagaya signed a contract with the prestigious Peter Lumley Agency, propelling her onto the stages of renowned fashion shows featured in the pages of British and American Vogue, Harper's Bazaar, and Queen magazines throughout 1967 and 1968.

Her magnetic presence transcended borders as she ventured to New York between 1968 and 1970, securing a spot with the esteemed Ford Agency, the pinnacle of the American modeling scene at the time.



The winds of change blew her back to Uganda in 1971 amidst the tumultuous reign of Idi Amin, where she assumed the role of Roving Ambassador. Leveraging her fame and network, she garnered direct access to influential figures worldwide, a testament to her diplomatic finesse.

Her efforts were rewarded with an appointment as Foreign Minister in February 1974, during which she endeavored to rehabilitate Uganda's global image and foster diplomatic ties. However, Bagaya's tenure was abruptly truncated amid allegations of plotting against Amin, resulting in her confinement under house arrest. Only through international and local pressure did she evade potential harm.

Seeking refuge in Britain in 1974, Bagaya maintained a low profile until returning to Uganda after Amin's fall in 1979.

Nevertheless, the resurgence of Obote's regime in 1980 prompted her to once again depart until the dawn of Museveni's leadership in 1985. As Museveni's appointed Ambassador to the United States (1986-1988), Bagaya utilized her platform to advance Uganda's interests, orchestrating high-level meetings between Museveni and prominent U.S. officials.

As Women Owners of Law Firms (WOLF), with profound admiration and respect, celebrate Princess Elizabeth Bagaya's enduring legacy and her role as an icon of hope, progress, and empowerment for generations to come.



AMBER[®]

A photograph of four women standing outdoors in a lush, green environment. They are all wearing white t-shirts with the Amber logo and the text 'at 14 GO GREEN'. The woman on the far left is wearing a black hat. The woman in the center is wearing a large, light-colored wide-brimmed hat and bright green pants. The woman next to her is wearing a black baseball cap. The woman on the far right is wearing a grey hat. They are all smiling and looking towards the camera. The background is a dense forest of green trees and foliage.

Restructuring **TO INCLUDE WOMEN**

Amber Advocates' Journey

Before becoming Amber Solicitors & Advocates, the firm was known as Kenneth Akampurira & Co Advocates. The firm has always been a gender-sensitive law firm with policies that allowed women to thrive and play their pivotal roles in families and society at large. The male partners had been actively seeking a female partner to join the team and add the much-needed flavor and spice. Gender representation was a focal point for their restructuring process over the last 6 years.

In 2018, they negotiated and admitted Linda Alinda-Ikanza as the firm's first female partner. The admission of the firm's first female partner inspired several other gender-driven policies aimed at investing in and focusing on the talent development of their female staff members. For example, the firm funded mentoring and personal development training for all their female staff.

Since then, the firm has seen women take more pivotal roles, with the firm's middle management currently being predominantly female-led. Ms. Atwine Winnie, the Senior Legal Associate, leads the Recoveries Team, and Ms. Latifah Ndaula, the Manager of Compliance, leads the Registration and Compliance Team.

Amber has since become intentional in implementing other gender-sensitive policies. The firm was one of the first to embrace the Non-Sexual Harassment policy and conduct sensitization sessions facilitated by the Uganda Law Society. Additionally, the firm allows female staff members three days every month when they may opt to work from home. Moreover, the firm has an equal opportunity policy that requires internship and clerkship opportunities to be rotated between genders.

All the above gender-intentional policies have contributed to the firm's retention and career growth for female staff members. It has also contributed to the career growth of former female staff, even long after they have left the firm. The firm boasts accomplished female lawyers who are former staff members and credit their success in the legal field to the mentorship and foundation received at the firm.



The firm has been careful not to reduce its gender goals to just statistical numbers. So, for an outsider looking in, the fact that the male members of the firm outnumber the female ones can be misleading. Instead, the firm has ensured that it invests in its female staff members so that they contribute their maximum potential to the firm while also receiving maximum support to explore their full potential. Some of the benefits from the gender-driven restructure have included the rebrand from Kenneth Akampurira & Co Advocates to Amber Solicitors & Advocates.

The firm's CSR department has also grown with various outreach community engagements. The most recent of these was a tree-planting activity that brought together the firm's partners to plant 1400 trees to celebrate its 14th Anniversary.

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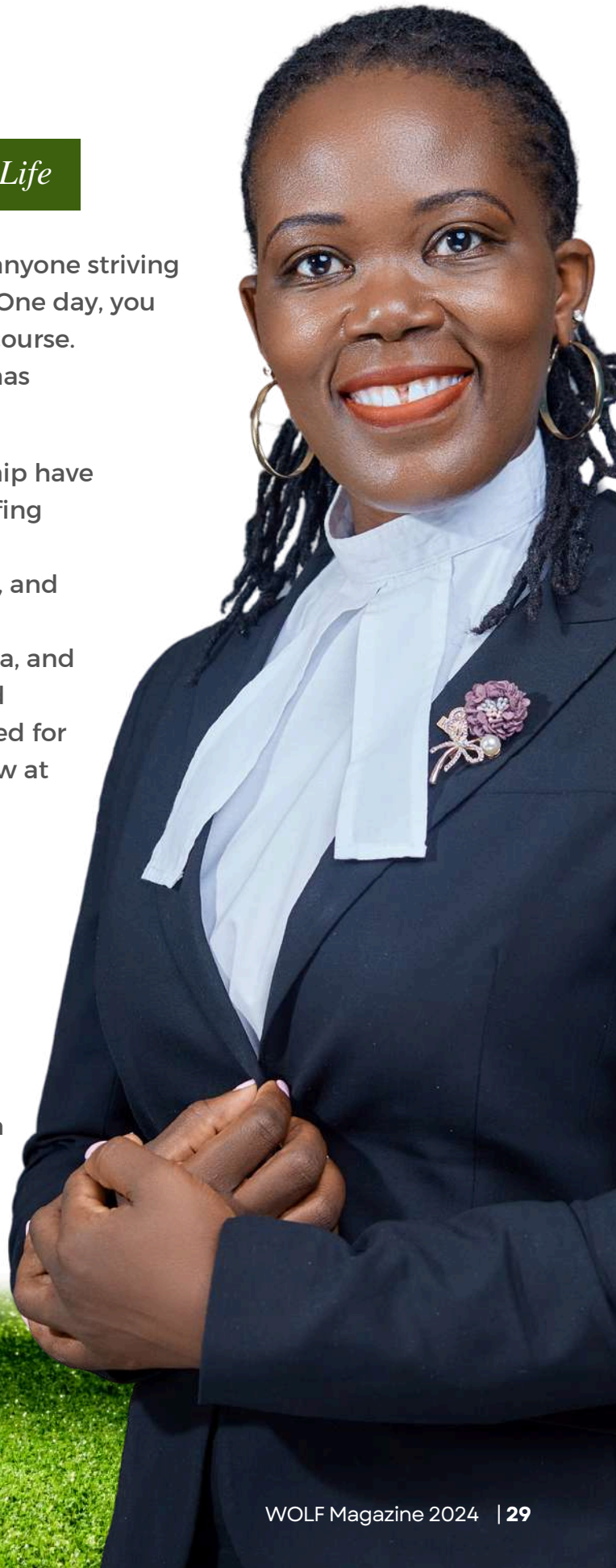
IN GODLIVE'S WAY

Excellence in Sports and Professional Life

Godlive Nayebare's story is an inspiration for anyone striving to break barriers and excel in multiple fields. One day, you might find her in court; the next, on the golf course. Godlive is a Ugandan lawyer and golfer who has distinguished herself in both arenas.

