



## **FOR IMMEDIATE RELEASE**

### **JUSTICE ESTHER KISAAKYE'S DECISION TO FLEE TO EXILE IS A DENT ON JUDICIAL INDEPENDENCE IN UGANDA**

**[KAMPALA, 25-11-2024]** – We have learned with dismay through online media reports that Justice Esther Kisaakye of Uganda's Supreme Court has fled to exile. This follows a plethora of actions against her that she believed undermined her independence as a Judicial officer. She applied to retire early, and her application was denied by Uganda's President on grounds that the application would preempt on-going investigation into her conduct.

It is important to note that ever since issued her dissenting judgment in Election Petition No. 1 of 2021 where former presidential candidate Robert Kyagulanyi challenged the election of President Yoweri Museveni, the Lady Justice has lived in fear for her safety. Her commitment to fulfilling her professional responsibilities and exercising her autonomy and agency as a Supreme Court judge has instead been weaponized against her. This harassment not only undermined her personal dignity but also jeopardized the integrity of the judiciary and the broader principles of justice and equity upon which our legal system should be grounded upon. Such actions are not merely attempts to silence her voice but represent a broader systemic issue of gender-based discrimination in the legal profession, particularly at the highest levels of the judiciary. This persecution is an affront not only to Justice Kisaakye but to every woman who aspires to serve in leadership roles within the legal and public spheres.

The harassment and intimidation of female judges reflect a regressive mindset that seeks to diminish women's participation in governance and justice. Such acts of aggression and hostility are designed to instill fear and deter other women from pursuing careers in law and public service. This signifies a toxic environment where gender bias overrides merit, experience, and the rule of law—principles that should guide and govern the judiciary. It is an act of violence!

On this International Day of Elimination of Violence Against Women, at the Women's Probono Initiative, we express our unwavering support and solidarity to the Honourable Justice. To Justice Kisaakye, we applaud your courage and dedication to

justice which inspires many. We stand with you in your fight against injustice and harassment, and we urge you not to be deterred in your commendable work.

As we UNiTE to speak out against violence against women, we call for the following actions:

1. The Government of Uganda to ensure that the Judicial Services Commission upholds Justice Kisaakye's procedural rights by duly notifying her of any proceedings pending against her. This has to be in accordance with international law standards and Section 11 of the Judicial Service Act of Uganda that underscores the right to a fair hearing.
2. Through its relevant departments and agencies, the Government should promote a supportive and safe environment where freedom of expression is protected and the rule of law is safeguarded.
3. All Civil Society Organizations, development partners and human rights activists to utilise your platforms to raise awareness about the harassment of Justice Kisaakye and the broader issue of gender-based discrimination within the legal system.

An independent and impartial judiciary is fundamental to a functioning democracy. The harassment of Justice Kisaakye poses grave implications for the rule of law in Uganda. It sends a chilling message that judges can be targeted for their opinions or decisions, thus compromising the independence of the judiciary. When judges are not protected from intimidation, the very foundation of justice is at risk, undermining public confidence in the legal system.

We continue to call upon the government of Uganda, the leadership of the Judiciary, and civil society to take immediate and decisive action to support Justice Kisaakye. It is crucial to ensure that all judges, especially women, can perform their duties with dignity and without fear of repercussions.

For further inquiries or to support our initiatives, please visit our website at [www.womenprobono.org](http://www.womenprobono.org) or contact us on our toll-free line: +256 (0) 800-220645, Or email [info@womenprobono.org](mailto:info@womenprobono.org)