

Curriculum Vitae

Name Monica Kalyegira Mugenyi
Nationality Ugandan
Date of Birth 27 August 1969
Languages English

Career Resume: I am a Ugandan judge with over 25 years' cumulative legal and judicial experience largely in the public sector; 10 years of which entail regional and national judicial service, and another 15 years as a senior transactional and courtroom lawyer in Uganda. Hands-on experience in the judicial aspects of regional integration in the East African Community (EAC) bloc. Substantial experience in the legal aspects of foreign direct investment, privatization and private sector development. Called to the Bar (Uganda).

Key Competencies: Demonstrable leadership skills; strong results-oriented work ethos; exemplary integrity, professionalism and accountability; excellent communication and interpersonal skills; a self-motivated team player.

Education: Fellow, Chartered Institute of Arbitrators (FCIArb), UK, 2020
LLM International Trade Law Degree; University of Essex, UK, 2002
Postgraduate Diploma, Legal Practice; Law Development Centre, Uganda, 1993
Bachelor of Laws Degree; Makerere University, Uganda, 1992
O' & A' level Education, Gayaza High School, Uganda, 1988

Employment: **Justice of the Court of Appeal/ Constitutional Court of Uganda, October 2019 to date**

Principal Judge, East African Court of Justice (EACJ), June 2015 - Nov. 2020

As the Administrative Head of the Court's First Instance Division, I am part of the Court's Executive Management team, participating in giving strategic direction to the Court to ensure the realization of its overriding mandate – the promotion of regional integration in the EAC regional bloc.

I am responsible for the functional operation of the First Instance Division of the Court, supervision of Division and Registry staff that facilitate the Court's judicial function, as well as the coordination of proposals for policy reform and practice directions from the Division's judges for collation and consideration by the Executive Management Team and the bi-annual Court Plenary (the apex policy-making organ of the Court).

As the Presiding Judge of the First Instance Division, I preside over the judicial corams that hear and determine matters before the Division; provide leadership and guidance to judicial proceedings; preside over pre- and post-hearing coram deliberations, and oversee the Division's judicial output.

I am responsible for the management of the Division's case load, keeping a tab on cases as and when they are filed, cause-listing matters that are ready for hearing and determining the coram of judges to hear them, as well as ensuring the expeditious determination thereof.

I research and guide Division discussions on legal and jurisprudential matters, and mentor newer judges on judicial ethics, applicable Community Law and judgment writing as and when they are appointed.

Memberships:

- Member, EACJ Executive Committee (ExCom), the governance body responsible for oversight of the implementation of the Court's Strategic Plan, policy decisions and approved work plans.
- Member of the Court's Plenary, a body comprised of all the Court's judges and responsible for general policy formulation and Strategic Planning.
 - Member, Rules and Editorial Committees.
- Member-designate, EACJ Commission, the statutory body designated in the Administration of EACJ Act, 2017 (awaiting Presidential Assent) and responsible for the Court's financial and administrative governance, as well as the recruitment and discipline of Court staff.

Accomplishments:

Provided leadership to the institutionalisation of the Court Plenary in the Administration of EACJ Act, 2017. The Court Plenary was hitherto a meeting of the Court's judges that was not grounded in any statutory framework or readily apparent policy provision.

Vide a presentation delivered to the Court Plenary, I promoted the adoption by the EACJ of best international practice on courts governance as espoused in the International Framework for Court Excellence, 2013 and related literature, as as benchmarked against the practice in other international courts. Consequently, vide the bi-annual Court Plenary, the court's judges are engaged in general policy formulation and planning.

Judge, East African Court of Justice (First Instance Division), 2013 - 2015

Panel adjudication of disputes involving the East African Community, States Parties, or natural and corporate persons.

Participation in panel deliberations for consensus building with regard to the court's judgments/ decisions.

Member of the Court's Plenary, a body comprised of all the Court's judges and responsible for general policy formulation and Strategic Planning.

Judge of the High Court of Uganda, 2010 - 2015

- Land Division, 2013 – 2015
- Criminal Division, 2010 – 2013

Adjudication of land ownership and management disputes, including appeals, revisions and miscellaneous applications, as well as the determination criminal prosecutions, appeals, revisions and bail applications.

Case management skewed to backlog reduction and institutional accountability and efficiency, including the timely filing of Session Reports and Returns.

Supervision of court administrative staff (registrars), research assistants, as well as clerical and support staff attached to Judge.

Accomplishments:

I was specifically responsible for research and training in the Criminal Division, and did organize customized training for the Division's Judges on emerging crimes in the global IT/ digital age in anticipation of the then evolving cyber crime in Uganda.

I contributed to the expeditious delivery of justice and reduction of case backlog – at the commencement of my tenure in the Land Division in August 2013 I had been allocated 504 cases, some of which dated back to 1981! This number continually increased with new case filings. By the end of May 2015 when I left the Division to take on my current assignment, 225 suits were completed (judgments and rulings delivered), 277 were at various stages of hearing, and all cases filed before 2005 had been concluded.