In the world of golf, her skill and sportsmanship have made her a prominent figure in Uganda's golfing community. She has competed in numerous tournaments, both locally and internationally, and has brought home a multitude of accolades. She practices law in Mbarara, Western Uganda, and is a highly sought-after expert in property and commercial law. Additionally, she is recognized for her academic contributions, having taught law at the Law Development Centre.

Godlive currently serves as Vice President of the Uganda Ladies Golf Union and was also the Uganda Golf Ladies National Team Manager for the 2023 All Africa Challenge. Godlive's top accolades include being recognized as the best lady golfer at the 2021 Entebbe Rotary Golf fundraiser and winning the overall lady title at the 2019 Uganda Open Golf Tour.



SPOTLIGHT WOLF DYNAMOS



Some women have made their mark by founding and leading their own law firms, navigating the dense jungle of legal practice with the tenacity of true WOLVES. These female advocates are breaking glass ceilings and redefining the profession.

These women have not only succeeded in a competitive industry but have also set a high standard for others to follow.

Their stories highlight the impact of their hard work and dedication, showing that excellence in law is achievable for everyone.

Ainembabazi Eunice

Reeve Advocates

Eunice is the Founder of Reeve Advocates, a firm with over 7 years experience in family and land law.

She is passionate about Family and inheritance law. She has successfully handled numerous cases involving compensation awards from the Government of Uganda.

Eunice is also recognized for her significant role as Defense Case Manager in the case of “The Prosecutor vs Dominic Ongwen” at the International Criminal Court.



Lillian Bulya Thenge

L-Bulya & Co. Advocates

Lillian is the Founder of L-Bulya & Co. Advocates, a firm she established in January 2020. According to Lillian, her decision to start her own law firm stemmed from a deep commitment to honesty and integrity, values she cultivated during her service in the public sector (Uganda Law Reform, National Planning Authority, and the Public Procurement and Disposal of Public Assets Authority). While in public service, she was sought after for advice on legal support by different clients. This trust and loyalty inspired her to venture into private legal practice.



Akullo Barbara Oboke

Muganwa Nanteza and Co. Advocates

Barbara currently manages the affairs of the firm, which was founded in 2007 by Nanteza Grace and Semakula Muganwa Charles, who collectively brought 22 years of experience to the table. The partnership has since grown to four partners—two women and two men—achieving a balanced 50/50 gender ratio. The firm's team now comprises 11 advocates, including 7 female associates, making up 64% of the firm.

With over 14 years of extensive legal practice, Barbara is a seasoned legal practitioner. Under her leadership, the firm has become highly sought after by both national and international clients. In addition to her responsibilities at the firm, Barbara also serves as a lecturer at the Law Development Centre.



Nshemereirwe Peruth

Nshemereirwe, Arigye & Co. Advocates

She is one of the Founding partners and currently the Managing Partner at Nshemereirwe, Arigye & Co. Advocates, a Commercial Law firm based in Entebbe with over eleven years of existence. Peruth has a passion for litigation but directs her energy to pursuing Alternative mechanisms for Dispute Resolution and representing indigent persons.

Before joining private legal practice in 2014, she worked with the Uganda Association of Women Lawyers from 2006-2007 and the Attorney General's Chambers from 2007-2013.

When not in Court, Peruth is passionate about skilling lawyers and serves as a Lecture at Nkumba University and on the faculty of organisations such as UCLF and Justice Advocacy Uganda.



Afrah Mpungu

Kasana, Mpungu & Co. Advocates

Afrah Mpungu is an advocate with over 15 years of experience and the founder of Kasana, Mpungu & Co. Advocates. She began her legal career at Kampala Associated Advocates before deciding to take a bet on herself and establish her own law firm.

An expert in Land Transactions and Dispute Resolution, Ms. Mpungu is also an accredited Court mediator attached to the Land Division of the High Court, where she passionately works to bring opposing sides to win-win positions. She leads her firm in providing dependable legal solutions to a diverse mix of individuals and SMEs, helping them successfully navigate their legal needs.

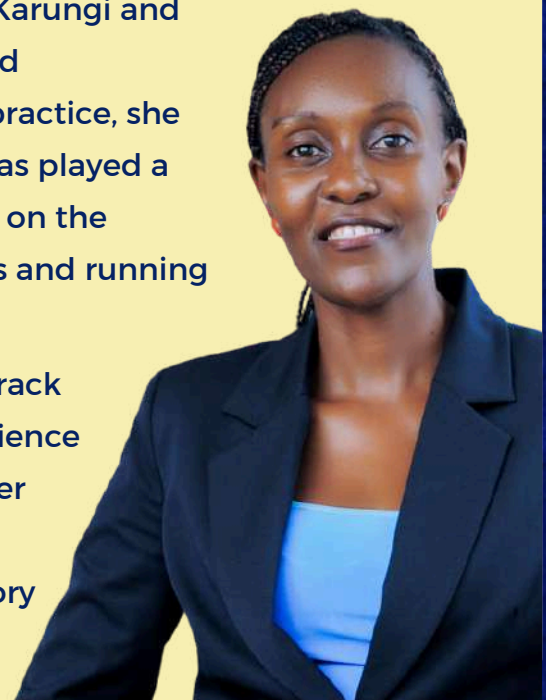


Anne Karungi

Karungi and Partners, Advocates & Solicitors

Anne is the Founder and Managing Partner of Karungi and Partners, Advocates & Solicitors, a corporate and commercial law firm. Before starting her own practice, she practiced at Muwema & Co. Advocates. Anne has played a significant role in the legal community, serving on the Uganda Law Society (ULS) Council for two years and running for ULS President in 2020.

Renowned for her sharp litigation skills and a track record of impactful cases, Anne's diverse experience and as a top advocate led her to establishing her own law firm, which has since become a go-to name for corporate and commercial law advisory and dispute resolution.





Kisekka Annet

leads a team of five at Kisekka & Co. Advocates a relatively new Law firm that opened its doors in November 2022 and will this year celebrate its Cotton Anniversary.

Taking the Leap of Faith

As a young and growing Law firm, Kisekka & Co. Advocates embodies the best qualities of legal services, tenacious, adaptable, readiness for hard work and commitment to its cause.

Above all, the firm's burning desire is to provide clients with tailored approach to our clients' individual needs. They represent a wide range of clients of exceptional practice areas while fulfilling its regulatory and compliance mandate.

Despite the challenges that come with being a female Managing Partner, Ms. Annet boldly and confidently whispers to my fellow female Advocates out there hesitating to start that there is nothing petrifying because it's possible and all it takes is a firm step of faith and dive right in.

She credits W.O.L.F as a Network of female advocates that have embraced the mantle of taking up their space in the private arena of legal practice for being a great resource. She also encourages other female practitioners out there to silence any fears inside them and take the leap of faith to achieve the Justice, change and equity so much desired for our Legal system

THE WOMAN OF THE MOMENT

DISPUTE RESOLUTION

Olivia
Kyarimpa
Matovu

From intense courtroom battles to mediation tables, arbitration boardrooms, negotiation settings, and conciliation spaces, Olivia has excelled in all these areas. She has been involved in groundbreaking court cases in Uganda, leading to impactful precedents. She is also a key figure in the alternative dispute resolution space and one of the architects of the powerful ADR institutions we have in Uganda today i.e ICAMEK and the Chartered Institute of Arbitrators-Uganda Chapter.

