

# **Kampala Declaration on Community Paralegals**

*Kampala, Uganda*

*July 26, 2012*

## **Preamble**

We, the participants of a regional meeting on community paralegals held in Kampala on July 9-11, 2012, recognize that in Africa and elsewhere the promises of law and government are often unmet.

A health ministry pledges to treat tuberculosis, but many of its clinics have no drugs in stock; a mining firm uses its influence in the capital to override customary land rights; a fruit seller fails to obtain a trading license, because an official demands a bribe.

Many people cannot avail themselves of nominally good rules and systems, because of cost, dysfunction, corruption, or abuse of power. In other cases, the law itself is unjust. As a result, many citizens are denied even basic rights to dignity, safety, and livelihood.

We represent over fifty organizations working to advance justice in twenty African countries. Our collective experience has shown that community paralegals can help bridge the gap between law and society. Community paralegals use knowledge of law and government and tools like mediation, organizing, education, and advocacy to seek concrete solutions to instances of injustice.

Community paralegals can straddle plural legal systems, engaging both formal and traditional institutions based on the needs of a given case. Paralegals are linked to lawyers who provide guidance and who can resort to litigation if frontline methods fail.

Community paralegals have been active in Africa for decades, at least since the 1950s, when paralegals began assisting black South Africans to navigate and resist the codes of apartheid.

Community paralegal efforts are diverse. Some provide holistic services, while others focus on specific issues like gender or land or the rights of prisoners. Some paralegals are paid while others are volunteers. Some work with nongovernmental organizations—including legal NGOs, community based organizations, and membership associations like unions or farmers' groups—while others are a part of government legal aid programs.

Community paralegals have empowered people in many parts of Africa to equitably resolve conflicts; to seek protection from violence; to navigate the criminal justice system; to exercise rights over land and natural resources; to access essential services like health care and education; to hold private firms accountable; and to participate in the economy on fair terms.

By doing so, these paralegals further both justice and development.

This declaration acknowledges and builds on the 2004 *Lilongwe Declaration on Accessing Legal Aid in the Criminal Justice System in Africa*, the 2011 *Bamako Declaration on Impunity, Justice, and Human Rights in West Africa*, and the 2012 (Draft) *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, as well as earlier statements of principle, including the *Universal Declaration of Human Rights* and the *African Charter on Human and People's Rights*.

**We resolve the following:**

- 1) We commit to strengthening the quality and consistency of community paralegal efforts, through mechanisms for training, supervision, evaluation, and community oversight. We seek to make our work more evidence-based, and to increase learning among programs across borders. To that end, we commit to participating in networks of paralegal organizations at national, regional, and international levels.
- 2) We call on governments to recognize the role community paralegals play, following the lead of legal aid legislation in Sierra Leone, Nigeria, Malawi, and ongoing initiatives in Uganda, Tanzania, Kenya, and elsewhere. In addition to public legal aid boards, potential sources of recognition include ombudsman offices and human rights commissions. We commit to participating in the development of policy and legislation regarding paralegals.
- 3) We call on governments and development partners to invest in the scale-up of community paralegal efforts. Paralegals should not be limited to capital cities or a handful of districts--all citizens deserve access to primary justice services.
- 4) State recognition should not entail state control. We call on governments to respect the independence of community paralegals, so as not to hinder the crucial role paralegals play in holding the state accountable.

It has been more than fifty years since Africans began achieving independence from colonialism with calls for freedom, development, and social justice. The struggle to realize those dreams is far from over. Community paralegals can help carry it forward.

*For a complete list of signatories, please visit: [www.namati.org/kampala-declaration](http://www.namati.org/kampala-declaration).*

*The declaration remains open for further signatures.*