

NEWSLETTER

November 2021



The month of November brought with it opportunities to raise awareness about key issues which FIDA seeks to address in order to achieve our mission and vision. We commenced the commemoration of 16 Days of Activism Against Gender-Based Violence in collaboration with various partners. We also formalized our working relationship with the Uganda Microfinance Regulatory Authority (UMRA) and undertook a disability-inclusivity assessment of our legal aid services at the Secretariat.

ENHANCING ACCESS TO JUSTICE FOR WOMEN



A locus mediation held in Kakiri sub-county, Wakiso district on 15th November 2021 on the land of a woman owner who had trespassers from all sides. The land dispute was successfully resolved and all trespassers agreed to vacate the land.

Success story of the month

FIDA-U protects woman from onslaught of former partner

The legal regime in Uganda does not offer sufficient protection to partners in co-habiting relationships. When these relationships come to an end, women are in a vulnerable position and often stand to lose their share in joint property. In some cases, the former partners of women attempt to perturb their lives and rob them of the custody of their children. FIDA-U is advocating for a legal regime which protects partners in co-habiting relationships. In the meantime, our lawyers work toward ensuring amicable terms of separation

Case Statistics

During the month of November, a total of **2296 cases** were handled at FIDA Uganda's **15 field offices** and **5 justice desks**. Out of these, a total of **1683 clients** were female and **629** were male. A total of **1781 cases** were concluded through alternative dispute resolution, mediation, the court process, referral to partners or legal advice. A total of **515** remained pending mediation or court processes by the end of the month. It is evident that as we near the end of the year, economic difficulties are affecting the rights and quality of life of the women we work with. The organization handled high numbers of **property disputes and maintenance cases**. We also handled a high number of **domestic violence cases**.

for women whose co-habiting relationships come to an end. In the selected success story of November 2021, a former partner of our client exploited the absence of a legal regime protecting partners in a co-habiting relationship to the point of denying that the relationship ever existed; denying that he had a child with his former partner and evicting his former partner from their joint home as a 'trespassing housemaid'. He also used underhanded tactics to frustrate our client's side of the case.

Namutebi Sylvia reported to FIDA's Nsangi Family Justice Desk in June 2021. She stated that the father of her child was abroad and that he was trying to evict her from their joint family home. She said that the couple had a 9-year old daughter together named Nakayondo Phionah. The father of the child, Richard Owori, was suing her for trespass on their land through his brother and lawful attorney. Richard stated in the Complaint that he had appointed Sylvia as a housemaid to take care of his children when he travelled abroad and that she was now refusing to leave his home. He did not admit that they had a romantic relationship at any point and that they had a daughter together. Richard sought an order to declare Sylvia a trespasser, eviction orders and special damages to the amount of UGX 30,000,000. In the powers of attorney, Richard gave his brother custody of their daughter, Phionah, without any regard to the child's mother.

FIDA Uganda assisted Sylvia to draft a Written Statement of Defence in response to the Complaint filed by the former partner. We assisted our client to have copies of her Written Statement of Defence signed by the Court Registrar. Our client received a call from the counsel representing her partner informing her that the case was only filed to scare her and that she does not have to reply to the Complaint. FIDA effected service on the counsel representing our client's former partner.

The matter was scheduled for mediation before a court mandated mediator. The parties concerned reached an agreement. The terms of their agreement were reduced into a consent judgement that was entered on record and sealed by the court. The parties agreed that they will have joint custody over their daughter and that they will both have access to the child while she is in the custody of the other party, but without unnecessary interference in one another's privacy. It was agreed that Sylvia will vacate the house where they had previously lived together and will

withdraw all claims of interest in the property. It was also agreed that Richard would pay Sylvia an amount of UGX 4,000,000 as capital to start a business which will enable her to cater for the day to day needs of their daughter. It was also agreed that Richard was to cover Sylvia's rent for a period of six months. In November 2021, Sylvia received both promised amounts for starting a business and for covering her rent for the next six months.