She is the Partner in charge of Dispute Resolution at Ligomarc Advocates. Olivia has over (17) years' experience in dispute resolution specializing in handling disputes arising from breach of contracts, banking and finance, infrastructure projects, construction, international sale, supply and distribution of goods, shareholder agreements and joint ventures and project management,



Olivia has over the years provided arbitration and litigation services to Multinational Corporations, Statutory Corporations, Non-Governmental Organizations(NGOs), Private International and Local Companies, Commercial Banks, Insurance Companies, Government Ministries, Departments and Agencies(MDAs), Statutory Corporations, Non Governmental Organizations (NGOs).

Olivia has proven herself as a formidable advocate in the field of litigation, a space often perceived as male-dominated. Over the years, she has defied expectations with her remarkable ability to influence the bench to act in the best interest of her clients.

Ligomarc Advocates, being the powerhouse, has not only seen Olivia shaking the table alone, but also working on big cases together with the formidable Ruth Sebatindira SC, another female power horse in the litigation space of insolvency. Their joint association resonates with the proverb, “When queens collaborate, the world flourishes.” Olivia and Ruth are the only female partners at Ligomarc, with Ruth being the founding partner of the firm.

Olivia has extended her skills in dispute resolution to fellow legal practitioners and law students. She has participated as a facilitator in numerous dispute resolution trainings and trial advocacy in institutions such as Justice Advocacy Uganda, ICAMEK, Chartered Institute of Arbitrators-Uganda Chapter, Uganda Law Society, East Africa Law Society, among others. She is also a professional advisor on ADR practice at the Law Development Center.

Groundbreaking commercial disputes Olivia has participated as counsel:

- **Uganda Revenue Authority v. Prof. Emmanuel T. Mutebile & Trustees of Bank of Uganda) (Civil Appeal 89 of 2021) [2023] UGHCCD 372**, which clarified the issue that for a Trust to qualify as a settlor trust, it must meet “any” and “not all” the criteria set in Section 70(f) of the URBRA Act.
- **Emerald Hotel Ltd & 3 Ors v Barclays Bank of Uganda Ltd (HCT-00-CC-CS 170 of 2008) [2016] UGCommC 58**, which addressed the element of third-party mortgages and the validity of the security instruments on mortgaged property and how a receiver’s actions can make the appointing authority liable (Mortgagee/Bank).
- **Advocates for Natural Resource Governance & Development v. Attorney General, Const. Petition No. 40 of 2013**, where the Constitutional Court noted that the current Constitution only requires compensation to be paid prior to expropriation, and was intended to rectify a past history of inequitable treatment of landowners.

Among others.

THE HOT SEAT



SILENCED SUFFERING

The Epidemic of Sexual Misconduct Among Male Lawyers in Law Firms: A challenge for young female lawyers

In this discussion, we confront the harsh realities of sexual harassment by highlighting real sexual harassment scenarios against undisclosed female lawyers. A selected panel of three female advocates offer insights and perspectives on overcoming this challenge, dissecting its impact on the professional potential of female lawyers.



Asmahaney Saad
*Partner,
KTA Advocates*



Juliet Nagawa L.
*Nagawa Luggya & Co.
Advocates*



Zemei Susan
*Zemei, Aber Law
Chambers.*

REAL LIFE STORIES

“ I joined a certain law firm during my LDC clerkship and after the period of the clerkship, one of the partners who was my supervisor began making false promises to exploit me. He would dangle the prospect of significant pay raises, promising to retain me as a legal assistant if i complied with his demands. Feeling pressured and desperate to advance my career, i reluctantly agreed to his terms. Yet, as time passed, i realized these promises were empty, and my supervisor's behavior only grew more controlling and manipulative. When i attempted to assert myself, he threatened to chase me from the firm.

-Jackline, Female Lawyer

“ There is this partner in certain law firm in Kampala, he would offer to help me win cases by promising to leverage his connections with judges and influential figures in the legal community. However, this assistance came with a steep price - as he expected me to comply with his increasingly inappropriate sexual advances. By that time, i was an Associate in the firm. When i refused to comply with his demands, he made the working environment harsh for me. He used to fault me every time during the firm meetings in front of everyone. My time at that law firm is one of the terrible times in my life time.

-Felista, Female Lawyer

“ There was a senior male lawyer who made sexual advances towards both me and another female lawyer in the firm. At the time, I was a legal assistant, while the other female lawyer held the rank of senior associate. Neither of us knew about the other's experience, as we kept it a secret. It was the other female lawyer who discovered the situation first, and surprisingly, she was interested in his advances.

With a sense of jealousy, she began to make my time at the firm difficult, given her seniority. The senior lawyer had apparently told her that I was the one initiating the advances.

Being proud by nature, I decided to excuse myself from the firm. I spent eight months at home without a job.

-Shamim, Female Lawyer

“ There is a law firm which has a policy for mentorship tailored for clerkship and junior associates. As a fresh employee in the firm, i was paired with a senior male lawyer for mentorship. However, my excitement quickly turned to disillusionment when i realized that he had sexual intentions towards me. He would use our mentorship sessions as an opportunity to make inappropriate comments about my appearance and suggest that my success depended on my willingness to engage in a romantic relationship with him.

-Scovia, Female Lawyer

THE DISCUSSION



Asmahaney Saad
Partner,
KTA Advocates

RESPONDING TO FELISTA

Hi Felista,

I can only imagine what you're going through, and I believe that no young professional or any human being, for one reason or another, should be in such a toxic environment.

So first and foremost, I think that having gotten yourself into this situation, I don't know how deep this conversation started, but the fact that a partner or someone senior to you can offer you a shortcut to success in your profession is already wrong.

Someone telling you that they can help you in cases through contacts, manipulating judicial officers, or bribing, whatever way it was that he meant by this statement, it was already wrong. Ideally, this is something that you should have stopped right from the start. Not that I'm blaming you, but I think one thing that is plaguing the growth of a very organic or successful career is that people want shortcuts generally. People want to get to certain places at a super high speed, but there is nothing like that. By the time you're a young lawyer, you know that there are certain things, certain times, certain processes, certain knowledge, certain expertise that you have to acquire before you can win cases. So this partner, to even mention this to you, I believe was kind of trying to pinpoint a shortcut, right?

Because of the fact that he kind of offered you something, a shortcut to your career, he kind of tried to manipulate you into it, and when you did not, he tried to use now his authority over you to bring you down. Now to recover that, it's really what for me as a female I would call getting back your power. And usually getting back your power means you facing your bully, you facing your biggest fears, you facing your innermost pain and this is a step that I would advise you to do. You have to have a conversation with this person, look them straight into the eye and say, in this situation, because my understanding is A, B, C, D, it is not going to happen, I am not going to have sex with you.

Once this does not work, then you need to now plug yourself out of this toxic environment. Look out for other spaces you can work in, other law firms, other career opportunities, and move on from this space.



Juliet Nagawa L.
Nagawa Luggya & Co.
Advocates

The male species will always naturally make sexual advances to the female everywhere in the world and in every industry with no exception of age, status or culture.

Women in the world, and in this case, female lawyers, should:

- Trust in their ability to prosper gradually to higher hierarchies. A common factor in their stories is that they were all juniors or assistants, falling prey because they were desperate for retention to advance their careers.
- Young female lawyers need to understand that diligence and tenacious attitudes lead to significant pay rises rather than simply being a woman.
- A good lawyer is known and sought after by everyone. Young female lawyers need to find out what the qualities of a good lawyer are. They will feel no need to please men to advance in their workplaces.

A good example of a young female lawyer will not fall prey to men's schemes. She is one who has mastered the work ethics of a lawyer. Her tenacious attitude will make you, or anyone, retain her and pay her a higher salary because you don't want to lose her. She will be known because of her diligence and will not need a male lawyer to advance in her career. She will not be sexually compromised, and that's girl power.