In collaboration with Pepperdine University – USA, conducted a pilot plea bargaining court session in respect of juvenile offenders.

Manager Corporate Services, Uganda Road Fund, Mar. – Sept. 2010

Ensured the conformity of all policies and procedures in the Fund to national operating laws and relevant international standards, taking responsibility for the Fund's legal representation in all disputes to which it was a party.

Implemented the Fund's human resource policies, including staff recruitment, remuneration, appraisal, discipline and welfare.

Implemented processes for the management of the Fund's physical assets.

Coordinated and managed the Fund's communications and outreach programs, taking responsibility for all public and media relations.

Accomplishments:

Was part of a pioneer Fund Management Team that operationalised the Uganda Road Fund in accordance with the Uganda Road Fund Act.

Provided leadership to the formulation of the Fund's operational manuals, and drafted Performance Agreements that outline key performance targets and accountability principles against which funds would be disbursed to compliant road maintenance agencies in Uganda.

Private Legal Consulting, 2008 – 2010

Local consultant, PricewaterhouseCoopers LLP/ United Kingdom (PWC/UK)

Sub-contracted to provide technical advisory services to Uganda Revenue Authority's Legal Services and Board Affairs Modernisation Project Team. Reviewed the Legal Department's institutional framework and business processes to underscore sector best practice, ensure portfolio quality, sector risk management and effective alignment with URA's overall mission and national tax policy.

Consultant, Makerere University Gender Mainstreaming Division

Advised the Division's Women and Leadership project. Provided liaison services towards the training of senior women academia and administrators with leadership and related extra-academic skills in order to reduce the disparity in the numbers of female viz male staff in the university's top academic and administrative leadership.

Pipeline consulting study for the Ministry of Energy and Mineral Development

in respect of the promotion of local content/ private sector in Uganda's oil and gas sector.

Legal Officer, Privatization & Utility Sector Reform Project (World Bank Project), Ministry of Finance, Planning & Economic Development, 2002 – 2007

Provided leadership to the legal aspects of privatization transactions including drafting, reviewing and negotiating transactional legal documents required for the privatization of state owned enterprises.

Provided technical guidance and support to privatization program implementation teams relating to project design, planning and implementation as and when required.

Participated in the evaluation of privatization technical bids, Business proposals, pre-qualification bids and related business documents – powers of attorneys, performance and bid bonds, bank guarantees.

Participated in bid evaluations in respect of external legal due diligence services, reviewed legal due diligence reports, and otherwise managed outsourced consultants' contracts.

Managed the Project's post-divestiture function including settlement of terminal benefits, post-completion contract monitoring, post-completion residual issues and the attendant dispute resolution.

Rendered routine legal advice to the Project on a broad range of issues.

Provided Board level pre-divestiture oversight to a state-owned microfinance institution, ensuring that it was legally compliant and well managed in anticipation of its divestiture.

Accomplishments:

Legal Team Leader who drafted, led negotiations in respect of and concluded a Concession and Lease Agreement for the privatization of a state-owned Hotel and International Conference Centre Complex (Nile Hotel) to an international consortium of investors (the Serena Tourism Promotion Services Group).

Legal Team Leader who drafted, led negotiations in respect of and concluded a Share Sale and Purchase Agreement; Shareholders' Agreement, and a Technical Support and Commitment Agreement pertaining to a primary (direct share sale) privatization of the National Insurance Corporation Limited to a reputable institutional investor.

Provided legal support services to a privatization consultant that guided a public private partnership (management contract) in respect of a state-owned sugar manufacturing company (Kinyara Sugar Works Limited).

Senior State Attorney, Ministry of Justice/ Attorney General's Chambers, 1999 – 2002

Represented the Government of Uganda in civil litigation in the Courts of Judicature, and drafted all the requisite documents in respect of court cases handled.

Liaised with line Ministries and Institutions to secure legal briefs on contentious matters to ensure effective case management.

Through the respective line Ministries and other Government Institutions, advised the Government of Uganda on preferred dispute resolution processes.

Provided routine legal advice to the offices of the Attorney General and Solicitor General on a broad range of issues.

Accomplishments:

Successfully represented the Government of Uganda in Constitutional Petitions that tested the validity of provisions of a then newly promulgated (1995) Constitution, including issues pertaining to the national governance structure; parliamentary procedures and processes, and a broad range of fundamental human rights.

State Attorney, Ministry of Justice, 1993 – 1999

Represented the Government of Uganda in civil litigation proceedings in the Courts of Judicature, and drafted requisite court pleadings.

Provided routine legal advice to the office of the Solicitor General.

As Asst. Secretary, Law Council (on secondment) between 1993 – 1995, prosecuted advocates before the Disciplinary Committee of the Law Council, served as Minute Secretary to the Rules Committee and supported related regulatory/oversight functions of the Law Council.

