



ACTION FOR HUMAN RIGHTS AND CIVIC  
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## BEST PRACTICES

- Holding alternative dispute resolution clinic (ADR) at the office thus saving time, resources and reaching to a mutual understanding by both parties.
- Recruiting and training of Community based Resource Persons who identify, report and refer human rights violations in their respective localities.
- Creating community out reach awareness through Drama and Role plays. This is educative as well as entertaining.
- Conducing local radio programs on Human rights issues
- Networking with community liaison officer at police, probation at the District, child family protection unit t among others in sharing information and promoting team work.
- Building the capacity of vulnerable groups of people on issues of gender, domestic relations and the land rights as a special case
- Making follow ups on cases referred in courts of law and making reports

### **COMMUNITY BASED RESOURCE PERSONS (CBRPs)**

As a result of FHRI training carried out in 1994 which accommodated 84 participants, from the eight sub-counties and 1 town council of the Mukono District, AHURICA started on as a paralegal form. Since it was difficult for AHURICA to train paralegals as it was emerging as a Human rights organisation, it embarked on identifying, selecting and training people at grass roots who could act as agents of change/ watchdogs of human rights issues and address them or report these violations to AHURICA or any other responsible institution in the district. These people were / are still have to be based in their respective localities well known by the community better than any one else. This is how the community based resource persons came into place.

### **OBJECTIVES OF THE CBRPs**

- To build the capacity of grass root contact volunteers (now called community based resource persons) to carry to carry out human rights promotional activities in order to keep local authorities under check;
- To provide the necessary linkages with state organs and AHURICA to ensure systematic exposure of human rights in the selected communities.

- To empower community based resource persons to effectively participate in local governance and negotiate on resource allocation in the multi-party political environment in their communities

### **QUALIFICATIONS FOR BEING A CBRP**

- ❖ Must be of education background of not below senior four,
- ❖ Must be a resident of that locality of not below 2 years in that locality
- ❖ Must understand at least five local languages spoken in that locality,
- ❖ Must be a person of high integrity, a law abiding citizen and trainable
- ❖ Must be willing to work as a volunteer and be creative.

### **ROLES AND RESPONSIBILITIES**

- A) Draw up an activity plan for civic awareness on a quarterly basis in their respective localities
- B) carry out civic awareness in general in their communities
- C) report, and monitor all forms of Human rights violations and their Developments in their communities
- D) participate in all events of the organisation
- E) Promote and defend human rights.

**BY BAR-CHIMPE YOUSUF  
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### **ALTERNATIVE DISPUTE RESOLUTION**

ADR= Alternative Dispute Resolution

ADR= Appropriate Dispute Resolution > select the most Appropriate

ADR= Amicable Dispute Resolution > Stressing the non- adversarial objective

ADR= Accelerated Dispute Resolution > leads to Accelerated Dispute Resolution

ADR= Another Dispute Resolution > Deconstructors Refer to it as such

ADR= Additional Dispute resolution > complementary to litigation.

### **ORIGINS:**

Traditional systems of Dispute resolution e.g. the institution /council of elders, which offered dispute resolution services

Central to the finding of a solution to a dispute was the act of reconciliation between parties. Settlement was not complete without reconciliation of the parties.

compared to Kayunga / mukono Districts (AHURICA'S area of operation) , which accommodates 58 tribes with different cultural beliefs, norms among others found in and outside Uganda, ADR is the most appropriate method for resolving conflicts among parties. any other method of resolving conflict amicably among parties other than using courts is what we collectively call Alternative Dispute Resolution. (Alternative > another better way of doing things, Dispute > misunderstanding / conflict, Resolution > resort to) Generally, ADR refers to any means of settling a conflict outside litigation. ADR was developed in the USA where innovative ways were developed as a means of keeping parties away from courts which in Kayunga compared to any other part in Uganda is associated with high costs, over crowded, too much delays among others due to the adversarial system of court litigation.

ADR therefore describes to variety of conflict resolution processes that are alternative to the formal court based litigation process.

#### WHY ADR FOR AHURICA

- ❖ Before ADR, paralegals in kayunga were receiving and referring complaints / cases to either to police or direct to court and some times themselves (paralegals) pretended to intervene the matters which at the end they applied arbitration methods which is against the law and procedures.
- ❖ people were mostly using criminal methods of mob justice to settle matters
- ❖ many cases even those that are civil or minor were being reported to police
- ❖ complaints were taken to police and families ended divided
- ❖ language was also a problem
- ❖ stake holders were not cooperative
- ❖ monitoring and follow-up was a bite difficult
- ❖ Because of the nature of the court process being time consuming, stressful, expensive yet people in kayunga are poor, among others, AHURICA resorted to ADR for conflict settlement between parties. with its advantages ( ADR) among which are:
  - Cost effective – saves money,
  - Saves time – any time is ADR time,
  - Offers more control to the parties – (the out come is a result of joint effort of the parties)
  - Uses (ADR) neutral third parties where parties have choice,
  - It is user friendly where all parties participate in the process,
  - Procedures are les formal, technical, and more flexible
  - Creates peace and harmony
  - It is confidential and private in proceedings and out comes
  - It yields higher chances of respecting the out comes
  - Disputing parties recon ciliate
  - More meaning as a process
  - Reduces backlogs in court dock outs
  - Parties have chance to understand their mistakes and how to over come them through the hybrids of ADR
  - Parties get to know about the law and the human rights innervations in a meaning full way

#### HYBRIDS / MODES OF ADR PROCESSES

- I. Negotiation
- II. Mediation
- III. Conciliation
- IV. Arbitration
- V. Early natural evaluation
- VI. Summary jury trial
- VII. Mini trial
- VIII. Settlement week
- IX. Case evaluation
- X. Med-orb
- XI. Fact-finding expert
- XII. Rent a judge
- XIII. Ombudsman

- XIV. Unilateral decision
- XV. Dispute review panel
- XVI. Grievance procedure
- XVII. Problem solving-courts
- XVIII. Therapeutic jurisprudence
- XIX. Restorative justice practices
- XX. The judicial settlement conference

## CONCLUSION

**ADR** is here to stay and only the prepared will stay afloat. It is evident that in international transactions, that **ADR** is gaining root on domestic scene. Equity aids the vigilant and the best lawyer will be the one who knows which dispute resolution process is appropriate for his /her case/ compliant.

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