THE DISCUSSION



Zemei Susan

*Zemei, Aber Law
Chambers.*

The epidemic of sexual misconduct among male lawyers in law firms stems from the fact that the legal profession and industry tends to be male-dominated.

The females that take the same carrier path prefer soft landing and employment as against embracing new challenges and opportunities that await brilliant minds and ideas. Unfortunately, many instances of sexual misconduct among law firms go unreported.

My response will be restricted to insights and perspectives on overcoming sexual advances and its impact on the professional potential of female lawyers.

To overcome this devise, a young female lawyer needs to appreciate and accept that we can lead and bring the positive change that we so much crave for. It is a mindset game. A young female lawyer' desire to grow quick on the carrier path and ladders, drive the statement cars, stay in the most modern apartments among others should not outride her personal integrity goals to believing that the only way to grow professionally is to submit to every sexual advances by the male species in the same profession.

The carrier opportunities are here and very many. The female lawyer young or old need to overcome the female excuses and embrace hard work, resilience and professionalism as mechanisms to growth. Self-pity and screaming do not work. It is time to stop crying about challenges and focus on opportunities. Sexual advancements by the male professionals towards females will not stop today. Men are like lions, they devour, they love to conquer and lead not only in love but also in the work space.

The discretion is for the girl child to say no and stick to it. As you face that new job space, your mind should focus on what value addition you come along with. Personally, self-respect has worked out for me, it has turned the talks into retainer clientele.

This will only be possible when one starts with knowing who you are and what you stand for; do you have a plan as a lawyer before even categorizing yourself as a female? If yes, what steps have you put in place to achieve your dreams and reach your destination? What do you pride yourself in? Are you happy with you? Are you happy with the profession you chose to pursue? Do you have a life coach to talk through life with? Have you attached yourself to a mentor (s) and do you make good use of their presence around and in your life? What do you believe in? Do you even realize that you are created in the image of God who doubles as a creator of the universe and giver of all good?

Please reserve the answers to all the questions. You are free to journal them as you promise your good self that you are going to do you proud by saying no to unhealthy sexual advances. The opportunities in the legal profession await those who are ready to tap them without believing that without the male support, there can be no carrier growth.

Female lawyers have to create systems where there emotional intelligence is in check 24/7, they need to learn how to make sacrifices if they are to get to the top, they need to learn that once you are playing on the same level with men, you need to feel comfortable and own your space, be a go getter and don't expect favors from men.

We need to embrace and own equal opportunities that the legislators have put in place.



BALANCING

THE SCALES OF JUSTICE AND BUSINESS

Mariam Nabulime Mbabaali is a force in both the legal and business worlds. She runs one of the highly sought for law firms in Kampala. She owns one of the city's largest and most renowned laundry and dry-cleaning enterprise, boasting over seven branches that cater to thousands of satisfied customers. Her business acumen also shines in the beauty industry, where her premier beauty supply store has become the go-to destination for quality and luxury.



Drip n Dry Cleaners

Mariam's entrepreneurial journey began with Drip n Dry Cleaners, a company that has grown from humble beginnings into a highly sought-after laundry and dry-cleaning service in Kampala. What started as a small enterprise has now become a trusted name in the industry. With branches strategically located in Kabalagala, Muyenga, Kisementi, Airways House, Naalya, Bugolobi, Najeera, Bwebaza and Munyonyo

Mars Beauty Supply Store

In addition to her success in the laundry sector, Mariam has made significant strides in the beauty industry with Mars Beauty Supply Store. This store has quickly become a game-changer in Uganda's beauty market, offering a wide range of high-quality products that cater to various customer needs. Known for its exceptional product range, Mars Beauty Supply Store has set new benchmarks in the industry, attracting a loyal clientele.

Private Legal practice

Mariam is a Co-Founding and Managing Partner of Kabuzire, Mbabaali & Co. Advocates.

Alongside another powerful Advocate, Diana Kabuzire, Mariam established the firm in 2008, stepping boldly into private practice. Over the years, the law firm has grown into a highly sought-after firm known for its expertise in corporate and commercial law.



Mariam continues to break barriers and set new standards, demonstrating that with determination and innovation, it is possible to excel in multiple fields.

Kabuzire, Mbabaali & Co. Advocates has successfully advised and represented both local and international clients in multi-million dollar projects across various sectors, including construction, energy and infrastructure, mining, intellectual property, and business-related transactions.

Mariam's journey is one marked by continuous learning and adaptation. She has actively pursued emerging areas of legal practice, ensuring she remains at the forefront of the profession. Her expertise in technology law and international arbitration is well recognized, thanks to rigorous training from renowned institutions. In 2018, Mariam took a significant step by becoming a certified member of the Chartered Institute of Arbitrators in London, UK. She furthered her specialization with an Advanced Diploma in Computer Science for Lawyers from Harvard Law School, USA.

In addition, Mariam holds a Master's in Financial Management (MFM) with Distinction from Amity University, India.

Her foundational legal education includes a Diploma in Legal Practice from the Law Development Centre, Kampala, and a Bachelor of Laws degree from Makerere University, Kampala.

The Epic

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Excellence isn't just a benchmark; it's our starting point, our journey, and our destination.

Ann Namara
Musinguzi, MCI Arb



Journey

Ann began her illustrious career at MB Gimara Advocates as a Legal Assistant in September 2009. Because of her critical and extraordinary attention to detail, she quickly rose through the firm's ranks and was at the position of Senior Legal Associate by the time the firm merged to form Arcadia Advocates in 2014. Whilst at Arcadia, still because of her unique delivery with above excellence in all her assignments, she was promoted to Principal Legal Associate Deputy Head of the Banking & Finance Department where she continued to stand out and super please all the Department's Clients.

In 2019, she joined ALP Advocates as Head of the Corporate & Commercial Department and subsequently headed the Corporate & Compliance Department. She continued to impress the firm's clients and exceed their expectations with quick, agile and excellently thought out solutions to all their legal concerns.

On 22nd December 2021, Ann closed the curtains on employment and took the bold step to step out and solely found Namara Musinguzi & Company Advocates; a boutique law firm that has curved a niche in the practice areas of arbitration, construction law and compliance.

Applying the same principles that saw her quickly rise through the ranks in employment. Ann has tremendously grown Namara Musinguzi & Company Advocates to one of the most notable female owned law firm in this country. As the firm's mantra "excellence transcendent" suggests, excellence is no longer what Ann and her team vie for but rather they deliver, both in terms of quality and turn around time; solutions to clients that are over and above what is normally termed as excellent; overly delivering and exceeding their client's expectations.

Ann is also a Member of the Chartered Institute of Arbitrators(UK); the globally respected and recognized body for chartered arbitrators. She is in addition a seasoned arbitrator and is often appointed on arbitral tribunals and Dispute Avoidance Boards because of her recognized unique analytical skill set coupled with a critical attention to detail.

Further, because of her recognized experience and thought leadership, Ms. Namara is widely sought after as a panelist and moderator to discuss the trending issues affecting the arbitration sector regionally and internationally by bodies including; the Chartered Institute of Arbitrators-Uganda Chapter, International Chamber of Commerce Young Arbitration & ADR Forum (ICC YAAF) and the Uganda Law Society. She has also conducted trainings within the East African Community for inhouse lawyers for a Petroleum Company.



Key among her accomplishments are; she acted as Counsel in an arbitration whose dispute was to the tune of US\$481,590.58, arising from breach of a construction contract. She has also acted as Counsel in an arbitral dispute worth US\$1,416,000 relating to breach of contract. As an accomplished arbitrator, she has handled a construction dispute worth over US\$217,507.51 and a breach of contract dispute wherein the sum in issue is to the tune of US\$ 23,600. As an expert in regulatory compliance, Ann is currently retained to offer legal and regulatory compliance services in respect to proposed construction activities in the energy sector.