Due to FIDA Uganda's intervention, Sylvia was able to move on with her life after the end of her relationship, with capital to establish her own independence and with a court-ordered agreement to ensure that she has joint custody over her daughter. FIDA's presence in this case foiled the plans of Sylvia's former partner to leave her with nothing. Sylvia was assisted under FIDA Uganda's International Development Law Organization (IDLO) project which envisions enhanced access to justice for poor and vulnerable women and children in Kampala, Iganga, Wakiso and Lamwo ■

Towards disability-inclusive legal aid service provision

FIDA Uganda recognizes the fact that women with disabilities cannot adequately be served and supported in pursuit of the realization of their rights in the absence of inclusive services and dedicated programming. We are therefore strengthening our institutional response to the justice needs of women with disabilities by transforming our organizational culture in order to create greater awareness of disability-rights at all levels. On 30th November 2021, FIDA Uganda's Secretariat was visited by a group of inclusivity assessors in order to determine the levels of accessibility of FIDA Uganda's legal aid services to Persons With Disabilities (PWDs). The team consisted of representatives of ADD International, Show Abilities Uganda and Albinism Umbrella. Careful observations were made about FIDA Uganda's processes for receiving and engaging clients and the accessibility of our facilities. Practical steps and proposed changes were noted which FIDA Uganda will implement in order to ensure that we deliver an inclusive service. We are grateful for partners which support our work and enable us to grow as an organization ■



A group photo with inclusivity assessors from ADD International, Show Abilities Uganda and Albinism Umbrella along with FIDA Uganda

Enhancing access to justice for survivors of sexual and gender-based violence (SGBV) by addressing solicitation of funds for medical examination

On 6th of October 2021, FIDA Uganda wrote to the Ministry of Health in order to express concern about a malpractice that we have observed in health facilities in respect of the examination of survivors of Sexual and Gender-Based Violence (SGBV). We brought to the attention of the Ministry of Health that Health Centres and Government hospitals charge fees for completing the Police Form 3 upon examination of survivors of SGBV. This Police Form 3 is a required document which SGBV survivors submit to Police in order to report the crime that has been committed against them. Soliciting funds from SGBV survivors for the completion of this form at a Government health

facility is illegal and hinders survivors’ access to justice. FIDA Uganda requested the Ministry of Health to ensure that all health facilities conduct medical examination and completion of the Police Form 3 at no cost to SGBV survivors.

In response to our letter of complaint, the Ministry of Health has issued a directive condemning this practice and giving a stern warning to all government health workers. The directive, dated 10th November 2021, reiterates the obligation on Government to protect women and girls from violence, in accordance with Article 33 of the 1995 Constitution. The Ministry through the Director General, Health Services, Dr. Henry G. Mwebesa decries the solicitation of bribes from survivors of SGBV by the health workers who are entrusted to facilitate the efforts of SGBV survivors to seek legal redress. All health workers are directed to attend to SGBV survivors and complete the Police Form 3 at no charge. Health workers who continue to engage in the illegal practice of soliciting funds for completing the Police Form 3 have been cautioned that they will be dealt with in accordance with the Government Standing Orders and Professional Ethics and Code of Conduct.

FIDA Uganda welcomes this positive and prompt response from the Ministry of Health and the decisive steps that have been taken to address the malpractice of solicitation of funds for the completion of the Police Form 3 within Government health facilities. ■



Photo: 511.org

PROMOTING GENDER-RESPONSIVE GOVERNANCE AND WOMEN'S EFFECTIVE PARTICIPATION IN PUBLIC LIFE

Using film as a tool for advocacy: 16 Days of Activism Against GBV

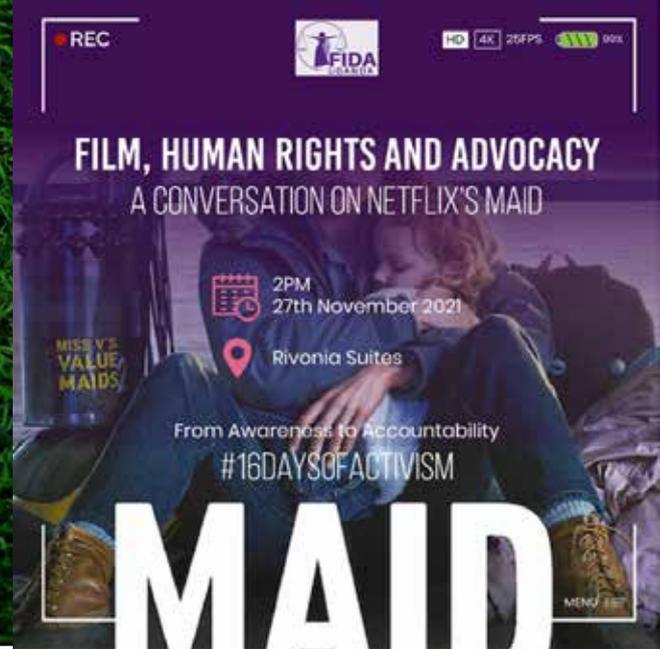
During the month of November, FIDA Uganda commenced our activities to join the global campaign of 16 Days of Activism Against GBV under the theme 'from awareness to accountability'. These 16 days, from 25th November to 10 December, is an opportunity to join hands with local communities, members, government leaders and partners at the national, regional and international level in order to speak up about violence facing women and how we all have a part to play to end it.

