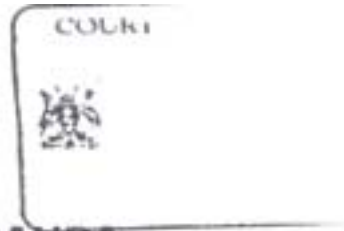


**Anhang 1 : Petition**



**THE REPUBLIC OF UGANDA**

IN THE CONSTITUTIONAL COURT OF UGANDA  
AT KAMPALA

CONSTITUTIONAL PETITION NO. 5 OF 2002

The Fundamental Rights and Freedoms  
(Enforcement Procedure Rules 1992 Directions 1996) Legal Notice No. 4 of 1996

1. PAUL K. SSEMOGERERE :
2. KASSIANO WADRI EZATI :
3. RICHARD SEBULIBA MUTUMBA :
4. WINNIE BYANYIMA :
5. SAM K. NJUBA :
6. OKUMU RONALD REAGAN :

VERSUS

THE ATTORNEY GENERAL

RESPONDENT

**PETITION**

The Petition of:

Dr. Paul K. Ssemogerere of Rubaga, Kampala,  
Hon. Kassiano Wadri Ezati of Magwa Crescent, Jinja,  
Hon. Richard Sebuliba Mutumba of Kawempe, Kampala ,  
Hon. Winnie Byanyima of Luzira, Kampala,

Mr. Sam K. Njuba of Nangabo, Kyadondo, Wakiso,  
And Hon. Okumu Ronald Reagan of Naalya Estate Kampala, whose names are  
stated at the foot of the Petition, being affected and aggrieved by several provisions  
of The Political Parties and Organisations Act 2002 being inconsistent with the  
Constitution, **showeth:**

1. (a) That sections 18 and 19 of the Political Parties and Organisations Act 2002  
(The Act) are inconsistent with articles 20, 29 (1) (a), (b), (d) and (e) and (2)  
(a), 43 (1) and (2) (c), 71, 73 (2) and 286 of the Constitution and the various  
International Human Rights Conventions to which Uganda is a Party in that

they impose unjustifiable restrictions and limitations on the activities of Political Parties and Organisations rendering them nonfunctional, inoperable and inoperative.

- (b) That in contravention of Article 76 of the Constitution, sections 18 and 19 of the Act render Political Parties and Organisations in Uganda virtually and practically inoperative and nonfunctional thereby in effect establishing a One Party state namely the Movement.
2. That your Petitioners state that The Act as it stands contravenes article 21 of the Constitution in so far as it gives different treatment to different persons on the basis of their political opinion and inclination.
3. Your Petitioners state that by reason of the matters stated in paragraphs 1. The impugned sections 18 and 19 of the Act are unconstitutional and must be struck down as null and void.
4. Therefore your Petitioners pray that the Court may grant declarations:
  - (a) That sections 18 and 19 of the Political Parties and Organisations Act 2002 are unconstitutional in that they impose unjustifiable restrictions on the activities of Political Parties and Organisations rendering them nonfunctional and inoperative contrary to Articles 20, 29 (1) (a), (b), (c) and (e) and 2 (a), 43 (1) and (2) (c), 71, 73 (2) and 286 of the Constitution.
  - (b) That sections 18 and 19 of the Political Parties and Organisations Act 2002 are unconstitutional in that they effectively by implication establish a One Party State of the Movement contrary to article 75 of the Constitution.
5. The Petitioners pray for the costs of this Petition.
6. The Petition is accompanied by affidavits sworn by each Petitioner in support of the Petition.
7. Our Addresses are:
  - (i) Paul K. Ssemogere, Rubaga, Kampala.
  - (ii) Kassiano Wadri Ezati, Magwa Crescent, Jinja.
  - (iii) Richard Sebuliba Mutumba, Kawempe, Kampala.
  - (iv) Winnie Byanyima, Luzira, Kampala.
  - (v) Sam K. Njuba, Nangabo, Kyadondo, Wakiso.
  - (vi) Okumu Ronald Reagan, Naalya Housing Estate Kampala.

Our Advocates are:

Messrs Balikuddembe & Co. Advocates,  
P. O. Box 5764, KAMPALA.

DATED AT KAMPALA this... 1st.. day of July, 2002.

Signed by: Paul K. Ssemogerere

Signed by: Kassiano Wadri Ezati

Signed by: Richard Sebuliba Mutumba  
Signed by: Winnie Byanyima  
Signed by: Sam K. Njuba  
Signed by: Okumu Ronald Reagan