Ann's law firm has extensive experience in the representation of multi national clients at arbitral tribunals especially in construction related disputes arising from breach of the terms of construction contracts. The firm is in addition retained by leading players in the construction industry to specifically advise them on dispute avoidance. As thought leaders in the practice area of arbitration, the firm is a renown publisher of articles and alerts on leading cases and trends in the arbitration practice.

Ann is a firm believer in not only doing what is required of her but rather giving in entirety of her time, expertise, agility and speed while at it. As the firm celebrates three years later on this year, it is no longer a matter of "if" but "when"; as Ann leads the team to fully establish itself as the go to law firm in the region for all matters construction, arbitration and compliance.



COURTROOM HEROINES

Landmark Cases Argued by Women



Editorial Note:

It is with great pleasure that we present our comprehensive summary of pivotal cases argued by women lawyers in Uganda, which have significantly shaped the nation's jurisprudence. This collection highlights the formidable contributions of these legal professionals to the evolution of Ugandan law, underscoring the critical role they play in advancing justice and equality.

Women lawyers in Uganda have successfully challenged discriminatory laws, advocated for human rights, and promoted gender parity across various areas of law, including commercial law, human rights, civil law, and criminal law. Their groundbreaking work in commercial law has included advocating for fair business practices and protecting consumer rights, ensuring a more equitable marketplace. In the realm of human rights, these lawyers have been at the forefront of defending fundamental freedoms and pushing for legal reforms that protect the most vulnerable populations, thus reinforcing the foundational principles of justice and equality.

By:

Paul Mukiibi

Head, Department of Law Reporting, Research and Law Reform, LDC, Chairperson, Research and Publication Committee, EALS and Practicing Advocate of Courts of Judicature, Uganda.

Names: Sarah Lubega, Lydia Ochieng -Obbo, Regina Lule Mutyaba and Dora Byamukama

Case:

Uganda Association of Women Lawyers and Others verses Attorney General (Constitutional Petition No. 2 of 2003)

This case was argued by female advocates, Sarah Lubega, Lydia Ochieng -Obbo, Regina Lule Mutyaba, Dora Byamukama, along with Mr. Phillip Karugaba, who was the lead counsel. This case is a celebrated precedent in Ugandan jurisprudence because it prescribed the basis for law reform. It is on record that two female advocates, Lydia and her partner Sarah Lubega, were the litigants behind this impactful precedent. The petitioners petitioned the Constitutional Court to have several provisions of the Divorce Act declared unconstitutional on the grounds that they discriminated on the basis of sex. The Constitutional Court concluded that the relevant provisions of the Divorce Act violate the constitution because they discriminate on the basis of gender. Specifically, the court stated that these provisions of the Divorce Act violate women's constitutional right to equality and negate the concept that equality is a core value of the Ugandan Constitution.

In addition, the court noted that the Divorce Act was a colonial relic and represented a time when the concept of family was patriarchal and women were subservient to men. The court then emphasized that times had changed and marriage had become an equal partnership, with the constitution guaranteeing equal rights during a marriage and at its dissolution. Furthermore, the court emphasized that women's human rights are inalienable and essential for the development of any country.

Jurisprudential value:

The Constitutional Court's decision impacted law reform, and Parliament passed the Law Revision (Miscellaneous Amendments) Act, 2023, which was assented to on 10th May, 2023. This amended Section 4 of the Divorce Act Cap 249 on the grounds for divorce by making them equally open to either party to a marriage. As a result, these provisions are now more inclusive and gender-sensitive.



(From Right to left)

Sarah Lubega(Left), Lydia Ochieng-Obbo(Middle), Regina Lule Mutyaba(Second left) and Dora Byamukama (Left) at the Constitutional Court preparing to hear the historic decision granting women equal rights with men.



Name: Irene Mulyagonja

Case:

Joyce Nakacwa verses Attorney General, KCC and Anor (Constitutional Petition No.2 of 2001)

Advocate Irene Mulyagonja achieved a landmark victory in a Constitutional petition, representing a woman who had endured a harrowing ordeal. The woman had delivered a baby by the roadside and sought help at KCC's Naguru Maternity Home/Clinic, but received no care and was forced to wait outside with her newborn. Later, the woman was accused of child theft upon returning home and was arrested, while her baby was taken to Sanyu Babies Home. She endured over a week of uncertainty about her child's whereabouts until discovering, upon visiting the home on July 3, 2001, that her baby had tragically died on July 2, 2001.

Despite facing formidable opposition, including notable litigators such as Advocates Nelson Nerima, Phillip Karugaba, Mutyaba Sempa, and Mbalinda Tom who were representing the respondents, Mulyagonja stood on a "one woman army" stand against a formidable team of legal minds.

Court's Finding: The Constitutional Court of Uganda addressed two preliminary objections based on the court's jurisdiction and limitation period. Firstly, it dismissed the argument that the petition didn't involve constitutional interpretation, asserting its jurisdiction as it dealt with alleged violations of constitutional rights. Secondly, it ruled that the petition wasn't time-barred, stating that the 30-day period to file began after the petitioner learned of her child's death, not upon release from custody. However, the court did not delve into the substantive issues and allegations raised by the petition itself.

Jurisprudential value: The case is cited as a locus classicus case on the position that the "Constitutional Court has jurisdiction to entertain matters that would otherwise fall under Article 50 of the Constitution on enforcement of Human Rights if in doing so, the court would also engage in interpretation of the constitution.

Irene Mulyagonja is now a Justice of the Court of Appeal/Constitutional Court having previously served as IGG and High Court Judge.



Name: Ruth Sebatindira SC

Case:

Uganda (Uganda National Oil Company) v. Kenya (Energy and Petroleum Regulatory Authority), (East African Court of Justice)

Ruth Sebatindira SC led the legal team representing the Republic of Uganda under the Uganda National Oil Company (UNOC) in a case filed against Kenya at the East African Court of Justice. The case arose from Kenya's refusal to grant UNOC a license to operate in Kenya and handle fuel imports to Uganda. As a landlocked country, Uganda relies on Kenya for 90% of its petroleum product imports. To streamline this process, UNOC applied for a license in Kenya to establish itself as an oil marketing company, enabling direct fuel imports through the Kenya Pipeline. Kenya's refusal to issue the license prompted Uganda to seek resolution at the regional court, the East African Court of Justice (EACJ).

Ruth led the legal team, working alongside the Attorney General of Uganda and a Kenyan law firm.

The case was ultimately resolved through a consent settlement recorded by the court, in which both parties agreed to grant Uganda the license.

Jurisprudential Value: The settlement in this case was a significant step in maintaining regional cooperation and ensuring Uganda's fuel supply chain remained uninterrupted. It enhances Uganda's capacity to manage its petroleum supply chain more effectively and reduces dependency on third-party oil marketers. It contributes to greater efficiency, cost savings, and strategic control over Uganda's oil imports, positioning the country to better leverage its oil resources and infrastructure.



Name: Ms. Winfred Adukule

Case:

BN V. Uganda (Criminal Appeal No. 381 of 2016)

Winfred Adukule represented the appellant, a juvenile offender, who was indicted, tried, and convicted of the offense of murder contrary to sections 183 and 189 of the Penal Code Act, CAP 120. The trial judge had sentenced the child to 5 years' imprisonment. The appellant(Child) appealed against the sentence on the grounds that: (1) the learned trial judge erred in law and fact by not taking into consideration the provisions of the law governing the sentencing of juvenile offenders, and (2) the learned trial judge passed an illegal sentence.

