

PRN - 2240013931870.

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA
HOLDEN AT KAMPALA
(CIVIL DIVISION)

MISCELLANEOUS CAUSE NO 0051 OF 2024
IN THE MATTER OF THE HUMAN RIGHTS (ENFORCEMENT) ACT, 2019
OKELLO JOSHUA=====APPLICANT
-VERSUS-
ATTORNEY GENERAL=====RESPONDENT

NOTICE OF MOTION:

[Under Article 50 & Article 29 (2) (a) of the Constitution of the republic of Uganda;
Rule 5(a), 6(c), 7, 8 & 11 of the judicature (Fundamental and Other Human Rights and
Freedoms) (Enforcement Procedure) Rules, 2019); O. 52r1, 2, 3 CPRs]

TAKE NOTICE that the court shall be moved on theday
of.....2024 atO'clock or soon thereafter as the counsel for the
applicant or the applicant can be heard on an application for Declarations and Orders
that;

1. A declaration that the investigations of the respondent's agents or servants and inquiries into payments made under orders of some of the parliamentary members are ultra vires, illegal and an affront to right of privacy and privileged information and the independence of parliament.
2. A declaration that the orders of the respondent's agents to produce generic & personal information regarding transactions on the speaker's account, details, and sum paid on such accounts, are ultra vires, illegal and an affront to the independence of the office of the speaker of parliament and the commission.
3. An order of prohibition restraining the respondent, his agents or servants from demanding or forcing the right Hon speaker of parliament to release personal accounts details of members of the commission of parliament, unspecified payments and bank account details.
4. A permanent injunction prohibiting the respondent, his agents or servants from demanding for and or compelling the office of the right honorable speaker of parliament and members of the commission of parliament from releasing to the respondent's agents, account details, client payment lists, client's bank accounts numbers.
5. An award of general damages and costs of the application.

TAKE FURTHER NOTICE that this application is supported by the affidavit of **OKELLO JOSHUA** the applicant, which shall be read and relied on at the hearing of this application but briefly are that;.

1. That I am a civically dynamic Ugandan who has been closely following the constitutional, human rights and rule of law trends in my country Uganda in general and in particular the parliament of Uganda
2. That it is on record that the leader of opposition in parliament, Joel Ssenyonyi, through social media sites and press tasked the speaker of parliament, Hon. Anita Among to respond to all the corruption allegations of parliament if the institution is to live to its vision of being people-centered as she has always claimed.
3. That through Chris Obore, it's Director Communications and public affairs, parliament of Uganda immediately disparaged this call by the leader of opposition because parliament does not account through the press.
4. That following the weeks of social media accusations loosely called "Uganda Parliament Exhibition", the house (the parliament of Uganda) has been or was thrown into public scrutiny, especially the speaker's office and that of the clerk to parliament, over the expenditure of money allocated to it by the parliamentary commission in the 2024/25 financial year budget, and there is a public outcry that, if not checked, would abuse tax payers' money. That the said social media accusations have irredeemably tarnished the image of the parliament of Uganda and the office of the speaker.
5. That through its director of communications in parliament, the speaker will not issue a statement on the expenditures in parliament based on their ultimatum issued by Joel Ssenyonyi, the exhibitors on social media are not provide cogent evidence to back up their allegations of corruption in parliament.
6. That therefore in view of the foregoing concerns, the tenue and numeration of the office of the speaker don't have to be discussed in the public eye as this will injure and reduce the integrity of the office of the speaker of parliament of the republic of Uganda.
7. That furthermore, the respondent's action or actions of its servants have or will diminish public confidence in the institution of parliament which is tasked with a constitutional duty of oversight role and appreciation of money to all other sectors of government on top of its cardinal role of formulating laws.
8. That the respondent has failed to make a statement to defend office of the speaker of Uganda parliament yet he's supposed to defend or represent government in all

civil cases or any other legal proceedings to which government is a party to. That in the circumstances, I believe this is fit and proper case hence for issuance of the orders prayed for and I believe no prejudice would be occasioned to the respondents or anyone else through issuance of the orders or where any prejudice is occasioned the probative value of the order outweighs such prejudice.

9. That in the view of the foregoing, I am highly apprehensive that unless this honorable court grants the order prayed for, it will not correct this anomaly and will cause an injustice to the applicant or the public at large.
10. That I am informed that this honorable court, which information, I verily believe to be true that, this court has jurisdiction to entertain this application.
11. That this application is brought in good faith and it is in public interest it be granted.

