



2022 JURIST OF THE YEAR AWARD: CITATION

Since 1993, the Kenyan Section of the International Commission of Jurists (ICJ Kenya) has each year recognized the achievements of one outstanding Jurist dedicated to promoting and protecting human rights. The award was introduced both to commemorate International Human Rights Day and to recognize and honor the contributions of an exceptional Jurist.

This year, our distinguished Jurist has an intriguing reputation for pushing legal boundaries and challenging the status quo. This professional trait has earned him recognition nationally, regionally, and internationally.

Our Jurist has earned a reputation for and contributed to Kenya's transformative and innovative legal reforms through his legal prowess as a Human Rights Defender, Jurist, and Scholar. His keen attention to detail is contagious. His energy, passion-driven, and genuine belief in the rule of law have got him noticed among his peers and the general public.

By way of background, our Jurist has had an illustrious legal career, legal training, and education. His passion for human rights issues was evident as a law student. While studying at the University of Nairobi in Kenya, where he obtained his Undergraduate Degree in 1996, his thesis focused on "*The Maasai Land Question: A Scheme of Systematic Deprivation?*" While studying at Harvard University, where he obtained his Master's Degree in 1999, the focus of his thesis was "*Indigenous Peoples Rights in the International Law Fabric: The Case of the Maasai People of Southern Kenya.*" He served as a Teaching Assistant at Harvard University in the *United Nations and Human Rights* course at the Kennedy School of Government in 2000. He received his Doctor of Juridical Sciences from Harvard University in 2002. He received the *John Gallup Laylin Prize in International Law* at Harvard Law School in 2002 for his doctoral dissertation. Additionally, he received many merit fellowships and grants from Harvard Law School, including the *Clark Byse Fellowship* for academic distinction and the *European Law Research Center Seminar Fellowship*. The Institute for the Study of World Politics, Washington, D.C., and the MacArthur – Weatherhead Center for International Affairs also awarded him research grants.

Our Jurist is not only an Advocate of the High Court of Kenya but is also licensed and has practiced law in Massachusetts, United States. His passion for human rights crystallized during his tenure as a Professor of Law at the University of Washington from 2004 to 2011, where he taught several human rights courses. He served as the Academic Director for African Studies' Study Abroad Program on Health & Human Rights for Kenya during this time. Additionally, he was a member of the university's *Human Rights Steering Committee* and the *Faculty Advisor for the Center for Human Rights and Justice*. At the University of Washington School of Law, he won several awards for his exemplary teaching skills, including two as the Professor of the Year. He won the *Philip A. Trautman Professor of the Year* in 2004-2005 and 2010-2011.

Our Jurist joined the Judiciary in 2011 as a Judge of the High Court of Kenya and served as the Presiding Judge at Nakuru High Court, Presiding Judge at Kiambu High Court, and a Judge in Machakos. As a Judge, he has demonstrated unparalleled boldness in upholding human rights and the rule of law in Kenya. He has served in several high-profile multi-judge bench cases, including the *Constitution Amendment Bill 2020 (Building Bridges Initiative (BBI) Petitions in 2021; Ballot Tender (Al-Ghurair) Case in 2017; the LAPSSET Case in 2019; the SGR (Mombasa Port) Case in 2020; and the Mui Basin Case in 2015*. As a single judge, he has also handled several high-profile murder cases, including the *Kibiu Mwiriri cases* and the *Principal's Murder (Jane Muthoni Mucheru) Case*. Additionally, he determined the case of *Sudi Oscar Kipchumba v Republic (Through the National Cohesion & Integration Commission)*, where he upheld the rights of the person in pre-charge detention to be released on pre-charge bail.