Regarding ground 2, the Court held that although the High Court is a court of unlimited jurisdiction and may impose an order upon a child offender, it must apply the provisions of the Children Act by virtue of section 104(3) of the Act, rather than any other law in this regard, given the comprehensive nature of the Children Act with regard to criminal jurisdiction over child offenders. The Court was of the view that by imposing a sentence of 5 years' imprisonment, which exceeded the 3 years provided in section 94(1)(g) of the Children Act, the sentence was illegal.

Jurisprudential value: The case reinforces the principle that courts must strictly adhere to the provisions of the Children Act when sentencing juvenile offenders. The case also cemented the position that the High Court has jurisdiction to impose a punishment, or rather an order, against a child offender in accordance with the law.

Name: Tibugwisa Damalie, Allen Kagoya, Abio Patience Teddy and Nanteza Joanita Pauline

Case: Smile Communications Uganda Limited v. ATC Uganda Limited and Anor. H.C.A.C No. 004 of 2022 (Commercial Division), [Stephen Mubiru, J] on April 11, 2023

An arbitral award, CAD/ARB/No.06 of 2021, was made on the 28th of January 2022 in Arbitration Cause No. 004 of 2021 by Cornelius Henry Mukiibi Sentamu, an arbitrator. However, Smile Communications challenged the arbitral award in the High Court on several grounds, including "errors apparent on the face of the record," that it was contrary to public policy, procured by evident partiality in favor of the respondents, that the dispute between Smile Communications and Eaton Towers Uganda was not arbitrable, and that it was made contrary to the provisions of The Arbitration and Conciliation Act. Specifically, the award was delivered beyond the statutory timelines and those set out in the arbitration agreement, and the parties were not accorded equal treatment at the point of delivery of the award. The court upheld the grounds that the arbitral award had been delivered out of time and that the arbitrator had exhibited partiality in the process, striking out the rest of the grounds. The court ruled that the award was invalid and contrary to the agreed terms by which the parties and the arbitrator were bound, having been handed down by the arbitrator after the agreed period had lapsed and being vitiated by a reasonable apprehension of partiality on the part of the arbitrator.

Jurisprudential value: The case established an important precedent that an arbitral award can be set aside if it is delivered out of time or if the arbitrator exhibits partiality during the process.



Counsel Tibugwisa Damalie, Allen Kagoya, Abio Patience Teddy and Nanteza Joanita Pauline of TARA Advocates represented the successful party, Smile Communications Uganda Limited.



Name: Linda Alinda Ikanza

Case:

Pimer v. Bakayana and 4 Others (Civil Suit No. 319 of 2019) [2022] UGCommC 91 (16 August 2022)

Linda Alinda Ikanza successfully represented a female advocate specializing in international trade to recover her 40% commission on profit earned by a law firm from a contract with an international agencies. The plaintiff based her claim on two contractual documents; "The Legal Consultancy Agreement" and an "Objective Setting Form" (Key Performance Indicators Form) which provided for commission to be earned on projects she brought to the firm. The Legal Consultancy Agreement was between the plaintiff and the law firm, where she was engaged as a legal consultant and project manager. While she was compensated for her work on one of the projects, she was never paid for two others. The Defendants argued that the salary she received covered all work undertaken for the firm. The plaintiff later entered into a consent judgment with the Third-party who was a former Partner and defendants and amended her claim to drop him as a Defendant. Upon the consent, the Third-party paid the Plaintiff in his personal capacity for part of the project work undertaken when he was still at the firm thereby releasing him from liability. The suit proceeded to trial for commission owed on one project against the remaining partners at the firm.

The court ruled that by signing the consent judgment, the former Partner was not conducting the usual business of the partnership. He neither signed the judgment in the firm's name nor claimed to act on its behalf. The court found that he could not bind the partnership through a unilateral act not in the ordinary course of business and not executed in the firm's name. Regarding the two documents, the court held that the Key Performance Indicator Agreement was binding on the defendants. Judgment was entered in favor of the plaintiff, awarding her the \$12,000 commission, interest at 8% per annum from June 1, 2019, until full payment, and the costs of the suit.

Jurisprudential value: This case contains a detailed analysis of Uganda's Partnership law and it is often cited to cement principles such as the circumstances when all partners in a firm can become liable for an act by any partner; circumstances where a partner cannot unilaterally bind the partnership to obligations outside the ordinary course of business unless the action is expressly taken in the firm's name or with its authorization and the extent to which a former partner can be excluded from third-party liability where they have discharged their share of the liability.



Name: Diana Kasabiiti

Case:

Noah Wasige and 4 Others -vs- Jacquelyn Amoko, High Court Civil Appeal No. 0024 of 2019 [Hon. Justice Stephen Mubiru], on November 14, 2022

Advocate Diana Kasabiiti represented the applicant in a landmark case that established the principle **that civil imprisonment should be a last resort, only to be used when all other debt collection methods have been exhausted.**

While delivering the ruling, Hon. Justice Stephen Mubiru referred to the Chief Justice's 5th October 2021 Circular on "Guidelines on Execution of Court Judgments and Orders." Clause 3 of this circular specifies that "where there are several modes of execution available in a particular case, the warrant of arrest of a judgment debtor for committal to civil prison should only be issued as a last resort." Furthermore, Section 48(1) of the Civil Procedure Act mandates that after the court orders the attachment and sale of immovable property belonging to the judgment debtor, the sale should not proceed under a decree of execution until the duplicate certificate of title to the property or the special certificate of title has been lodged with the court.



Name: Ms. Nyanzi Gladys Maclean

Case:

Abura Ben Watson versus Uganda, Criminal Appeal No. 246 of 2015, [Egonda- Ntende, Cheborion Barishaki, Muzamiru Mutangula Kibeedi, JA] [September 26, 2020]

The trial court had found that the reconciliation agreement was not executed legally under the Judicature (Reconciliation) Rules, as the appointed “reconciliator” was a bar course student and thus not court-appointed, and the parties failed to inform the magistrate of their reconciliation intentions.

On appeal, the court agreed with Ms. Nyanzi Gladys Maclean's argument that a bar course student, being enrolled at the Law Development Centre or any other postgraduate institution accredited by the Law Council for a postgraduate course in Legal Practice, can conduct reconciliation under the Judicature (Reconciliation) Rules, 2011.

Jurisprudential value: The court established a significant precedent that a bar course student, enrolled at the Law Development Centre or other postgraduate legal education providers accredited by the Law Council for a course in Legal Practice, is authorized to conduct reconciliation proceedings under the Judicature (Reconciliation) Rules, 2011.

This decision underscores the judiciary's recognition of the competence and role of students undergoing accredited legal training programs in facilitating reconciliation between disputing parties, as outlined in the rules governing judicial reconciliation processes.



Name: Ms. Caroline Kintu and Ms. Gloria Nagami

Case:

Grunethal GMBH -vs- Mugisha Richard, Miscellaneous Application No. 0025 of 2022 and Distillers Company (Bochemicals) Ltd and Diageo Scotland Ltd Versus Mugisha Richard No. 0559 of 2022 [Consolidated applications arising from Civil Suit No. 069 of 2021] [Boniface Wamala, J] [February 26, 2024]

Ms. Caroline Kintu and Ms. Gloria Nagami successfully represented the respondent, Mr. Mugisha Richard, in a case centered on allegations that Thalidomide, a drug manufactured by the defendants and taken by the plaintiff's mother during pregnancy, caused birth defects in the plaintiff. The main legal issue revolved around the Limitation Act, with the defendants arguing that the lawsuit exceeded the three-year limitation period for negligence claims.