Assistant Legal Officer, Action for Development (NGO), 1992 - 1993

Desk officer responsible for the coordination of a pilot project on domestic violence conducted in 3 districts in Central Uganda.

Provided routine legal education and legal aid services to women with focus on rural communities in 4 sub-counties in each region of Uganda.

Accomplishments:

Participated in the training of paralegals in 2 districts in Central and Eastern Uganda and contributed to the development of a para-legal training manual to guide their work, thus creating a 'stop-gap' measure to meet the needs of people in rural committees that did not readily have access to justice.

Extra Leadership/ Governance Experience:

- (1) Member of the East Africa Development Bank (EADB) Staff Conflict Resolution Mechanism
 - Chairperson, Staff Appeals Committee, October 2013 to date.
- (2) Legal Secretary, Uganda Road Fund Board, March – September 2010.
- (3) Non-Executive Director, PRIDE Microfinance Limited, 2005 – 2010.
 - Chairperson, Board Audit Committee, 2009 – 2010
 - Chairperson, Risk & Credit Committee, 2006 – 2009
- (4) Non-Executive Director, Uganda Livestock Industries Limited, 2007 – 2008.
- (5) Non-Executive Director, Uganda Seeds Limited, 2006 – 2008.
- (6) Secretary, Divestiture & Reform Implementation Committee (Privatisation Policy-formulation body; sub-committee of Cabinet), 2002 – 2007.

Honours & Awards: Certificate of Recognition, **Decade Achievement for Professionalism & Integrity**, Uganda Christian Lawyers Fraternity, November 2015

Representations, Publications & Papers delivered:

Publication, Mugenyi, Monica K., Bangalore Principles on Judicial Conduct: A Framework for Arbitrator Conduct?, Alternative Dispute Resolution – A Journal of the Chartered Institute of Arbitrators (Kenya Branch), Volume 8 Issue 2, 2020, p. 41.

Speaker, Executive Training on 'Regional Courts in Regional Integration Organisations', European University Institute, Florence – Italy, January, 2019

- Presentation: Regional Courts in Regional Integration: The East African Court of Justice, European University Institute, Florence – Italy, January 2019

Discussant, East African Magistrates and Judges Conference, Mombasa – Kenya, October 2018.

- Presentation: *Regional Judicial Strategies to attain Socio- Economic Growth and Cultural Development*, Mombasa – Kenya, October 2018

Presenter, East African Court of Justice Plenary, Nairobi – Kenya, May 2016

- Presentation: *East African Court of Justice (EACJ) Policy and Governance*, Nairobi – Kenya, May 2016

Local Moderator, International Development Law Organisation (IDLO) Distance Learning Program, Kampala, August 2006.

Professional Training:

Seminar on *'The Trade Facilitation Agreement and Regional Trade Agreements'*, International Law Institute (ILI), Washington DC, USA, November 2017.

Seminar on *'Leadership and Management in International Development'*, International Law Institute (ILI), Washington DC, USA, March 2016.

Online Course on *'Fundamentals of Infrastructure Project Finance'* (Partial fulfillment of Project Finance Specialist Certification, Institute of Public Private Partnerships (IP3), USA), May – June 2012

The Commonwealth Eastern & Southern Africa judges forum on financial & economic crimes, Commonwealth Secretariat/ Eastern & Southern Africa Anti-Money Laundering Group (ESAAMLG), Pretoria, South Africa, September 2012.

Seminar on *'Judicial Enforcement in the Digital Age: Emerging Crimes and Methods in Uganda'*, International Law Institute (ILI), Washington DC, USA, August 2012.

Global Microfinance Investment Congress, Planet Finance/ American Conference Institute, New York, USA, May 2009.

Training on *Corporate Governance*, Institute of Corporate Governance of Uganda, Kampala, Uganda, April 2006.

Seminar on *'Microfinance as a tool of poverty alleviation'*, IDLO, Rome, Italy, September 2005.

Seminar on *'Post-divestiture: managing the challenge'*, ILI, Washington DC, USA, June 2003.

Workshop on Public Sector Management and Governance, ILI, Washington DC, USA, December 1999.

Development Lawyers Course, International Development Law Institute (IDLI), Rome, Italy, February – May 1997.

Study session on '*Social-Economic rights: an integral part of Human Rights*', International Institute of Human Rights, Strasbourg, France, July 1996.

Memberships: African Arbitration Association (AFAA); Chartered Institute of Arbitrators (CIArb), UK & Kenya; International Association of Women Judges; National Association of Women Judges; Uganda Christian Lawyers Fraternity; Uganda British Alumni Association; Uganda IDLO Alumni Association; Gayaza Old Girls Association.

Interests: Leisure reading (autobiographies and other motivational literature); classical music; fitness exercise.

REFERENCES

To be availed upon request.

Contact Details

P.O. Box 7085,
Kampala, Uganda
Tel: 256 772 379 915
Email: Monica.Mugenyi@gmail.com

Signed: *M K Mugenyi*

Date: December 2020