

JUSTICE EGONDA-NTENDE HANGS ROBES AFTER 35 YEARS ON THE BENCH

BY FAROOQ KASULE

After 35 years on the bench, Justice Prof. Fredrick Martin Stephen Egonda-Ntende has retired from the Judiciary.

Born on June 15, 1956, Egonda-Ntende joined the Judiciary service in November 1991, when he was appointed a judge of the High Court.

He remains the longest-serving High Court judge, having served from November 1991 until 2014 when he was elevated to the Court of Appeal.

Ahead of his exit from the Judiciary on June 15 this year, when he celebrates his 70th birthday, the Court of Appeal on May 14 bade farewell to him through a special sitting in honour of his distinguished services to the nation.

The motion for the special sitting was moved by the Solicitor General, Pius Biribonwoha and supported by senior counsel James Mukasa Ssebugenyi.

Biribonwoha said Egonda-Ntende has been a beacon of inspiration for both the bar and the bench.

"As you embark on your journey out of service, we would like to assure you that the legacy you have set will resonate with us all the time," Biribonwoha said.

He added that Egonda-Ntende has been a towering figure in the history of the country's justice sector.

Drawing from Egonda-Ntende's profile, Supreme Court judge Christopher Izama Madrama, who was overcome with emotion as he spoke, described Egonda-Ntende's retirement as the conclusion of a chapter within the country's legal history.

Madrama added that Egonda-Ntende has not only been a judge of high moral integrity, but also a reformer and a traditional jurist who

redeemed the Judiciary of Uganda and the Seychelles, where he served as a chief justice.

Court of Appeal Justice Hellen Obura said they will miss him because he has been a role model at the Court of Appeal.

"You willingly shared your wisdom. We will surely miss you in the Court of Appeal. May the good Lord richly bless you in your retirement," Obura said.

Citing his judgement in *Osotracco Ltd versus Attorney General*, where Egonda-Ntende held that the Government can be evicted from private property for non-payment, and Section 15(1)(b) of the Government Proceedings Act, which protected the state from such orders, was unconstitutional, Obura said he has enriched the country's jurisprudence.

Court of Appeal Justice Cheborion Barishaki described Egonda-Ntende as a chief justice Uganda never had.

"You have clarified complex legal issues and your decisions shall continue to shape the legal landscape in the country," Barishaki said.

The Director of Public Prosecutions, Lino Anguzu, said Egonda-Ntende was a fearless defender of liberty who had greatly contributed to rebuilding judicial integrity.

"You stand out as the greatest jurist of our time,"



EGONDA-NTENDE JOINED THE JUDICIARY SERVICE IN NOVEMBER 1991.

Anguzu said.

In 2024, Egonda-Ntende was awarded an honorary law doctorate by Makerere University in recognition of a distinguished career for over 40 years in legal practice, international adjudication and mediation and academia.

BRIEF BIOGRAPHY

Upon obtaining a postgraduate diploma in legal practice from the Law Development Centre in 1979, Egonda-Ntende enrolled as an advocate of the High Court.

He then became a partner in Egonda-Ntende and Tuyiringire Advocates.

Between 1989 and 1991, he served as the vice-president of the Uganda Law Society (ULS). With the support of the Norwegian Bar Association and the Norwegian government, he oversaw the establishment of the Legal Aid scheme run by ULS.

He is also the founding chairperson of the Jinja branch of the ULS, which is believed to be the starting point of active branch formation countrywide.

HIS LEGACY

In 1996, Egonda-Ntende was appointed a judge of the then newly established Commercial Division of the High Court to resolve commercial disputes expeditiously.

As one of the first judges on the court, and at one point, as its acting head, he helped in the development of a plan to run the court, including bringing on board the users of the court.

During the same period, Egonda-Ntende served as the chairperson of the judicial training committee, whose mandate included developing and implementing judicial education programmes for new and serving judges and magistrates, as well as supporting staff.

Under his watch, the committee developed and implemented, for the first time, a medium-term plan for judicial training in the country.

Egonda-Ntende is also the founding chairperson of the East African Judicial Education Committee, which comprises representatives of the judiciaries of Kenya,

Tanzania and Uganda.

The committee was responsible for arranging and co-ordinating regional judicial education programmes.

The committee was later co-opted by the secretariat of the East African Co-operation, the forerunner of the East African Community, to advise the council of ministers on issues related to justice under the bloc.

Between 1996 and 1997, Egonda-Ntende also served as the chairperson of the working committee on the computerisation of the registries in the Judiciary. Between January 1997 and June 1997, he acted as a judge of the newly established intermediate appeal and constitutional courts, pending the appointment of permanent members of the court.

Between 1998 and 1999, he served as the resident judge of the Masaka High Court circuit. He headed the chain-link project, resulting in a substantial reduction in the case backlog and the remand-convict ratio in the region's prisons.

In 1999, he was appointed the first chairperson of the newly-established technology committee with a mandate to develop an automation plan for the Judiciary.

Between February and July 2000, Egonda-Ntende, together with a team of international UN staff, was tasked with designing, establishing, and developing a judicial system for East Timor.

Between July 2000 and October 2001, Egonda-Ntende served as a judge at the Court of Appeal for East Timor.

Between November 5, 2001, and November 19, 2002, he resumed duty as a judge of the High Court in Uganda.

Between November 18, 2002 and December 22, 2004, Egonda-Ntende served as an international judge at *Peje/Pec, UNMIK*, which investigated and adjudicated serious criminal cases, including cases of genocide, war crimes, organised crime, murder, terrorism, ethnically motivated offences, trafficking in drugs and human beings and smuggling of weapons and ammunition.

Between December 2004 and June 27, 2008, he served as the head of the Commercial Division of the High Court.

From June 2006, to August 19, 2009, Egonda-Ntende was a part-time lecturer at the School of Law in Makerere University. Starting May 1, 2008, until January 15, 2009, he served as an acting justice of the Supreme Court.

Between June 29, 2008, and August 19, 2009, Egonda-Ntende served as the head of the Family Division of the High Court. Between August 21, 2009, and August 20, 2014, he served as chief justice of the Supreme Court of Seychelles. On May 5, 2014, he was elevated to the Court of Appeal/Constitutional Court.



Former Chief Justice Samuel Wako Wambuzi (left), interacting with Egonda-Ntende as Justice Geoffrey Kiryabwire (right) looks on. This was after a special sitting in honour of retiring Justice Egonda-Ntende at the Court of Appeal in Kampala on Thursday

IN HIS WORDS

Prof. Fredrick Martin Stephen Egonda-Ntende thanked God, whom he attributed all the success he has achieved.

"I thank my parents, family, and most especially my wife, who encouraged me to accept the appointment as a High Court judge in November 1991. My inclination was to reject it because of low pay compared to what I was

receiving as a private advocate," Egonda-Ntende said.

Citing the boldness exhibited by the late Justice Patrick Kityo and retired chief justice Samuel Wako Wambuzi during Idi Amin's era, Egonda-Ntende urged the current regime of judicial officers to emulate them.

Upon retirement, Egonda-Ntende said he is going into agriculture.