Despite the plaintiff's claims of infancy and the lack of medical evidence until 2019 as disabilities under the Act, the court dismissed the lawsuit, stating that the extension for infancy expired in 1981 and that the lack of medical proof did not constitute a disability recognized by the law. Even considering the timeframes, the lawsuit exceeded the limitation period. The court dismissed the case and awarded costs to the defendants.

Jurisprudential value: The case established that lack of conclusive medical evidence upon a condition allegedly caused by a negligent act doesn't constitute a disability under the Limitation Act, which could potentially extend the limitation period.



Name: Claire Amanyia Rukundo Kakeeto

Case:

John Kaggwa Versus Kolin Insaat Turizm Sanayi Ve Ticaret A.S. and Another, HCT-00-CC-CS-0318-2012, [Justice Masalu W. Musene, J] on June, 19, 2013

Claire Amanyia of CR Amanyia Advocates & Solicitors represented the defendant in a suit where the plaintiff sued the defendants jointly and severally for breach of an oral contract for payment of commission and other orders. The alleged commission was a sum of US\$500,000.00 (Five Hundred Thousand United States Dollars). The court, while analyzing the evidence on record, stated, "The courts cannot act on guesswork, particularly where it is in black and white that such contracts must be in writing," after finding and holding that there was nothing at all in the emails to do with the alleged commissions of US\$500,000.00 (over 1 billion Ugandan shillings).

Court's Finding: The court therefore held that a suit to enforce payment under a contract whose subject matter was 500,000 USD (over 1 billion Ugandan shillings), which was not in writing, could not be sustained, and it was sufficient to dispose of the whole case.

Jurisprudential value: A lawsuit to enforce payment under a contract with a subject matter exceeding 500,000 Ugandan shillings cannot be sustained if the contract is not in writing.



Name: Lilian Drabo

Case:

Vantage Mezzanine Fund II Partnership Versus Uganda through private prosecution by Atuhaire Wycliffe (Miscellaneous Application No. 070 of 2024)

The State, through Atuhaire Wycliffe, was granted leave to commence private prosecution against Vantage Mezzanine Fund II Partnership. However, when criminal summons were issued, Ms. Lilian Drabo of Kirunda & Co. Advocates, the applicants' counsel, filed applications seeking to stay proceedings at Buganda Road Court and to revise the decision of the Grade One Magistrate. Despite this, the trial magistrate proceeded and issued arrest warrants against the applicants.

Dissatisfied with this decision, the applicants, through their able Advocate Lilian Drabo, applied to the High Court. During the hearing, the applicants made oral applications for an interim stay of proceedings, expressing concerns about the speed of the proceedings and the imminent arrest warrants. The respondents opposed the oral application, arguing that there was already an existing application for stay of proceedings before the court. They also challenged the affidavit provided by Mr. Derek Alexander, one of the partners of Vantage Mezzanine Fund II Partnership, stating that it lacked support from the other partners (applicants) and questioned its authenticity.

Court's Finding: After meticulous analysis and deliberation, the court acceded to the applicants' plea for an interim stay of proceedings, acknowledging the imminent threat of prejudice and the substantive issues raised in their applications. Additionally, the court dismissed the respondent's plea to strike out the application against the 1st and 2nd applicants, affirming the adequacy of the 3rd applicant's affidavit. Moreover, it rebuffed the respondent's entreaty for cross-examination, citing the lack of specificity in the alleged falsehoods and the potential for unwarranted delays.

Jurisprudential value: The case holds jurisprudential value in affirming the court's authority to grant an interim stay of proceedings to prevent imminent prejudice, even when parallel applications exist. It underscores the importance of protecting the rights of applicants facing potential harm due to rapid judicial actions, while also emphasizing the need for specificity when challenging affidavits or seeking cross-examination to avoid unnecessary delays.



Name: Counsel Tibugwisa Damalie

Case:

Homeart (U) Limited Versus Modino Furniture Company Limited, Miscellaneous Application No. 1212 of 2021, [Hon. Lady Justice Susan Abinyo], [January 11, 2023]

Counsel Tibugwisa Damalie of TARA Advocates successfully represented Modino Furniture Company Limited. The background of the case was that during scheduling, counsel for the respondent made an oral application for inspection of the applicant's books of accounts to support the respondent's (the plaintiff in the main suit) claim that the applicant had made profits by infringing on the respondent's registered trademarks. The court granted the inspection order, which the applicant sought to set aside on account of error apparent on the face of the court record.

The issue was whether, by ordering inspection, the court had erroneously shifted the burden of proof from the respondent (plaintiff). Counsel for the applicant argued that ordering inspection was premature as it was a consequential order made prior to the determination of the parties' rights.

Court's Finding: The court dismissed the application and agreed with the respondent that in trademark claims, although the Act is silent on how to account for profits, the defendant bears the burden of demonstrating expenses, and this does not shift the burden from the plaintiff. The court also found that identifying an error apparent on the face of the record would render Order 10 of the Civil Procedure Rules on inspections and discoveries superfluous.

Jurisprudential value: The case established the principle that in trademark claims, although the Act is silent on how to account for profits, the defendant bears the burden of demonstrating expenses, which does not shift the overall burden of proof from the plaintiff.



Name: Ms. Namawejje Sylvia Ebitu (Represented A14 on state brief)

Case:

Uganda v Kamoga Siraje & 13 Ors (Criminal Session Case No. HCT-00-ICD-CR-SC- No. 004 of 2015) [2017]

The fourteen accused persons were charged with four counts: one of terrorism (Count 1), two of murder (Counts 2 and 3), and one of attempted murder (Count 4).

Ms. Namawejje Sylvia Ebitu represented Accused 14 (A14), who was acquitted. The International Criminal Division Court found that the prosecution failed to prove beyond a reasonable doubt that Accused 5, 6, 9, 10, 11, 12, 13, and 14 participated in the commission of the offense and found them not guilty and accordingly acquitted them on Count 1. However, regarding Count 1 of the indictment, the Court found that the prosecution proved beyond a reasonable doubt that Accused 1, 2, 3, 4, 7, and 8 committed, at various times, acts of terrorism such as attacking the reputation and character of, and threatening the murder of, members of a rival faction of the Tabliq sect over the 'Jamiya Daawa Asalafiya' program. These acts were committed against members of the Muslim faith in at least one seminar in Masaka, in meetings at the homes of Accused 1 and 2, and at gatherings in various mosques at Nakasero, William Street in Kampala, and elsewhere. Consequently, the court found Accused 1, 2, 3, 4, 7, and 8 guilty of the offense of terrorism and them sentenced to 30 years.

Jurisprudential value: Terrorism is a very serious wide spread and traumatising offence. It has devastating impact on individual, communities and in some cases on the environment. It is necessary to protect society from the perpetrators of this offence. The perpetrators deserve such a sentence as will keep them away from society and deter others who may be contemplating committing that offence.



Name: Dr. Zahara Nampewo

Case:

Dr. Zahara Nampewo and Brian Kibirango vs. Attorney General, Constitutional Petition No. 10 of 2020.

The constitutional petition brought by Dr. Zahara Nampewo and Brian Kibirango against the Attorney General of Uganda challenged the constitutionality of Section 35(1)(a) of the Land (Amendment) Act, 2010. The petitioners argued that the provision, which criminalizes tenants for assigning their tenancy without giving the landowner the first option, is discriminatory and violates various articles of the Constitution. The respondent denied these claims, asserting that the provision is constitutional and necessary for maintaining harmony between tenants and landowners.