As part of our 2021 campaign, FIDA Uganda explored the use of film for the realisation of accountability for violence against women. This activity was centred on the notion that film as an audio-visual tool has the ability to carry the truths of stories and the vast array of human experiences into the personal spaces of individuals, families and communities. An event was organized where we invited our junior members

to join in a conversation on the power of film to demystify, destigmatize, educate and raise awareness about domestic violence in particular. The conversation was built around the Netflix mini-series 'Maid', which details the journey of a young woman fighting to free herself from an abusive relationship while maintaining custody of her daughter.

The conversation was held at Rivonia Suites on 27th November 2021 and 35 of our junior members engaged in an analysis of the extent to which the systems available in Uganda meet the needs of women facing domestic violence. The discussion allowed our junior members to share best practices and initiative for combatting harmful narratives about domestic violence in their work and personal lives. The conversation marks a shift toward embracing non-conventional and novel avenues for GBV advocacy for FIDA Uganda.





PROMOTING SOCIO-ECONOMIC RIGHTS AND JUSTICE FOR WOMEN

FIDA formalizes partnership with Uganda Microfinance Regulatory Authority (UMRA)

On 3rd November 2021, FIDA Uganda and our partner on the economic justice project, the National Association of Women's Organizations (NAWOU), formalised our working relationship with the Uganda Microfinance Regulatory Authority (UMRA) by signing a Memorandum of Understanding. UMRA is a Government agency established by The Tier IV Microfinance Institutions Act. The agency focuses on the promotion of a sound and sustainable non-bank financial institution's sector (savings and credit cooperatives (SACCOs), village saving and loan associations, non-deposit taking microfinance institutions and moneylenders).

During 2020, FIDA-U engaged the UMRA in order to address the situation of women failing to fulfil their loan obligations due to the economic downturn which the pandemic brought about. As a result of these engagements, additional protection was extended to vulnerable Ugandans who use Tier IV microfinance services and moneylenders. FIDA-U and UMRA also collaborated on the development of the first standard operation procedures (SOPs) for Village Savings and Loans Associations (VSLAs) to the benefit of women who belong to such associations.

The MOU between UMRA, FIDA-U and NAWOU formalizes our collaboration to enhance financial

inclusion, stability and consumer protection in the microfinance sector. It is yet another positive step towards strengthening protection of vulnerable women in business either as individuals or as groups, SACCOs and cooperatives from being exploited by unscrupulous and unregistered microfinance institutions.



From left to right: Ms. Edith Tusubira, Executive Director of UMRA; Ms. Angela Nakafeero, Commissioner of Women and Gender; Ms. Liliane B. Adriko, CEO of FIDA-U; Ms. Monica Emiru Enyou, Executive Director of NAWOU and Mr. Nelson Mutatina, Director Supervision, UMRA.



Ms. Edith Tusubira, Executive Director of UMRA, signs the MOU with FIDA Uganda.

FIDA STAFF AND MEMBERSHIP

Celebrating professional achievements

In November, yet another FIDA Member as well as a FIDA staff member were appointed as Magistrates Grade 1. We congratulate

Her Worship Marion Lyndah Atungo and Her Worship Pheona Subira on achieving this milestone and believe that they will continue to promote and protect the rights of women as members of the judiciary.■



Plot 4, Robert Mugabe Road.
Off Chwa 11, Mbuya.
P. O. Box 2157. Kampala-Uganda



Tel: +256-414-697-067
Toll free: 0800-111-511



Email: fida@fidauganda.org
www.fidauganda.org