



EAST AFRICAN COURT OF JUSTICE
FIRST INSTANCE DIVISION
Hearing: 29th October 2019 from 9:30 am
(Open Court, 2nd floor, EAC Headquarters)

Applications No. 4, 5 & 6 of 2019 (*Arising from Reference No. 6 of 2019*) **Male H. Mabirizi K. Kiwanuka vs. The Attorney General of the Republic of Uganda**

Applications filed on: 26th June 2019, 31st July 2019 and 8th August 2019 respectively.

Article: 30 of the EAC Treaty for the Establishment of the East African Community.

Rules: 1(2), 4, 21, 30(1), 43, 47 & 73 of the EACJ Rules of Procedure, 2013.

Subject matter: *Interim order restraining the Government of the Republic of Uganda from implementing any of the provisions of the Uganda Constitution (Amendment) Act, 2018 (inter alia).*

In both Applications No. 4 & 5, the Applicant is Male H. Mabirizi K. Kiwanuka a resident of Kampala, Uganda and lawyer by profession. While the Attorney General of the Republic of Uganda is the Respondent in both Applications.

In Application No. 4, the Applicant seeks the Court to strike out the Respondent's answer to the Reference and affidavit in reply for allegedly being alien to the Treaty and the Court Rules of Procedure as well as for not being filed and served within the required time. Alternatively, seeks the Court to enter judgment on admission, in the terms proposed in the Reference in his favour.

Whereas in Application No.5, the Applicant seeks the Court to issue an interim order restraining the Government of the Republic of Uganda, its agencies, bodies, Commissions and any setting from implementing any of the provisions of the Uganda Constitution (Amendment) Act, 2018 and hence;

- a. Halt the implementation of the Uganda Electoral Commission Strategic Plan and Road Map for 2020/2021 electoral period or any related plans.
- b. Halt all the processes and/or preparations for 2020/2021 general elections including but not limited to undertaking any step in pursuit of amendments to electoral laws to align with the Uganda Constitution (Amendment) Act 2018, recruitment of employees, calling for bids and/or entering contracts, gazetting and publishing of polling stations, displaying and updating of the National Voters Register, issuing of nomination documents, nomination of candidates, conducting of elections and declaration of election results until final determination of Reference No. 6 of 2019 pending before this Court.

In Application No. 6, the Applicant (*Attorney General of the Republic of Uganda*) seeks the Court to extend time within which he can serve the Answer/Response to the Reference on the Respondent (*Male H. Mabirizi K. Kiwanuka*) out of time in the interest of justice.

This case summary is a document produced by the Registry to assist in understanding forthcoming matters before the Court. It does not bind the Court. For authoritative Decisions, Judgments and general information about the Court please visit <http://www.eacj.org>

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