Our Jurist is a passionate and seasoned leader and has served in many leadership positions in the Judiciary. He is a former Head of the Judiciary Transformation Secretariat responsible for coordinating the implementation of the Judiciary Transformation Framework, 2012-2016, the blueprint that guided comprehensive reforms in the Kenyan Judiciary after the promulgation of Kenya's Constitution in 2010. At the Judiciary Transformation Secretariat, he passionately championed Judiciary Transformation with much effectiveness, as demonstrated by the speed with which the reforms were accepted and embedded in the consciousness of most staff members. He deepened this work during his tenure at the Judiciary Training Institute from 2012 to 2016, helping institutionalize the idea that continuous judicial education is imperative for a well-performing Judiciary. He has also served in many significant Committees and Taskforces in the Judiciary. They include Committees or Taskforces that have generated critical judicial policies or guidelines, including the following:

- The Steering Committee of Active Case Management;
- The Technical Committee on Criminal Procedure Bench Book (which produced the Criminal Procedure Bench Book in 2018);
- The Judicial Taskforce on Sentencing (which produced the Sentencing Policy and Guidelines in 2016);
- The Taskforce on Bail/Bond (which produced the Bail and Bond Policy in 2015);
- The Committee on Code of Conduct which produced the Draft Judiciary Code of Conduct in 2018;
- The Committee on Judiciary Disability Mainstreaming Policy (which produced the Judiciary Disability Mainstreaming Policy in 2016).

Our Jurist was appointed by the Honourable Chief Justice to represent him in the Kenya Council for Legal Education and the Kenya School of Law Board.

Because of his passion for expanding the scope of access to justice, our Jurist has spearheaded the discourse and push for alternative justice in Kenya as an avenue for expanding access to justice. In 2016, he was appointed Chair of the Judiciary Taskforce on Alternative Justice Systems. During his tenure, the Taskforce developed the National Steering Committee for implementing the Alternative Justice System Policy. He currently serves as the Chair of the National Steering Committee for implementing the Alternative Justice Systems Policy. The Judiciary integrated the

Alternative Justice System to support the dispensation of justice following an increase in case backlog and inadequate manpower. The Alternative Justice System model was officially launched in 2021. The implication is that the Judiciary should promote access to alternative mechanisms of access to justice beyond courts and that litigants have various options for redressing social grievances.

Our Jurist has engendered diligence and a robust sense of innovation in both his work in Court and his administrative deployments. In Court, he became a pioneer and early adaptor of Active Case Management in Criminal Cases to improve the speed and quality of the Criminal Justice System. He has consistently worked diligently to quickly resolve disputes that do not require much jurisprudential or doctrinal innovation or application while writing reasoned opinions in those requiring substantial judicial attention. Case backlogs and delays have been substantially reduced in all stations he has served. In each station, he also brought significant operational reforms to improve the speed and quality of justice dispensation, including in registry operations and customer service.

Our Jurist is widely published. He has published more than ten articles in peer-reviewed journals and book chapters. In addition to his work as Judge, he continues to receive and accept many invitations to speak to judicial, academic, and other audiences both in Kenya and abroad on a wide range of topics, including Judicial Reforms; Alternative Justice Systems; Human Rights; and Transformational Leadership. He has made more than one hundred scholarly and professional presentations at various conferences, colloquia, workshops, and gatherings.

Our Jurist is a mentor for many young and seasoned legal minds – always at hand to assist, embrace, and natural talent, a rear quality befitting of a jurist of his stature.

Our Jurist of the year recently appointed a Judge of the Court of Appeal of Kenya, is one of Kenya's bold and progressive Judges making precedent-setting decisions. To a man alive to the place of law in society, committed to interpreting the law courageously and ambitiously without fear or favor, we are honored to present this year's Jurist of the Year Award to Hon. **Justice Professor Joel M. Ngugi!**

We hold you up here today with pride and dignity and, most of all, with gratitude for all you do for this country and the people of Kenya. You are a true inspiration!

On behalf of the ICJ Kenya fraternity, its membership, the legal community, and members of the Bench at large, our heartfelt congratulation

THE ICJ KENYA JURIST OF THE YEAR COMMITTEE (JOYA)