DATE at Kampala this 27th day of 03 2024



APPLICANT

GIVEN under my hand and seal of this Honourable this _____ day of _____ 2024

DEPUTY REGISTRAR

DRAWN & FILED BY;

APPLICANT

TEL; 0780757587

WHAT'SAPP; 0706979024

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MISCELLANEOUS CAUSE NO. 0051 OF 2024

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OKELLO JOSHUA=====APPLICANT

-VERSUS-

ATTORNEY GENERAL=====RESPONDENT

AFFIRDAVIT IN SURPपोर्ट

I, **OKELLO JOSHUA**, C/o Camp Swahili Ward, Cell A5, Soroti City East, Tel; 0780757587, WhatsApp; 0706979024, Email; jokeljoshua9@gmail.com, Soroti-Uganda, do hereby solemnly affirm and state as here under;

1. That I am a male adult Ugandan of sound mind, a lawyer, a civically active Ugandan and by virtue of that, I am very conversant with the facts and circumstances of this application.
2. That unless otherwise indicated, the facts stated herein are based on my personal knowledge, information and belief.
3. That I am a civically dynamic Ugandan who has been closely following the constitutional, human rights and rule of law trends in my country Uganda in general and in particular the parliament of Uganda
4. That it is on record that the leader of opposition in parliament, Joel Ssenyonyi, through social media sites and press tasked the speaker of parliament, Hon. Anita Among to respond to all the corruption allegations of parliament if the institution is to live to its vision of being people-centered as she has always claimed.
5. That through Chris Obore, it's Director Communications and public affairs, parliament of Uganda immediately disparaged this call by the leader of opposition because parliament does not account through the press.
6. That following the weeks of social media accusations loosely called "Uganda Parliament Exhibition", the house (the parliament of Uganda) has been or was thrown into public scrutiny, especially the speaker's office and that of the clerk to parliament, over the expenditure of money allocated to it by the parliamentary commission in the 2024/25 financial year budget, and there is a public outcry that, if not checked, would abuse tax payers' money. That the said social media accusations have irredeemably tarnished the image of the parliament of Uganda and the office of the speaker.

7. That through its director of communications in parliament, the speaker will not issue a statement on the expenditures in parliament based on their ultimatum issued by Joel Ssenyonyi, the exhibitors on social media are not provide cogent evidence to back up their allegations of corruption in parliament.
8. That therefore in view of the foregoing concerns, the tenue and numeration of the office of the speaker don't have to be discussed in the public eye as this will injure and reduce the integrity of the office of the speaker of parliament of the republic of Uganda.
9. That furthermore, the respondent's action or actions of its servants have or will diminish public confidence in the institution of parliament which is tasked with a constitutional duty of oversight role and appreciation of money to all other sectors of government on top of its cardinal role of formulating laws.
10. That the actions of the respondents' agents have also belittled the personality of the person of speaker of parliament of Uganda especially by using social media platforms yet there are legally accepted avenues for addressing and handling such matters as and when they arise.
11. That this matter should only be investigated by organizations like IGG or an independent commission should be appointed to investigate or be recommended.
12. That the respondent has failed to make a statement to defend the speaker yet he's legally mandated to defend or represent government in all civil cases or any other legal proceedings to which government is a party to.
13. That in the view of the fact, the aforesaid actions of the respondents or their agents are discriminative in nature and a mounts to un equal treatment of Ugandans contrary to the constitution of the republic of Uganda, principles of equity and good conscience.
14. That in the circumstances, I believe this is fit and proper case hence for issuance of the orders prayed for and I believe no prejudice would be occasioned to the respondents or anyone else through issuance of the orders or where any prejudice is occasioned the probative value of the order outweighs such prejudice.
15. That in the view of the foregoing, I am highly apprehensive that unless this honorable court grants the order prayed in the notice of motion, it will not correct this anomaly and will cause an injustice to the applicant or the public at large.
16. That I am informed that this honorable court, which information, I verily believe to be true that, this court has jurisdiction to entertain this application.
17. That this application is brought in good faith and it is in public interest it be granted.

18. That I swear this affidavit in support of application and whatever is stated herein above is true and correct to the best of knowledge, information and belief.

SWORN at Kampala this 27th day of 03 2024.

By the said;

OKELLO JOSHUA



DEPONENT

BEFORE ME;

COMMISSIONER FOR OATHS



DRAWN & FILED BY;
APPLICANT
TEL; 0780757587
WHAT'SAPP; 0706979024
jokeljoshua9@gmail.com