The Constitutional Court upheld the constitutionality of Section 35(1)(a) of the Land (Amendment) Act, 2010, which penalizes tenants by occupancy for assigning their tenancies without offering them to landowners. The court emphasized **the hierarchical nature of land rights, where registered landowners hold superior interests. It stressed that while tenants by occupancy enjoy security of occupancy, this right is not absolute and is subject to legal regulations.** The court concluded that the provision does not discriminate against tenants by occupancy by treating them differently than it does registered landowners. The court dismissed the petition on all grounds, deciding that Section 35(1)(a) of the Land Act, as amended in 2010, is not inconsistent with Articles 21(1) & (2), 22(1), 26(1) & (2), 45, 237(8), 237(9)(a), and 79(1) of the Constitution.

Jurisprudential value: This case brings out the aspect of the hierarchical nature of land rights being that land owners/registered owners hold superior interests than tenants by occupancy or unregistered owners.



Name: Ms. Wakabala Susan

Case:

Mazuku and Another v. Uganda (Criminal Appeals Nos. 39 & 129 of 2020 [Buteera, DCJ, Gashirabake, JA, Kihika, JA,] on August 22, 2023

Ms. Wakabala Susan, on private brief, appeared for the appellants in a case where a couple had been serving a 25-year jail term after being convicted of murder. The crucial question was whether the appellants could be placed at the scene of the crime with certainty.

In their decision, the Justices faulted the High Court judge for determining the case based on circumstantial evidence and relying entirely on the evidence of the dog tracking the suspects without any other corroborating evidence.

Court's Finding: The court held that the evidence of prosecution witness seven (PW7, a chemist from the government analytical laboratory) was clearly inconclusive as to whether the soil found on the appellants' skirt and shoes matched that of the crime scene and could therefore not be relied upon as corroborative to that of the sniffer dog. The judges accordingly set aside the sentences appealed against and ordered the appellants' immediate release from prison, unless they were being held on any other lawful charge.

Jurisprudential value: The case set an important precedent that determining a case based solely on circumstantial evidence and relying exclusively on dog tracking the suspects without any corroborating evidence is insufficient and flawed.



Name: Ms. Immaculate Angutoko

Case:

Uganda -vs- Hajji Eliasa Namunyu [RIP] and 5 others Criminal Appeal No. 49 of 2020, [Mwondha; Tibatemwa- Ekirikubinza, Tuhaise, Chibita; Musoke; JJSC] on January, 17, 2024

Ms. Immaculate Angutoko moved the Supreme Court to declare a golden position that the Court of Appeal's failure to allow the parties to address the court on an issue not raised in the memorandum of appeal—an issue that the same court relied on to declare the proceedings null—constituted a misdirection and was erroneous in law.

In this case, the record showed that the Appellant could have provided a satisfactory explanation or justification if the Court of Appeal had allowed them to address the issue of whether the Respondents took a plea at trial.

The Supreme Court held that the hearing at the Court of Appeal was unfair. Consequently, the decisions and orders issued by the Court of Appeal were declared null. The Supreme Court ordered a re-hearing of the appeal before a different panel of the Court of Appeal to ensure justice is done and the appeal is determined on its merits.

Jurisprudential value: The court's failure to allow the parties to address an issue not raised in the memorandum of appeal, which the court subsequently relied on to declare the proceedings null, is a clear misdirection.



Name: Sarah Awelo (Represented the successful Appellant)

Case:

Aniugo Gloria -vs- Uganda, Criminal Appeal No. 391 of 2017 [Elizabeth Musoke, Catherine Bamugemereire and Stephen Musota, JJA] on February 24, 2022

In this case, the appellant was found with narcotic drugs, specifically 5.4 kg of heroin valued at UGX 153,360,000, at Entebbe International Airport. She pleaded guilty, was convicted, and sentenced by the Chief Magistrate's Court of Entebbe to a fine of UGX 100,000,000 or, in default, to serve 11 years of imprisonment. Additionally, it was ordered that upon serving her sentence, she would be deported to her country, Nigeria. The appellant filed an appeal to the High Court, which set aside the order to pay a fine but maintained the default sentence of 11 years' imprisonment on the sole ground that "the learned trial judge erred in law and fact by imposing a manifestly harsh sentence."

In an appeal to the Court of Appeal, court held that this constituted a single sentence, and it was an error for the learned appellate judge to set aside the fine while maintaining the default sentence of 11 years' imprisonment. The Court of Appeal, therefore, set aside the incomplete sentence and proceeded to resentence the appellant under Section 11 of the Judicature Act. The Court held also found that there was no valuation certificate for the narcotic drugs as required under Section 91(1) of the Narcotic and Psychotropic Substances (Control) Act, 2015. This section provides for a sentence of not less than 500 currency points, which the Court deemed appropriate in the absence of a valuation certificate.

Jurisprudential value: The Court of Appeal clarified that a sentence for being found with narcotic drugs comprising both a fine and a default imprisonment term should be treated as a single, cohesive sentence. The decision also highlights the necessity of following statutory provisions, such as requiring a valuation certificate for narcotic drugs under the Narcotic and Psychotropic Substances (Control) Act, 2015. The absence of such a certificate directly impacts the sentencing options available to the court.

Ruth Sebatindira SC

Senior Counsel with Business **Acumen**



“

A notable assignment in my career was the management of Uganda Telecom in 2020 as a court-appointed Administrator. This was the first administration in Uganda's corporate insolvency history and one of the largest corporate insolvencies in Uganda.

-Ruth Sebatindira SC

”

Ruth began her career as a commercial and insolvency litigator at Kalenge, Bwanika, Kimuli Advocates in 1997.

Before founding Ligomarc Advocates in 2003, Ruth had the opportunity to work as a Senior Tax Advisor at Deloitte Uganda.

Over the last 27 years, Ruth has handled assignments in corporate insolvency litigation, shareholder disputes, commercial loan transactions, tax litigation and advisory, transfer pricing, trademark disputes, and corporate advisory. Currently, Ruth heads the firm's Technology, Media, and Telecoms (TMT) and Tax practices. The firm is a member of the Andersen Global network of tax and legal professionals.

In January 2020, Ruth was appointed by the High Court of Uganda to manage Uganda Telecom as Administrator of the company after its creditors had filed for its winding up due to its inability to pay its debts. The company's debt stood at UGX 1 Trillion. This marked the first administration in Uganda's corporate insolvency history and remains one of the biggest corporate insolvencies in terms of asset value. For three years, Ruth ran the business of the company in accordance with her mandate under the Administration Deed, which was to manage the company, protect the business and assets for the benefit of its creditors, and ensure the protection of all creditors' interests.

Ruth led a team of 450 employees working across the country, ensuring transparency and that all employees understood the administration process and their roles. She was responsible for investigating the causes of insolvency and rendering periodic reports to the Court on progress made, including the Asset Purchase Agreement that she executed to ensure business continuity.

Her work at Uganda Telecom exposed her to various technology contracts, providing her the opportunity to take on assignments in technology law and contracting, leading to the establishment of the Technology, Media & Telecoms (TMT) practice at Ligomarc, which she now heads.

Ruth also leads teams on significant commercial litigations, where she identifies and mitigates litigation risks that pose threats to business and corporate strategy.

She recently led a team that represented the Uganda National Oil Company (UNOC) in a Kenyan court over the issuance of a license to transport petroleum products from Mombasa to Kampala. She also led the tax team in a tax dispute at the Tax Appeals Tribunal, representing the Bank of Uganda Defined Benefits Scheme, in a first-of-its-kind tax litigation.

In addition to her work with Uganda Telecom, Ruth's other leadership roles at the Judicial Service Commission, Uganda Law Society, and various Boards have helped build her leadership and strategic engagement skills.

The Chief Justice of Uganda granted her the rank of Senior Counsel in recognition of her service and contribution to the judicial system as President of the Uganda Law Society.

Ruth is the proud mother of 17-year-old Abigail and is happily married to Mr. Steven Sebatindira.



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